BEFORE THE WATER RESOURCES DEPARTMENT OF THE

STATE OF OREGON

In the Matter of Transfer Application) FINAL ORDER APPROVING A T-11571, Umatilla County) DISTRICT TEMPORARY TRANSFER

Authority

ORS 540.570 establishes the process in which a district may submit a request to temporarily transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

ECHO IRRIGATION DISTRICT 73120 HIGHWAY 207 ECHO, OR 97826

Findings of Fact

- 1. On April 16, 2013, Echo Irrigation District filed a district transfer application to temporarily change the place of use within the boundaries of the irrigation district under Certificates 85124, 74896 (as modified by Transfer Application T-6787), 74762, 80850, 87111, 87666, 74762, 87667, 87042 and water use Permit S-54773. The Department assigned the application number T-11571.
- 2. Notice of the application for temporary transfer was published April 23, 2013, pursuant to ORS 540.570 and OAR 690-385-3400. No comments were filed in response to the notice.
- 3. The portion of the first primary right and its layered supplemental right to be transferred is as follows:

Certificate: 85124, issued in the name of Robert C., Rick L., and Douglas L. Hale

(perfected under Permit G-4969) **Priority Date:** June 8, 1971 **Use:** IRRIGATION of 97.6 acres

Rate & Duty: ONE-EIGHTIETH of one cfs and 3.0 acre-feet per acre for each acre

irrigated during the irrigation season of each year. **Sources:** WELLS #1, #2, #3, #4, #6 and #7

This is a final order in other than 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 OR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Well Log
2.37	20 E	377.4	7	NIN NIN	WELL #1 - 4340 FEET NORTH AND 1830 FEET	UMAT
3 N	30 E	WM	'	NW NW	WEST FROM THE \$1/4 CORNER OF SECTION 7	1347
2 N	20 E	3373.4	_	NW SW	WELL #2 – 2011 FEET NORTH AND 1330 FEET	UMAT
3 N	30 E	WM	6	NW SW	EAST FROM THE SW CORNER OF SECTION 6	1329
2 1	20 E	33/3.4	7	SW SW	WELL #3 - 1420 FEET SOUTH AND 40 FEET	
3 N	30 E	WM	'	SWSW	EAST FROM THE W1/4 CORNER OF SECTION 7	1247
2 N	20 E	3373.4	2	SE NE	WELL #4 - 180 FEET NORTH AND 260 FEET	UMAT
3 N	29 E	WM	2	SE NE	WEST FROM THE E1/4 CORNER OF SECTION 2	1238
2.27	20 E	377.4	1.1	SW NE	WELL #6 - 132 FEET NORTH AND 2190 FEET	UMAT
3 N	29 E	WM	11	SWNE	WEST FROM THE E1/4 CORNER OF SECTION 11	1286
2.27	N 20 E WA 12 NWAW		NINE NINE	WELL #7 - 1010 FEET SOUTH AND 40 FEET		
3 N	29 E	WM	12	NW NW	EAST FROM THE NW CORNER OF SECTION 12	1294

Water Use Permit: S-54773, issued in the name of Echo Irrigation District (filed under

Application S-87076)

Use: SUPPLEMENTAL IRRIGATION (IS) of 97.6 acres

Priority Date: January 30, 2008

Rate & Duty: ONE-EIGHTIETH of one cfs for and 3.0 acre-feet per acre for Supplemental

Irrigation from March 1 – April 14 and then from October 1 to October 31

Source: COLUMBIA RIVER, a tributary of the PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q · Q	Measured Distances				
5 N	30 E	WM	8	SW NW	2910 feet North and 120 feet East from the SW Corner of Section 8				

Authorized Place of Use:

	Primary Irrigation (IR) and Supplemental Irrigation (IS)													
Т	D	Man	Cara	0.0	T I .	Certificate	/Permit (acres)	T.T.						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	85124 (IR)	Per S-54773(IS)	User						
3N	29E	WM	1	NE SE	100	8.6	8.6	HALE FARMS						
3N	30E	WM	6	NE NW	300	32.8	32.8	HALE FARMS						
3N	30E	WM	6	SE NW	300	36.5	36.5	HALE FARMS						
3N	30E	WM	6	NE SW	300	2.6	2.6	HALE FARMS						
3N	30E	WM	6	NW SW	300	10.3	10.3	HALE FARMS						
3N	30E	WM	7	NE SW	1500	6.8 6.8		HALE FARMS						
					Total:	97.6	97.6							

