

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A TEMPORARY 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 8727 submitted by:

HALE BROTHERS FARMS, INC. - J. R. SIMPLOT CO.
P.O. BOX 110
HERMISTON, OREGON 97838.

The right to be modified, as evidenced by a PORTION of Certificate 76263, was perfected under Permit G-5812 with a date of priority of JUNE 12, 1972. The right allows the use of a WELL , in the UMATILLA RIVER BASIN, for IRRIGATION of 226.10 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 feet per second, if available at the well (Sparks Well) located at:

NW¼ SE¼, SECTION 34, T 3 N, R 28 E, W.M.; 1300 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER, NW¼ SE¼, SECTION 34.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHIETH 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 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 located as follows:

SW¼ NE¼	30.00	ACRES
SE¼ NE¼	24.40	ACRES
NW¼ NW¼	11.30	ACRES
SW¼ NW¼	31.50	ACRES
SE¼ NW¼	10.00	ACRES

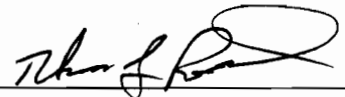
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a final 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.

4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. When required by the Department, 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 installation, and shall be installed under the general supervision of the Department.

WITNESS the signature of the Water Resources Director, affixed APR 19 2001.



For Paul R. Cleary, Director