

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 8510 submitted by

CHESTER PRIOR  
32327 OREGON TRAIL ROAD  
ECHO, OREGON 97826.

The right to be modified, as evidenced by a PORTION of Certificate 75129, was perfected under Permit G-5275 with a date of priority of MARCH 26, 1974. The right allows the use of PRIOR WELLS 2,3,5, AND 6, in the UMATILLA RIVER BASIN, for PRIMARY IRRIGATION OF 24.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.29 CUBIC FOOT PER SECOND (CFS), BEING 0.055 CFS FROM WELL 2, 0.095 CFS FROM WELL 3, 0.075 CFS FROM WELL 5, AND 0.065 CFS FROM WELL 6, if available at the original wells; WELL 2 - NW¼ NE¼, SECTION 36, T 3 N, R 28 E, W.M.; 750 FEET SOUTH AND 2620 FEET WEST FROM THE NE CORNER OF SECTION 36; WELL 3 - NW¼ SE¼, SECTION 36, T 3 N, R 28 E, W.M.; 1780 FEET NORTH AND 2600 FEET WEST FROM THE SE CORNER OF SECTION 36; WELL 5 - NW¼ NE¼, SECTION 35, T 3 N, R 28 E, W.M.; 770 FEET SOUTH AND

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.

2640 FEET EAST FROM THE NW CORNER OF SECTION 35; WELL 6 - NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 35, T 3 N, R 28 E, W.M.; 1940 FEET NORTH AND 2540 FEET EAST FROM THE SW CORNER OF SECTION 35, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right confirmed herein shall not authorize appropriation from the aquifer supplying these wells within the Butter Creek Water area as finally determined. A totalizing meter shall be maintained on each well prior to making the appropriation.

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

The authorized place of use is as follows:

SW $\frac{1}{4}$  NE $\frac{1}{4}$  3.0 ACRES  
NE $\frac{1}{4}$  SW $\frac{1}{4}$  6.9 ACRES  
SE $\frac{1}{4}$  SW $\frac{1}{4}$  8.8 ACRES  
NW $\frac{1}{4}$  SE $\frac{1}{4}$  5.4 ACRES  
SECTION 36

TOWNSHIP 3 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.

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

SE $\frac{1}{4}$  SE $\frac{1}{4}$  24.1 ACRES  
SECTION 35

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

The applicant has provided a statement that water will not be used under District Temporary Transfer 8403 (Certificates 76050 and 76051) on the proposed place of use.

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 right during the 2000 irrigation season.
3. The former place of use shall not be irrigated under Water Right Permit 48450 during the 2000 irrigation season.
4. The use shall revert to the authorized place of use at the end of the 2000 irrigation season.
5. The proposed place of use shall not receive water under the terms of District Temporary Transfer 8403 during the 2000 irrigation season.
6. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
7. The use of the remaining water right described by Certificate 75129 shall continue to be in accordance with the terms and conditions of Certificate 75129.

WITNESS the signature of the Water Resources

Director, affixed JUN 14 2000.

  
for Martha O. Pagel, Director