

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING AN EMERGENCY USE DROUGHT
TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 536.750 and OAR 690-19-0055, after finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TEMPORARY DROUGHT TRANSFER 9204 submitted by

WEST EXTENSION IRRIGATION DISTRICT
P.O. BOX 100
IRRIGON, OREGON 97844.

The right to be modified, as evidenced by a PORTION of Certificate 68323, was perfected under Permit 33883 with a date of priority of SEPTEMBER 12, 1968. The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 240.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 6.0 cubic feet per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 28, T 5 N, R 28 E, W.M.; 1100 FEET NORTH AND 520 FEET EAST FROM THE SW CORNER, SECTION 28, or its equivalent in case of rotation, measured at the point of diversion from the source.

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 for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4½ 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 as follows:

SW¼ NE¼	19.6 ACRES
SE¼ NE¼	40.0 ACRES
NE¼ SW¼	5.8 ACRES
SW¼ SW¼	0.1 ACRE
SE¼ SW¼	23.9 ACRES
NE¼ SE¼	40.0 ACRES
NW¼ SE¼	39.8 ACRES
SW¼ SE¼	40.0 ACRES
SE¼ SE¼	30.8 ACRES

SECTION 31

TOWNSHIP 5 NORTH, RANGE 27 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:

NE¼ SW¼	14.2 ACRES
LOT 3 (NW¼ SW¼)	27.2 ACRES
LOT 4 (SW¼ SW¼)	47.2 ACRES
SE¼ SW¼	28.8 ACRES
NW¼ SE¼	14.0 ACRES
SW¼ SE¼	28.6 ACRES

SECTION 19

TOWNSHIP 4 NORTH, RANGE 25 EAST, W.M.

NE¼ SW¼ 23.2 ACRES

SW¼ SW¼ 24.8 ACRES

SE¼ SW¼ 32.0 ACRES

SECTION 20

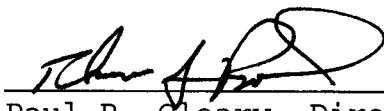
TOWNSHIP 4 NORTH, RANGE 25 EAST, W.M.

THIS 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 use shall revert to the authorized place of use at the end of the 2002 irrigation season or the end of the Governor's declared drought, whichever occurs first.
3. Water used under Certificate 68323 at the original location together with water used at the proposed location shall not exceed 6.0 cubic feet per second or 1080.0 acre-feet during the 2002 irrigation season.
7. The approval of this temporary transfer may be revoked if injury to existing water rights is shown and cannot be mitigated to the satisfaction of the Director and injured parties.
8. Issuance of this temporary drought transfer order may not protect the person receiving the transfer from liability for improper use of the water under the transfer.

WITNESS the signature of the Water Resources

Director, affixed August 21, 2002.


for Paul R. Cleary, Director