

STATE OF OREGON

COUNTY OF BAKER

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 8739 submitted by

OLIVER AND CHRISTIE WILDE
44142 BANTA ROAD
BAKER CITY, OREGON 97814.

The FIRST right to be modified, as evidenced by a portion of Permit 50622 with a date of priority of JUNE 1, 1987. The right allows the use of the POWDER RIVER, a tributary of the SNAKE RIVER, for IRRIGATION OF 76.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.9 cubic feet per second, if available at the authorized point of diversion: NW¼ SE¼, SECTION 28, T 7 S, R 41 E, W.M.; BASCHE DITCH - 1880 FEET NORTH AND 400 FEET EAST FROM THE S¼ CORNER, SECTION 28, 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-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 3.5 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 SE¼ 38.0 ACRES
SECTION 20

NW¼ NE¼ 38.0 ACRES
SECTION 29
TOWNSHIP 8 SOUTH, RANGE 41 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 a portion of Certificate 75979, was perfected under Permit 36473 with a date of priority of AUGUST 24, 1971. The right allows the use of the POWDER RIVER, a tributary of the SNAKE RIVER, for IRRIGATION OF 76.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.33 cubic feet per second, if available at the authorized point of diversion: SW¼ SE¼, SECTION 17, T 8 S, R 42 E, W.M.; 650 FEET NORTH AND 2540 FEET WEST FROM THE SE CORNER, SECTION 17, 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-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 3.5 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	15.4 ACRES
NW¼ NE¼	35.6 ACRES
SW¼ NE¼	5.4 ACRES
SE¼ NE¼	19.6 ACRES

SECTION 30
TOWNSHIP 8 SOUTH, RANGE 42 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:

PERMIT 50622

NE¼ NE¼	15.4 ACRES
NW¼ NE¼	35.6 ACRES
SW¼ NE¼	5.4 ACRES
SE¼ NE¼	19.6 ACRES

SECTION 30
TOWNSHIP 8 SOUTH, RANGE 42 EAST, W.M.

CERTIFICATE 75979

SW¼ SE¼	38.0 ACRES
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SECTION 20

NW¼ NE¼	38.0 ACRES
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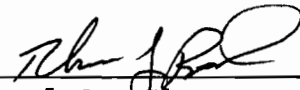
SECTION 29
TOWNSHIP 8 SOUTH, RANGE 41 EAST, W.M.

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

1. These changes are temporary. These changes shall be effective upon issuance of this order.
2. The former places of use shall **not** be irrigated as part of these water rights during the 2001 irrigation season.
3. The use shall revert to the authorized places of use at the end of the 2001 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 MAY 29 2001 .



For Paul R. Cleary, Director