

BEFORE THE STATE ENGINEER OF OREGON

IN THE MATTER OF AN AMENDMENT )  
TO PERMIT NO. 7400 )

O R D E R

On Application of the United States Reclamation Service by B. E. Stoutemyer, District Counsel, the matter of an amendment to Permit No. 7400 comes before the State Engineer for consideration.

Permit No. 7400 is a secondary permit, covering the appropriation of 73,250 acre-feet of water stored in McKay Reservoir under Reservoir Permit No. 584. The priority of the right is July 1st, 1924. The use of water is for supplemental irrigation of 28,064.95 acres which already have water rights from other sources.

At the time when application for Permit No. 7400 was filed, maps were submitted by the Reclamation Service showing the area upon which it was proposed to use this stored water. It appears that in preparation of these maps certain areas in what is known as the Western Division were not described, although these lands were intended to be irrigated by the waters from Umatilla River and also to receive benefit from the water stored in McKay Reservoir. It has been the actual practice to irrigate these lands in the West Extension from the return flow to the Umatilla River above the point of diversion for said lands, which return flow is from the irrigation systems along Umatilla River, using water stored in McKay Reservoir. Although no water will probably be conveyed directly from the reservoir to these lands, the waters used on upper divisions of the project and returned to Umatilla River will be from the reservoir and should be considered as such.

Permit No. 7400 described no land under the canal of the Western Extension Irrigation District. The pending application to amend this permit describes a total of 20,312 acres in this project, a part of which area is also described in Permit No. 408, which is for the use of water from the Umatilla River under a priority of 1909. The granting of this application will increase by 20,312 acres the total described in Permit No. 7400, but,


as this permit is for supplemental irrigation and for the use of a specific volume of water; namely, 73,250 acre-feet, it will not operate to increase the appropriation.

A tabulation giving the description of all lands in the West Extension together with a tracing showing the location of these lands and the area in each legal subdivision has been filed with the application to amend this permit. Although not written into this order, specific reference to said tabulation and maps is hereby made and they are to be considered as having the same effect as though here copied in full.

It appearing from the foregoing statements that this amendment is necessary for the accomplishment of the plans of the Reclamation Service and that the amendment, if granted, will in no way be an injury to the rights of other appropriators of the waters of Umatilla River and its tributaries,

It is therefore ORDERED that said amendment as herein outlined be granted and that said Permit No. 7400 as the same appears of record in Permit Book Volume 25, at Page 7400, be modified in accordance herewith.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of June, 1928.

  
Rhea Luper,  
State Engineer.