

STATE OF OREGON

COUNTY OF WASCO

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 8608 submitted by

AZURE FARMS, INC.
79705 DUFUR VALLEY ROAD
DUFUR, OREGON 97021.

The FIRST right to be modified, as evidenced by a portion of Certificate 76595 and T-6048 (Special Order Volume 46, Page 153), both perfected under Permit 92 with a date of priority of MAY 3, 1909. The right allows the use of TAMARACK CREEK, SPRINGS AND GULCH AND EIGHT MILE CREEK, tributaries of the COLUMBIA RIVER, for IRRIGATION OF 49.9 ACRES, DOMESTIC AND STOCK USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.63 cubic foot per second, if available at the authorized point of diversion: EIGHT MILE CREEK DIVERSION, or its equivalent in case of rotation, measured at the point of diversion from the source.

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 for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, balance for domestic and stock use.

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

The authorized place of use is located as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$	10.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	10.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.0 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$	3.0 ACRES

SECTION 34

TOWNSHIP 1 SOUTH, RANGE 12 EAST, W.M.

SE $\frac{1}{4}$ NW $\frac{1}{4}$	4.9 ACRES
NE $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.0 ACRES

SECTION 3

NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.0 ACRE

SECTION 4

TOWNSHIP 2 SOUTH, RANGE 12 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 SECOND right to be modified, as evidenced by Certificate 36829, was perfected under Permit 5636 with a date of priority of AUGUST 25, 1922. The right allows the use of EIGHT MILE AND TAMARACK CREEKS, tributaries of FIFTEEN MILE CREEK, for IRRIGATION OF 20.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.25 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$,

SECTION 8, T 2 S, R 11 E, W.M.; 1400 FEET NORTH AND 650 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 any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent in case of rotation.

The authorized place of use is located as follows:

SW¼ NE¼ 20.0 ACRES
SECTION 34
TOWNSHIP 1 SOUTH, RANGE 12 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 THIRD right to be modified, as evidenced by Certificate 36830, was perfected under Permit 7318 with a date of priority of MAY 7, 1926. The right allows the use of EIGHT MILE AND TAMARACK CREEKS, tributaries of FIFTEEN MILE CREEK, for IRRIGATION OF 10.0 ACRES AND STOCK. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.18 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, SECTION 8, T 2 S, R 11 E, W.M.; 1400 FEET NORTH AND 650 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 any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent in case of rotation.

The authorized place of use is located as follows:

SW¼ NW¼ 10.0 ACRES
SECTION 3
TOWNSHIP 2 SOUTH, RANGE 12 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 FOURTH right to be modified, as evidenced by a portion of Certificate 51298, was perfected under Permit 37758 with a date of priority of DECEMBER 10, 1973. The right allows the use of EIGHT MILE CREEK, a tributary of FIFTEEN MILE CREEK, for IRRIGATION OF 5.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.07 cubic foot per second, if available at the authorized point of diversion: NE¼ SW¼, SECTION 8, T 2 S, R 11 E, W.M.; 1600 FEET NORTH AND 1920 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 any other right existing for 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 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 SE¼ 5.5 ACRES
SECTION 4
TOWNSHIP 2 SOUTH, RANGE 12 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:

Certificate 76595 and T-6048

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 18.2 ACRES
SECTION 33

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.3 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 9.4 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10.5 ACRES
SECTION 34

TOWNSHIP 1 SOUTH, RANGE 12 EAST, W.M.

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.5 ACRES
SECTION 4

TOWNSHIP 2 SOUTH, RANGE 12 EAST, W.M.

Certificate 36829

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 7.9 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.1 ACRES
SECTION 34

TOWNSHIP 1 SOUTH, RANGE 12 EAST, W.M.

Certificate 36830

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 7.7 ACRES
SECTION 3

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.3 ACRES
SECTION 4

TOWNSHIP 2 SOUTH, RANGE 12 EAST, W.M.

Certificate 51298


SW¼ NE¼ 5.5 ACRES
SECTION 4
TOWNSHIP 2 SOUTH, RANGE 12 EAST, W.M.

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

1. This change is temporary. This change shall be effective upon issuance of this order.
2. The former places of use shall **not** be irrigated as part of this water right during the 2001, 2002, 2003, 2004 and 2005 irrigation seasons.
3. The use shall revert to the authorized places of use at the end of the 2005 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. 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 beginning construction and shall be installed under the general supervision of the Department.

WITNESS the signature of the Water Resources

Director, affixed 5/15/2001.



Paul R. Cleary, Director