

STATE OF OREGON

COUNTY OF MALHEUR

ORDER APPROVING TEMPORARY CHANGES 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 8222 submitted by

LARSON SKYLINE FARMS
4395 HEINZE BOULEVARD
ONTARIO, OREGON 97914.

The first right to be modified, as evidenced by a portion of Certificate 75566, was perfected under Permit 31231 with a date of priority of JUNE 27, 1966. The right allows the use of the SNAKE RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION of 374.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 7.66 cubic feet per second, if available at the authorized point of diversion: LOT 1 (NE¼ NW¼), SECTION 21, T 17 S, R 47 E, WM; 350 FEET SOUTH AND 1980 FEET EAST FROM THE NW CORNER, SECTION 21, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified, as evidenced by a portion of Certificate 74023, was perfected under Permit 33944 with a date of priority of OCTOBER 25, 1968. The right allows the use of the SNAKE RIVER, a tributary of the COLUMBIA RIVER for IRRIGATION of 100.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.50 cubic feet per second, if available at the authorized point of diversion: LOT 1 (NE¼ NW¼), SECTION 21, T 17 S, R 47 E, WM; 350 FEET SOUTH AND 1980 FEET EAST FROM THE NW CORNER, SECTION 21, 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 4.0 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:

CERTIFICATE 75566

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.9 ACRES
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 18.5 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 32.8 ACRES
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 ACRES

SECTION 2

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 12.6 ACRES
 NE $\frac{1}{4}$ NW $\frac{1}{4}$ 23.0 ACRES

SECTION 11

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 39.2 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.2 ACRES
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 33.2 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.6 ACRES

SECTION 12

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 7.4 ACRES
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.2 ACRES

SECTION 15

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 38.6 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 38.4 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.1 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.4 ACRES

SECTION 16

CERTIFICATE 74023

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.7 ACRES
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.8 ACRES
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 14.7 ACRES
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 14.2 ACRES
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.1 ACRES

SECTION 10

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.9 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 10.8 ACRES

SECTION 11

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 9.2 ACRES
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 29.6 ACRES

SECTION 21

TOWNSHIP 17 SOUTH, RANGE 46 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 places of use to:

CERTIFICATE 75566

NW¼ SW¼ 39.0 ACRES
SECTION 26

NW¼ SW¼ 26.0 ACRES
NW¼ SW¼ 27.0 ACRES
SW¼ SW¼ 30.0 ACRES
SE¼ SW¼ 29.6 ACRES
NE¼ SE¼ 29.0 ACRES
NW¼ SE¼ 25.0 ACRES
SW¼ SE¼ 28.5 ACRES
SE¼ SE¼ 18.2 ACRES
SECTION 27

NE¼ NE¼ 40.0 ACRES
NW¼ NE¼ 40.0 ACRES
NE¼ NW¼ 40.0 ACRES
SECTION 34

NW¼ NW¼ 1.7 ACRES
SW¼ NW¼ 0.6 ACRE
SECTION 35

CERTIFICATE 74023

NE¼ NE¼ 18.9 ACRES
SECTION 20

SW¼ NE¼ 40.0 ACRES
SE¼ SE¼ 40.0 ACRES
SECTION 34

SW¼ NW¼ 1.1 ACRES
SECTION 35

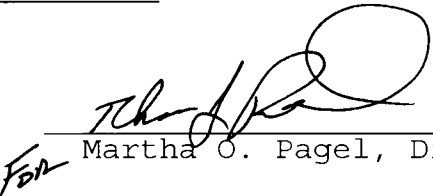
TOWNSHIP 17 SOUTH, RANGE 46 EAST, W.M.

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

1. The changes are temporary. The changes 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 1999 irrigation season.
3. The use shall revert to the authorized places of use at the end of the 1999 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 rights described by Certificates 75566 and 74023 shall continue to be in accordance with the terms and conditions of Certificates 75566 and 74023.

WITNESS the signature of the Water Resources
Director, affixed APR 13 1999.



Martha O. Pagel, Director