

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 540.523, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TEMPORARY TRANSFER 7954 submitted by

WESTLAND IRRIGATION DISTRICT  
P.O. BOX 416  
STANFIELD, OREGON 97875.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County in the name of the WESTLAND IRRIGATION DISTRICT. The decree is recorded in the Order Record of the Water Resources Director in Volume 15, at Page 378. The date of priority is JULY, 1907.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 5.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.06 cubic foot per second, subject to the provisions of paragraph 33 of the decree recorded in the Order Record of the Water Resources Director in Volume 3, Page 127, if available at the authorized point of diversion: WESTLAND CANAL, SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 21, T 3 N, R 29 E, WM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified is a portion of Permit 7400 with a date of priority of JULY 1, 1924. The right allows the use of MCKAY RESERVOIR, CONSTRUCTED UNDER PERMIT R-584, a tributary of MCKAY CREEK, for SUPPLEMENTAL IRRIGATION OF 5.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 13.0 ACRE-FEET STORED WATER ONLY, if available at the authorized point of diversion: MCKAY DAM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

SE $\frac{1}{4}$  SW $\frac{1}{4}$  5.0 ACRES  
SECTION 31  
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

The applicant proposes to change the place of use to:

SW $\frac{1}{4}$  NE $\frac{1}{4}$  5.0 ACRES  
SECTION 31  
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

THIS TEMPORARY CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The change is temporary. The change shall be effective upon issuance of this order.
2. The former place of use shall not be irrigated as part of this water during the 1998 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 1998 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. The use of the remaining water right described by decree shall continue to be in accordance with the terms and conditions of the decree.

WITNESS the signature of the Water Resources

Director, affixed APRIL 15, 1998.

  
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for Martha O. Pagel, Director