

STATE OF OREGON

COUNTY OF YAMHILL

ORDER APPROVING TEMPORARY CHANGES IN PLACE OF USE
AND POINTS OF DIVERSION

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 8234 submitted by

LARRY STEELE
1947 WESTLAKE LOOP
NEWBERG, OREGON 97132.

The first right to be modified, as evidenced by a portion of Certificate 20424, was perfected under Permit 13474 with a date of priority of FEBRUARY 6, 1939. The right allows the use of the NORTH YAMHILL RIVER, a tributary of the YAMHILL RIVER, for IRRIGATION of 53.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.67 cubic foot per second, if available at the authorized point of diversion: AT ANY POINT ON APPROPRIATOR'S PROPERTY WHERE STREAM TOUCHES IT IN NE¼ SE¼, NW¼ SE¼, SECTION 6, T 3 S, R 4 W, WM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified, as evidenced by a portion of Certificate 59989, was perfected under Permit 13891 with a date of priority of JUNE 27, 1939. The right allows the use of the NORTH YAMHILL RIVER, a tributary of the YAMHILL RIVER, for IRRIGATION of 10.8 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.14 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, as projected within DLC 41, SECTION 5, T 3 S, R 4 W, WM; 1630 FEET NORTH AND 830 FEET EAST FROM THE SW CORNER, SECTION 5, or its equivalent in case of rotation, measured at the point of diversion from the source.

The third right to be modified, as evidenced by a portion of Certificate 26134, was perfected under Permit 22244 with a date of priority of APRIL 9, 1953. The right allows the use of the NORTH YAMHILL RIVER, a tributary of the YAMHILL RIVER, for IRRIGATION of 7.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.09 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, as projected within STILLWELL DLC 41, SECTION 5, T 3 S, R 4 W, WM, 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 Certificate 67814, was perfected under Permit 44558 with a date of priority of DECEMBER 11, 1979. The right allows the use of the NORTH YAMHILL RIVER, a tributary of the YAMHILL RIVER, for IRRIGATION of 12.3 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.15 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, as projected within DLC 41, SECTION 5, T 3 S, R 4 W, WM; 1630 FEET NORTH AND 830 FEET EAST FROM THE SW CORNER, SECTION 5, 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 an 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.

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

The authorized place of use is located as follows:

CERTIFICATE 20424

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8.1 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 22.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.2 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.1 ACRES
as projected within DLC 39
SECTION 6

CERTIFICATE 59989

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.3 ACRES
as projected within DLC 41
SECTION 5

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.3 ACRE
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.2 ACRES
both as projected within
DLC 41
SECTION 6

CERTIFICATE 26134

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 ACRE
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 7.0 ACRES
both as projected within
STILLWELL DLC 41
SECTION 6

CERTIFICATE 67814

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.9 ACRES
as projected within DLC 41
SECTION 5

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.0 ACRES
as projected within DLC 41
SECTION 6

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.4 ACRES
as projected within DLC 41
SECTION 8

TOWNSHIP 3 SOUTH, RANGE 4 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:

CERTIFICATE 20424

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 22.7 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.2 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.2 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 11.3 ACRES
SECTION 36
TOWNSHIP 2 SOUTH,
RANGE 5 WEST, W.M.

CERTIFICATE 59989

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.7 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 7.1 ACRES
SECTION 36
TOWNSHIP 2 SOUTH,
RANGE 5 WEST, W.M.

CERTIFICATE 26134

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.5 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.6 ACRES
SECTION 36
TOWNSHIP 2 SOUTH,
RANGE 5 WEST, W.M.

CERTIFICATE 67814

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.9 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.6 ACRES
SECTION 36
TOWNSHIP 2 SOUTH,
RANGE 5 SOUTH, W.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.3 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.5 ACRES
SECTION 1
TOWNSHIP 3 SOUTH,
RANGE 5 WEST, W.M.

The applicant also proposes to TEMPORARILY change the point of diversion to:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 31, T 2 S, R 4 W, WM; 300 FEET NORTH AND 1450 FEET EAST FROM THE SW CORNER, SECTION 31.

THESE 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 this water right during the 1999 irrigation season.
3. The use shall revert to the authorized places of use and points of diversion 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 change causes injury to any existing water right.

5. The use of the remaining water right described by Certificates 20424, 59989, 26134, and 67814 shall continue to be in accordance with the terms and conditions of Certificates 20424, 59989, 26134, and 67814.

WITNESS the signature of the Water Resources Director, affixed APR 26 1999.


For Martha O. Pagel, Director