

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 submitted by

MIKAMI BROTHER, INC.  
P.O. BOX 780  
HERMISTON, OREGON 97838.

The right to be modified, as evidenced by a portion of Certificate 73977, was perfected under Permit 37833 with a date of priority of FEBRUARY 26, 1975. The right allows the use of the COLUMBIA RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION of 55.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.73 cubic foot per second, if available at the authorized point of diversion: SW¼ NW¼, SECTION 8, T 5 N, R 30 E, WM; 2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER, SECTION 8, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-FORTIETH 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 4½ 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:

NE¼ NE¼	8.8 ACRES	SW¼ SW¼	1.2 ACRES
NE¼ NE¼	3.8 ACRES	SE¼ SW¼	6.3 ACRES
SE¼ NE¼	1.5 ACRES	SECTION 16	
NE¼ NW¼	3.8 ACRES		
NW¼ NW¼	3.8 ACRES	NE¼ NW¼	11.3 ACRES
NE¼ SE¼	9.3 ACRES	NW¼ NW¼	5.2 ACRES
SECTION 15		SECTION 22	

TOWNSHIP 4 NORTH, RANGE 30 EAST, W.M.

The right to use the 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:

SW $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	5.0 ACRES	SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	5.0 ACRES	SE $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 ACRES

SECTION 9

SECTION 10

NE $\frac{1}{4}$  NE $\frac{1}{4}$  5.0 ACRES

SECTION 16

TOWNSHIP 4 NORTH, RANGE 30 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 right during the term of this order.
3. The use shall revert to the authorized place of use at the end of the 2002 irrigation season.
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. The use of the remaining water right described by Certificate 73977 shall continue to be in accordance with the terms and conditions of Certificate 73977.

WITNESS the signature of the Water Resources

Director, affixed April 15, 1998.

  
FOR Martha O. Pagel, Director