

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN USE, PLACE OF USE,
AND POINT OF APPROPRIATION

Pursuant to ORS 537.705, 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, TRANSFER 7197 submitted by

J.R. SIMPLOT COMPANY
P.O. BOX 27
BOISE, IDAHO 83707.

The right to be modified, as evidenced by a PORTION of Certificate 51295, was perfected under Permit G-5812 with a date of priority of JUNE 12, 1972. The right allows the use of ONE WELL, in the UMATILLA RIVER BASIN, for IRRIGATION OF 164.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.05 cubic foot per second, if available at the original well; NW¼ SE¼, SECTION 34, T 3 N, R 28 E, WM; 1300 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER, NW¼ SE¼, SECTION 34, or its equivalent in case of rotation, measured at the well.

NOTICE: Under the provisions of OAR 137-004-0080, the applicant may petition for reconsideration of this order. The petition shall set forth specific grounds for reconsideration. The petition for reconsideration must be filed within 60 days after the date this order is served.

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 acre-feet per acre 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:

NE $\frac{1}{4}$ NW $\frac{1}{4}$	31.4 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	21.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	22.8 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	26.2 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	2.3 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	29.2 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	31.2 ACRES

SECTION 34

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 change the use of 148.6 acres of irrigation to year round INDUSTRIAL USE.

The applicant proposes to change the place of use of the Industrial Use to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 27

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

The applicant proposes to change the point of appropriation for the Industrial Use to:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 26, T 4 N, R 28 E, WM; WELL 4 - 600 FEET NORTH AND 220 FEET EAST; WELL 6 - 400 FEET NORTH AND 200 FEET EAST, BOTH FROM THE S $\frac{1}{4}$ CORNER, SECTION 26.

The applicant also proposes to change the place of use of 15.5 acres of irrigation to:

NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.1 ACRE
SW $\frac{1}{4}$ NW $\frac{1}{4}$	7.9 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.2 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	7.3 ACRES

SECTION 34

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

15.5 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34 has been temporarily transferred to another place of use under Temporary Transfer 8186. That portion of the water right will not revert to the authorized place of use until the end of the 1999 irrigation season.

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

1. The proposed changes shall be completed on or before October 1, 2000.
2. The quantity of water diverted at the new points of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.

