

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING TEMPORARY CHANGES 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 8728 submitted by

DAVID CORREA  
31777 ANDREWS ROAD  
ECHO, OREGON 97826.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as tabulated under PIONEER IRRIGATION COMPANY in the name of FRANK COREA [sic]. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is JANUARY 1, 1900.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 7.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.09 cubic foot per second, subject to the provisions of Paragraph 33 of the decree, if available at the authorized point of diversion: SW¼ NE¼, SECTION 21, T 3 N, R 29 E WM; WESTLAND CANAL - N 76° 45' 56" E, 2913.19 FEET FROM THE W¼ CORNER, SECTION 21, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as tabulated under PIONEER IRRIGATION COMPANY in the name of B.F. MCCULLOUGH. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is JANUARY 1, 1900.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 47.3 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.59 cubic foot per second, subject to the provisions of Paragraph 33 of the decree, if available at the authorized point of diversion: SW¼ NE¼, SECTION 21, T 3 N, R 29 E WM; WESTLAND CANAL - N 76° 45' 56" E, 2913.19 FEET FROM THE W¼ CORNER, SECTION 21, or its equivalent in case of rotation, measured at the point of diversion from the source.

The third right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County as tabulated under PIONEER IRRIGATION COMPANY in the name of FRANK CORREA, SR. The decree is recorded in the Order Record of the Water Resources Director in Volume 15, at Page 378. The date of priority is JANUARY 1, 1900.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 8.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.10 cubic foot per second, subject to the provisions of Paragraph 33 of the decree, if available at the authorized point of diversion: SW¼ NE¼, SECTION 21, T 3 N, R 29 E WM; WESTLAND CANAL - N 76° 45' 56" E, 2913.19 FEET FROM THE W¼ CORNER, SECTION 21, or its equivalent in case of rotation, measured at the point of diversion from the source.

The fourth right to be modified, as evidenced by a portion of Permit 7400, with a date of priority of JULY 7, 1924. The permit allows the use of MCKAY RESERVOIR, CONSTRUCTED UNDER PERMIT R-584, a tributary of the UMATILLA RIVER, for SUPPLEMENTAL IRRIGATION of 62.8 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 163.8 acre-feet, if available at the authorized point of diversion: MCKAY DAM - NW¼ SE¼, SECTION 34, T 2 N, R 32 E, WM, 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:

	<u>COREA</u>	<u>MCCULLOUGH</u>	<u>CORREA</u>
SE¼ NW¼	7.5 ACRES		
NE¼ SW¼		20.0 ACRES	
SE¼ SW¼		19.3 ACRES	
NW¼ SE¼		8.0 ACRES	8.0 ACRES
SECTION 8			
TOWNSHIP 3 NORTH, RANGE 29 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 TEMPORARILY change the place of use to:

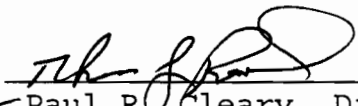
NE¼ SE¼ 31.4 ACRES  
SE¼ SE¼ 31.4 ACRES

SECTION 12  
TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

THESE TEMPORARY CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The changes are temporary. The changes shall be effective upon issuance of this order.
2. The former place of use shall not be irrigated as part of this water right during the 2001 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 2001 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 and Permit 7400 shall continue to be in accordance with the terms and conditions of decree and Permit 7400.

WITNESS the signature of the Water Resources Director,  
affixed APR 25 2001.

  
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Paul R. Cleary, Director