

STATE OF OREGON

COUNTY OF POLK

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 8725 submitted by

RIVERBEND FARM  
BLAINE MEEK  
16701 RIVER ROAD NE  
ST. PAUL, OREGON 97137.

The right to be modified, as evidenced by a portion of Certificate 36427, was perfected under Permit 27996 with a date of priority of APRIL 26, 1962. The right allows the use of the LITTLE LUCKIAMUTE RIVER, a tributary of the LUCKIAMUTE RIVER, for IRRIGATION OF 38.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.48 cubic foot per second, if available at the authorized point of diversion: LOT 2 (NW¼ SW¼), SECTION 31, T 8 S, R 5 W, W.M.; 1250 FEET NORTH AND 870 FEET WEST FROM THE NW CORNER OF BOWMAN DLC 55, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet for each acre irrigated during the irrigation season of each year.

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 use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

LOT 2 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) 7.4 ACRES  
SECTION 31

TOWNSHIP 8 SOUTH, RANGE 5 WEST, W.M.

SE $\frac{1}{4}$  NE $\frac{1}{4}$  11.4 ACRES  
AS PROJECTED WITHIN BURNS DLC 56  
LOT 2 (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) 2.2 ACRES  
LOT 2 (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) 17.0 ACRES  
SECTION 36

TOWNSHIP 8 SOUTH, RANGE 6 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The applicant proposes to TEMPORARILY change the place of use to:

NE $\frac{1}{4}$  SW $\frac{1}{4}$  17.0 ACRES  
SE $\frac{1}{4}$  SW $\frac{1}{4}$  15.0 ACRES  
NW $\frac{1}{4}$  SE $\frac{1}{4}$  3.0 ACRES  
SW $\frac{1}{4}$  SE $\frac{1}{4}$  3.0 ACRES  
ALL AS PROJECTED WITHIN BURNS DLC 56  
SECTION 36

TOWNSHIP 8 SOUTH, RANGE 6 WEST, W.M.

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

1. This change is temporary. This change 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 and 2002** irrigation seasons.

3. The use shall revert to the authorized place of use at the **end** of the **2002** 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 Certificate 36427 shall continue to be in accordance with the terms and conditions of Certificate 36427.

WITNESS the signature of the Water Resources  
Director, affixed           **MAY 0 2 2001**          .

  
Paul R. Cleary, Director  
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