

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 8143 submitted by

L AND L FARMS
P.O. BOX 69
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 in the name of COURTNEY IRRIGATION COMPANY, tabulated in the name of C.J. SMITH. 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 9, 1900.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 36.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.46 cubic foot per second, subject to the provisions of paragraph 33 of the decree, 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 was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County in the name of COURTNEY IRRIGATION COMPANY, tabulated in the name of J.M. KELSO. The decree is recorded in the Order Record of the Water Resources Director in Volume 15, Page 378. The date of priority is 1900.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 48.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.61 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, SW¼ NE¼, 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 third right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for UMATILLA County in the name of COURTNEY IRRIGATION COMPANY, tabulated in the name of FRANK J. CORREA, JR. The decree is recorded in the Order Record of the Water Resources Director in Volume 15, Page 378. The date of priority is 1900.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 31.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.39 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, SW¼ NE¼, 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 authorized places of use is located as follows:

	<u>SMITH</u>	<u>KELSO</u>	<u>CORREA</u>
NE¼ NW¼		8.0 ACRES	
NW¼ NW¼		8.9 ACRES	
SW¼ NW¼		6.7 ACRES	
SE¼ NW¼		8.6 ACRES	
NE¼ SW¼	14.0 ACRES	5.7 ACRES	12.6 ACRES
NW¼ SW¼	17.0 ACRES	10.5 ACRES	11.5 ACRES
SW¼ SW¼	5.2 ACRES		5.2 ACRES
SE¼ SW¼	0.5 ACRES		1.7 ACRES

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

These lands also have supplemental water rights under Permit 7400, Permit G-6574, and Permit G-12438. The applicant has provided a statement that says the supplemental rights are not being temporarily transferred and will remain unexercised in the authorized place of use.

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 places of use to:

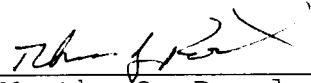
	PRIORITY <u>JANUARY 9, 1900</u>	PRIORITY <u>1900</u>
NE $\frac{1}{4}$ SE $\frac{1}{4}$	22.2 ACRES	0.6 ACRE
NW $\frac{1}{4}$ SE $\frac{1}{4}$	14.5 ACRES	16.8 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		31.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$		31.0 ACRES

SECTION 33
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 places of use shall not be irrigated as part of these water rights during the 1999 irrigation season.
3. The uses shall revert to the authorized places of use at the end of the 1999 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. The use of the remaining water rights described by the decrees, tabulated in the names of C.J. Smith, J.M. Kelso, and Frank J. Correa, Jr., shall continue to in accordance with the terms and conditions of the decrees.

WITNESS the signature of the Water Resources Director, affixed MAR 17 1999.


for Martha O. Pagel, Director

Under the provisions of OAR 137-004-0080, the applicant may petition for reconsideration of this order. The petition shall set forth specific grounds for reconsideration. the petition for reconsideration must be filed within 60 days after the date this order is served.