

STATE OF OREGON

COUNTY OF UMATILLA

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

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 9270 submitted by

G-2 FARMING, LLC
C/O TROY BETZ
P.O. BOX 130
HERMISTON, OREGON 97838.

The FIRST right to be modified, as evidenced by a PORTION of Certificate 55009, was perfected under Permit G-5045 with a date of priority of AUGUST 16, 1971. The right allows the use of A WELL, in the UMATILLA RIVER BASIN, for IRRIGATION OF 47.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.59 cubic foot per second, if available at the original well; NE¼ NE¼, SECTION 28, T 4 N, R 28 E, W.M.; 1300 FEET SOUTH AND 1320 FEET WEST FROM THE NE 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 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, provided further that the completed well shall not exceed 200 feet nor appropriate water from an aquifer below the depth of the alluvial gravels.

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

The authorized place of use is as follows:

NW¼ NW¼	32.4 ACRES
SW¼ NW¼	15.2 ACRES

SECTION 27

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 SECOND right to be modified, as evidenced by Certificate 55023, was perfected under Permit G-9456 with a date of priority of JUNE 26, 1981. The right allows the use of C&B WELL #3, in the UMATILLA RIVER BASIN, for IRRIGATION OF 47.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.6 cubic foot per second, if available at the original well; NW¼ SE¼, SECTION 22, T 4 N, R 28 E, W.M.; 2480 FEET NORTH AND 2680 FEET EAST FROM THE SW CORNER, SECTION 22, or its equivalent in case of rotation, measured at the well.

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 3.0 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 $\frac{1}{4}$ 27.6 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20.0 ACRES
SECTION 27
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:

PERMIT G-5045
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 27.6 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20.0 ACRES
SECTION 27
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

PERMIT G-9456
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 32.4 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 15.2 ACRES
SECTION 27
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

The applicant proposes to **TEMPORARILY** change the point of appropriation under PERMIT G-9456 to:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 27, T 4 N, R 27 E, W.M.; 730 FEET SOUTH AND 150 FEET EAST FROM THE N $\frac{1}{4}$ CORNER, SECTION 27.

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

1. These changes are temporary. These changes shall be effective upon issuance of this order.
2. The former places of use shall **not** be irrigated as part of their respective water rights during the 2003, 2004, 2005, 2006 and 2007 irrigation seasons.
3. The use shall revert to the authorized places of use at the end of the 2007 irrigation season or upon the issuance of a final order for transfer application T-9190, whichever is sooner.
4. Water shall be acquired from the same aquifer as the original point of appropriation.
5. The quantity of water diverted at the new point of appropriation (well) shall not exceed the quantity of water lawfully authorized by the water right.
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.
7. **Prior** to diverting water from the new point of appropriation (Well #5), the water user **shall** install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

WITNESS the signature of the Water Resources
Director, affixed FEB 26 2003


Paul R. Cleary, Director