

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 540.570, 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 7571 submitted by

RICHARD LATHAM
ROUTE 1 BOX 182
STANFIELD, OREGON 97875.

The first right to be modified was confirmed by decrees of the Circuit Court of the State of Oregon for UMATILLA County as tabulated in the names of FURNISH DITCH COMPANY and STANFIELD IRRIGATION DISTRICT. The decrees are recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127 and Volume 16, at page 457. The date of priority is MARCH 8, 1905.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 17.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.21 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 31, T 3 N, R 30 E, WM; FURNISH CANAL - 380 FEET NORTH AND 650 FEET EAST FROM THE SW CORNER, SECTION 31, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second permit to be modified is Permit 7400, with a date of priority of JULY 1, 1924. The permit allows the use of WATER STORED IN MCKAY RESERVOIR CONSTRUCTED UNDER PERMIT R-584, a tributary of the UMATILLA RIVER, for SUPPLEMENTAL IRRIGATION OF 17.0 ACRES.

The authorized place of use is located as follows:

NW $\frac{1}{4}$ SW $\frac{1}{4}$	14.0 ACRES	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1.5 ACRES
	SECTION 3	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.5 ACRES
			SECTION 10
	TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M.		

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

T-7571.LHN

Special Order Volume 50, Page 780 .

The applicant proposes to TEMPORARILY change the place of use to:

SW¼ SW¼ 17.0 ACRES
SECTION 12
TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M.

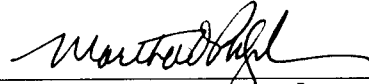
The applicant has a pending application for a groundwater permit for the same lands. If the permit is issued, the applicant requests this right be made supplemental to the groundwater permit for the duration of the temporary transfer.

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

1. The change is temporary. The change shall be effective at the beginning of the 1997 irrigation season. The use shall revert to the authorized place of use at the end of the 1999 irrigation season.
2. The former place of use shall no longer be irrigated as a part of these water rights during the term of this order.
3. The approval of this temporary transfer order may be revoked or modified if the Department finds the changes cause injury to any existing water right.
4. In the event a groundwater permit is issued for the same lands, this right shall be supplemental to the groundwater permit, for the term of this order. However, in the interest of conserving groundwater, these rights may be exercised at times when water is available from the primary source, provided the total quantity of water diverted from all sources does not exceed the rate and duty allowed for these rights in the decrees or permit.
5. These lands have been determined to have fine textured soils and the amount of water used for irrigation, together with the amount secured under any other right 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 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The portions of the right tabulated in the name of the Furnish Ditch Company and Stanfield Irrigation District and Permit 7400, described herein, are suspended until the end of the 1999 irrigation season, October 31, 1999, or revocation of this order, which ever occurs first. The use of the remaining water rights described by the decrees and Permit 7400 shall continue to be in accordance with the terms and conditions of the decrees and Permit 7400.

WITNESS the signature of the Water Resources Director, affixed NOV 4 1996.



Martha O. Pagel, Director