

Certificate: 79440, issued in the name of the Bureau of Reclamation

Use: Supplemental Irrigation (IS)

Priority Date: July 1, 1924

Rate & Duty: 1/80 of one cubic foot per second, or its equivalent, provided further that the right allowed herein for supplemental irrigation shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed therein.

Source: McKay Reservoir, tributary of McKay Creek. Water is run down the natural channels of McKay Creek and the Umatilla River and is re-diverted at Stanfield Irrigation District Furnish Canal

Authorized Points of Diversion:

TWP	RNG	MER	SEC	1/4 - 1/4	LOT	SURVEY COORDINATES
2 N	32 E	WM	34	NW SE		McKay Dam
3 N	30 E	WM	31	SW SW	4	FURNISH CANAL -- 380 Feet North and 650 Feet East from the SW Corner of Section 31

Authorized Place of Use:

IRRIGATION (IR) & SUPPLEMENTAL IRRIGATION (IS)								
TWP	RNG	MER	SEC	1/4 - 1/4	TL	CERTIFICATE (ACRES)		USER
						79442 (IR)	79440 (IS)	
3 N	29 E	W.M	4	SW NW	1300	5.50	5.50	MILLS MINT FARMS
3 N	29 E	W.M	4	SW NW	1400	4.00	4.00	MILLS MINT FARMS
3 N	29 E	W.M	4	SE NW	1400	3.00	3.00	MILLS MINT FARMS
3 N	29 E	W.M	4	SE NW	1501	4.00	4.00	MILLS MINT FARMS
3 N	29 E	W.M	4	NW SW	1300	0.30	0.30	MILLS MINT FARMS
3 N	29 E	W.M	5	SW NE	400	8.00	8.00	MILLS MINT FARMS
3 N	29 E	W.M	5	SE NE	400	4.00	4.00	MILLS MINT FARMS
4 N	29 E	W.M	11	SE SE	1600	2.00	2.00	MILLS MINT FARMS
4 N	29 E	W.M	11	SE SE	1700	2.00	2.00	MILLS MINT FARMS
4 N	29 E	W.M	26	SE NW	4100	4.60	4.60	MILLS MINT FARMS
4 N	29 E	W.M	27	SE NW	3100	3.80	3.80	MILLS MINT FARMS
4 N	29 E	W.M	27	SE SW	3100	1.30	1.30	MILLS MINT FARMS
4 N	29 E	W.M	28	NE SE	2000	6.00	6.00	MILLS MINT FARMS
4 N	29 E	W.M	28	SE SE	2000	3.00	3.00	MILLS MINT FARMS
4 N	29 E	W.M	33	NW NE	300	5.00	5.00	MILLS MINT FARMS
4 N	29 E	W.M	34	NE NW	300	5.37	5.37	MILLS MINT FARMS
4 N	29 E	W.M	34	NE SW	500	1.34	1.34	MILLS MINT FARMS
4 N	29 E	W.M	34	NE SW	600	8.83	8.83	MILLS MINT FARMS
4 N	29 E	W.M	34	NW SW	500	1.80	1.80	MILLS MINT FARMS
TOTAL:						73.84	73.84	

4. Application T-10113 proposes to TEMPORARILY change the place of use of the rights to:

CERTIFICATES 79442 (IR) and 79440 (IS)							
TWP	RNG	MER	SEC	1/4 - 1/4	TL	ACRES	USER
4 N	29 E	W.M.	34	NE SE	800	25.50	MILLS MINT FARMS
4 N	29 E	W.M.	34	NW SE	800	25.50	MILLS MINT FARMS
4 N	29 E	W.M.	34	SE SE	800	22.84	MILLS MINT FARMS
TOTAL:						73.84	

5. The portion of the THIRD and FOURTH rights to be transferred are as follows:

Certificate: 76113, issued in the name of Stanfield Irrigation District

Use: Irrigation (IR)

Priority Date: June 23, 1965

Rate & Duty: 1/40 cfs per acre irrigated not to exceed 4.5 acre-feet for each acre irrigated during the irrigation season, (January 1 through November 1)

Source: Umatilla River, tributary to Columbia River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	1/4 - 1/4	SURVEY COORDINATES
3 N	30 E	WM	31	SW SW	FURNISH CANAL – 380 Feet North and 650 Feet East from the SW Corner of Section 31

Certificate: 79440, issued in the name of the Bureau of Reclamation

Use: Supplemental Irrigation (IS)

Priority Date: July 1, 1924

Rate & Duty: 1/80 of one cubic foot per second, or its equivalent, provided further that the right allowed herein for supplemental irrigation shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed therein.

