

STATE OF OREGON

COUNTY OF MORROW

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 9231 submitted by

CRAIG PARKS  
76015 COL JORDAN ROAD  
HERMISTON, OREGON 97838.

The right to be modified, as evidenced by a PORTION of Permit G-10651 with a date of priority of AUGUST 12, 1971. The right allows the use of the WELL #4 within the UMATILLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION OF 78.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.98 cubic foot per second (440.4 gallons per minute), if available at the authorized point of appropriation: SE¼ SE¼, SECTION 28, T 4 N, R 27 E, W.M.; 90 FEET NORTH AND 1100 FEET WEST FROM THE SE CORNER, SECTION 28, or its equivalent in case of rotation, measured at the well.

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-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 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:

SE $\frac{1}{4}$  NE $\frac{1}{4}$  25.7 ACRES  
SECTION 9

SW $\frac{1}{4}$  NW $\frac{1}{4}$  18.2 ACRES  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  34.6 ACRES  
SECTION 10

TOWNSHIP 3 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:

SW $\frac{1}{4}$  SE $\frac{1}{4}$  39.6 ACRES  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  38.9 ACRES  
SECTION 3

TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

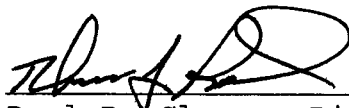
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

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 Permit G-10651, together with the amount secured under any other right existing for the same lands, at the original location together with water used at the proposed location shall not exceed 0.98 cubic foot per second (440.4 gallons per minute) or 235.5 acre-feet during the 2002 irrigation season.
4. 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.
5. 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 AUG 30 2002\_\_\_\_\_.

  
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Paul R. Cleary, Director