

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 7964 submitted by

JR SIMPLOT COMPANY
PO BOX 850
HERMISTON, OREGON 97838.

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 a WELL, in the UMATILLA RIVER BASIN, for IRRIGATION of 241.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 3.02 cubic foot per second, if available at the original well; NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 34, T 3 N, R 28 E, WM; 1300 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 34, 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 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 | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 8.0 ACRES |
| SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 24.4 ACRES | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 30.1 ACRES |
| NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 26.8 ACRES | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 2.4 ACRES |
| SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 31.5 ACRES | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 33.6 ACRES |
| SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 10.0 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 change the place of use/point of appropriation to:

| | | | |
|-----------------------------------|------------|-----------------------------------|------------|
| NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 30.2 ACRES | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 30.2 ACRES |
| NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 30.2 ACRES | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 30.2 ACRES |
| SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 30.2 ACRES | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 30.2 ACRES |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 30.2 ACRES | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 30.2 ACRES |

SECTION 32
TOWNSHIP 3 NORTH, RANGE 28 EAST, W.M.

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 during the 1998 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 1998 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to existing water right.

5. The use of the remaining water right described by Certificate 51295 shall continue to be in accordance with the terms and conditions of Certificate 51295.

WITNESS the signature of the Water Resources
Director, affixed 4/13/98.



Martha O. Pagel, Director