Source: McKay Reservoir, tributary of McKay Creek. Water is run down the natural channels of McKay Creek and the Umatilla River and is re-diverted at Stanfield Irrigation District Furnish Canal

Authorized Points of Diversion:

TWP	RNG	MER	SEC	1/4 - 1/4	LOT	SURVEY COORDINATES
2 N	32 E	WM	34	NW SE		McKay Dam
3 N	30 E	WM	31	SW SW	4	FURNISH CANAL – 380 Feet North and 650 Feet East from the SW Corner of Section 31

Authorized Places of Use:

IRRIGATION (IR) & SUPPLEMENTAL IRRIGATION (IS)								
TWP	RNG	MER	SEC	1/4 - 1/4	TL	CERTIFICATE (ACRES)		USER
						76113 (IR)	79440 (IS)	
4 N	28 E	W.M	13	SW SW	200	2.20	2.20	NANCY ABLE
4 N	28 E	W.M	13	SW SW	300	5.10	5.10	NANCY ABLE
4 N	28 E	W.M	13	SW SW	700	1.07	1.07	NANCY ABLE

IRRIGATION (IR) & SUPPLEMENTAL IRRIGATION (IS)								
TWP	RNG	MER	SEC	1/4 - 1/4	TL	CERTIFICATE (ACRES)		USER
						76113 (IR)	79440 (IS)	
4 N	28 E	W.M	13	SE SW	100	9.00	9.00	NANCY ABLE
4 N	29 E	W.M	23	NE SE	100	3.29	3.29	MILLS MINT FARMS
4 N	29 E	W.M	23	SE SE	2800	7.30	7.30	MILLS MINT FARMS
TOTAL:						27.96	27.96	

6. Application T-10113 proposes to TEMPORARILY change the place of use of the rights to:

CERTIFICATES 76113 (IR) and 79440 (IS)								
TWP	RNG	MER	SEC	1/4 - 1/4	TL	ACRES	USER	
4 N	29 E	W.M.	34	SW SE	800	25.50	MILLS MINT FARMS	
4 N	29 E	W.M.	34	SE SE	800	2.46	MILLS MINT FARMS	
TOTAL:						27.96		

7. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
8. The proposed changes in place of use would not result in enlargement of the rights.
9. The proposed changes would not result in injury to other water rights.

Conclusions of Law

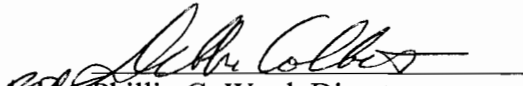
The proposed changes in application T-10113 satisfy the requirements of ORS 540.574(3) and 540.570.

Now, therefore, it is ORDERED:

1. The proposed changes to the water rights evidenced by Certificates 76113, 79442 and 79440 are approved.
2. The temporary transfer is effective for the 2006 irrigation season.
3. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 76113, 79442 and 79440 and any related decree.
4. Users shall not use water under supplemental water right Certificates 53479, 74882 and 74883 at either the authorized place of use or the temporary new place of use during the 2006 irrigation season .
5. Pursuant to OAR 690-385-3130, the use of water as a supplemental right under Certificate 79440 is restricted to the total rate and duty described by the primary irrigation water right, Certificate 79442, and may be used only to the extent of any supply deficiency for the primary water right at the proposed place of use.

6. The use of water on the lands from which the water right is transferred and at the new temporary place of use during the same irrigation season or calendar year is prohibited and may subject the district and landowner to civil penalties.
7. The use of water under this temporary transfer may be conditioned or revoked at any time to the extent necessary to avoid injury if the Department finds the transfer causes injury to any existing water right.
8. At the end of the 2006 irrigation season all uses of water under this temporary transfer revert automatically to the terms and conditions of the original water right permit, certificate, or adjudication as evidenced by a court decree.

Dated at Salem, Oregon this 11th day of July, 2006.


Phillip C. Ward, Director

JUL 13 2006

Mailing Date: _____