

STATE OF OREGON
COUNTY OF UMATILLA
ORDER APPROVING A CHANGE IN USE, PLACE OF USE,
AND ADDITIONAL POINTS OF APPROPRIATION

Pursuant to ORS 537.705, 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, a PORTION of TRANSFER 6417 submitted by

COLUMBIA SUN, INC.
P.O. BOX 192
HERMISTON, OREGON 97838.

The right to be modified, as evidenced by a PORTION of Certificate 44897, was perfected under Permit G-3895 with a date of priority of NOVEMBER 13, 1967. The right allows the use of A WELL, a tributary of UMATILLA RIVER BASIN, for IRRIGATION OF 36.5 ACRES. The right is limited to 0.46 cubic foot per second, if available at the original well; SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 30, T 4 N, R 28 E, W.M.; (WELL 1) 200 FEET NORTH AND 540 FEET WEST FROM THE SE CORNER OF SECTION 30, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 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 right being transferred is a portion of the following described authorized place of use:

SE $\frac{1}{4}$ SW $\frac{1}{4}$	18.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	17.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	7.0 ACRES
SECTION 29	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	7.0 ACRES
SECTION 32	
TOWNSHIP 4 NORTH, RANGE 28 E, 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 use of 36.5 acres of irrigation to YEAR ROUND INDUSTRIAL USE in two plants.

The applicant proposes to change the place of use to:

SW $\frac{1}{4}$ NE $\frac{1}{4}$
SECTION 28
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

The applicant proposes to add two additional points of appropriation as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 28, T 4 N, R 28 E, W.M.; (WELL 2) 460 FEET NORTH AND 986 FEET EAST, (WELL 3) 681 FEET NORTH AND 785 FEET EAST, BOTH FROM THE CENTER $\frac{1}{4}$ CORNER OF SECTION 28.

The applicant proposes to change the place of use of the remaining 12.5 acres of irrigation to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.3 ACRES
SECTION 28

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 9.2 ACRES
SECTION 29
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.

The proposed place of use is located within a center pivot irrigation system located at the east end of the applicant's property. The applicant's irrigated land is proposed to be included in a petition under ORS 541.325 to 541.333 (HB-3111). An interim transfer, a part of the HB-3111 process, has been submitted by Westland Irrigation District. The irrigated land is also involved in Permit 27583, for which the final proof process is under way, but not yet completed. Upon completion of the HB-3111 process and the final proof process, the applicant proposes to move the 12.5 acres within the center pivot irrigation system to fit with the other rights established for the center pivot irrigation system.

The receiving landowner for the industrial water is:

BUD RICH POTATO, INC.
P.O. BOX 224
HERMISTON, OREGON 97838

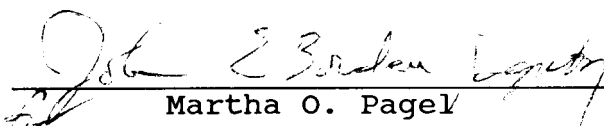
THESE CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1993.
2. The quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old point of appropriation, shall not exceed the quantity of water available from the old point of appropriation.
3. The total diversion shall not exceed 109.5 acre-feet per year.

4. 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. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may monitor accuracy of the measuring device, as needed.
5. Water shall be acquired from the same aquifer as the original point of appropriation.
6. The former place of use shall no longer be irrigated as part of this water right.

Certificate 44897 is cancelled. The remainder of the transfer application will be processed upon completion of the HB-3111 process and the final proof process for permit 27583. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

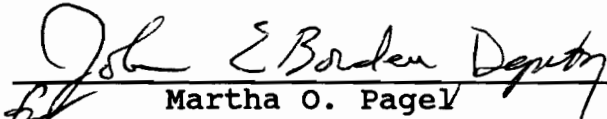
WITNESS the signature of the Water Resources Director, affixed September 8, 1992.


Martha O. Pagel

4. 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. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may monitor accuracy of the measuring device, as needed.
5. Water shall be acquired from the same aquifer as the original point of appropriation.
6. The former place of use shall no longer be irrigated as part of this water right.

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