

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A 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 8454 submitted by

RCH FARMS, INC.  
P.O. BOX 110  
HERMISTON, OREGON 97838.

The right to be modified, as evidenced by Certificate 76263, 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 226.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.83 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.

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.

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

The authorized place of use is as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$	30.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	24.4 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	11.3 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	31.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	8.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	30.1 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	2.4 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	33.6 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	38.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	4.2 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	2.6 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 TEMPORARILY change the place of use to:

NE $\frac{1}{4}$ NE $\frac{1}{4}$	31.3 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	31.3 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	34.4 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	31.3 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	12.3 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	7.4 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	12.4 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	22.4 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	3.3 ACRES

SECTION 8

TOWNSHIP 2 NORTH, RANGE 28 EAST, W.M.

The applicant has provided a statement that water will not be used under the terms of Certificate 44654 and Permit 48968 on the proposed place of use during the term of this temporary transfer.

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

1. The change is temporary. The 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 2000 irrigation season.
3. Water shall not be used on the proposed place of use under the terms of Certificate 44654 and Permit 48968.
4. The use shall revert to the authorized place of use at the end of the 2000 irrigation season.
5. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.

6. The use of the remaining water rights described by Certificate 44654 and Permit 48968 shall continue to be in accordance with the terms and conditions of Certificate 44654 and Permit 48968.

WITNESS the signature of the Water Resources Director,

affixed APR 10 2000.

  
For Martha O. Pagel, Director