

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 8833 submitted by

WESTLAND IRRIGATION DISTRICT (MUELLER TO NEWMAN)
P.O. BOX 416
STANFIELD, OREGON 97875

The FIRST right to be modified, as evidenced by a PORTION of Certificate 76715, was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director, in Volume 3 at page 246 and Volume 15 at page 437. The date of priority is MARCH 14, 1903.

The right allows the use of the UMATILLA RIVER, tributary to the COLUMBIA RIVER, for IRRIGATION OF 25.90 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.32 CUBIC FOOT PER SECOND, if available at the original point of diversion located at: SW¼ NE¼, SECTION 21, T 3 N, R 29 E, W.M.; (WESTLAND CANAL) NORTH 76 DEGREES 45 MINUTES 56 SECONDS EAST 2913.19 FEET FROM THE WEST ¼ CORNER, SECTION 21.

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 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 from MARCH 1 TO NOVEMBER 1 and subject to the limitations of paragraph 32 of the Umatilla Decree 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 SECOND water right to be modified is authorized under a portion of Permit 7400. The date of priority is JULY 1, 1924. The right allows the use of MCKAY RESERVOIR, constructed under Permit R-584 on MCKAY CREEK, tributary to the UMATILLA RIVER, for SUPPLEMENTAL IRRIGATION OF 25.90 acres.

The authorized place of use for both the primary and supplemental irrigation rights are as follows:

SW ¹ / ₄ NE ¹ / ₄	12.10 ACRES
NE ¹ / ₄ SW ¹ / ₄	2.80 ACRES
SE ¹ / ₄ SW ¹ / ₄	5.50 ACRES
SW ¹ / ₄ SE ¹ / ₄	5.50 ACRES

SECTION 32
TOWNSHIP 4 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:

NE¹/₄ SW¹/₄ 25.90 ACRES

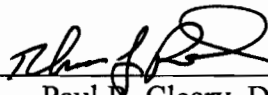
SECTION 20
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

THIS CHANGE TO EXISTING WATER RIGHTS MAY BE MADE FOR THE 2001 IRRIGATION SEASON 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 irrigation season.

3. Water may not be used on the authorized place of use, or on the temporary place of use, under Water Right Certificates 76746, 76747, and 76750 during the 2001 irrigation season.
4. Water may not be used under Water Right Certificate 54736 (Water Use Permit G-6785) on the temporary place of use during the 2001 irrigation season.
5. The use shall revert to the authorized place of use at the end of the 2001 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.

WITNESS the signature of the Water Resources Director, affixed JUL 01 2001.



For Paul R. Cleary, Director
Oregon Water Resources Department