4. Transfer Application T-11571 proposes to temporarily change the place of use of the rights to:

Proposed Place of Use:

	Primary Irrigation (IR) and Supplemental Irrigation (IS)													
Т	D	Man	Caa	0 0	T .	Certifica	te/Permit acres	T7						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	85124 (IR)	Per.S-54773(IS)	User						
3N	29E	WM	1	SW NE	100	6.2	6.2	HALE FARMS						
3N	29E	WM	1	SE NE	100	0.8	0.8	HALE FARMS						
3N	29E	WM	1	NE SE	100	11.6	11.6	HALE FARMS						
3N	29E	WM	1	NW SE	100	3.5	3.5	HALE FARMS						
3N	29E	WM	1	SW SE	100	4.9	4.9	HALE FARMS						
3N	29E	WM	1	SE SE	100	0.8	0.8	HALE FARMS						
3N	30E	WM	6	SW NW	300	2.1	2.1	HALE FARMS						

	Primary Irrigation (IR) and Supplemental Irrigation (IS)													
Twp	Rng	Mer	Sec	0-0	Tax Lot	Certifica	User							
3N	30E	WM	8	NW SE	1200	22.85	22.85	HALE FARMS						
3N	30E	WM	8	SW SE	1200	31.25	31.25	HALE FARMS						
3N	29E	WM	13	NE NE	3700	3.4	3.4	HALE FARMS						
3N	29E	WM	13	NW NE	3700	3.4	3.4	HALE FARMS						
3N	29E	WM	13	SW NE	3700	3.4	3.4	HALE FARMS						
3N	29E	WM	13	SE NW	3700	3.4	3.4	HALE FARMS						
		•			Total:	97.6	97.6							

NOTE: Primary water rights under Permit S-54773 existing on these lands will not be used during the 2013 irrigation season.

5. Transfer Application T-11571 also proposes to temporarily add additional points of appropriation to facilitate the place of use change for the above described acres. The proposed additional points of appropriation are located as follows:

Proposed Additional Points of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Well Log	Measured Distances
3 N	30 E	WM	30	NE SW	UMAT 1369	DITCHEN WELL #1 – 30 FEET SOUTH AND 640 FEET WEST FROM THE CENTER OF SECTION 30
3 N	30 E	WM	20	sw sw	UMAT 1361	DITCHEN WELL #2 – 80 FEET EAST FROM THE SW CORNER OF SECTION 20
3 N	29 E	WM	24	SW NE	UMAT 54853	NEW COPPINGER #1 - 20 FEET NORTH AND 1490 FEET WEST FROM THE E1/4 CORNER OF SECTION 24
3 N	30 E	WM	9	NW SW	UMAT 1349	REESE #1 - 520 FEET SOUTH AND 940 FEET EAST FROM THE W1/4 CORNER OF SECTION 9

6. The portion of the second primary right and its layered supplemental rights to be transferred are as follows:

Certificate: 74896 (as modified by Transfer Application T-6787) issued in the name of Robert C., Rick L., and Douglas L. Hale (originally perfected under Permit G-2415)

Use: Irrigation (IR) of 103.0 acres **Priority Date:** April 8, 1963

Rate & Duty: ONE-EIGHTIETH of one cubic foot per second (cfs) for each acre irrigated and further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre

irrigated during the irrigation season of reach year

Source: Wells #1, #2, #4, #5, #6 and #7, within the Stage Gulch Basin

Authorized Points of Appropriation:

Twp		Mer	Sec	Q · Q	Measured Distances
3 N	30 E	WM	7	NW NW	Well #1 - 4340 feet North and 1830 feet West from the S1/4
					Corner of Section 7
3 N	30 E	WM	6	NW SW	Well #2 – 2011 feet North and 1330 feet East from the SW Corner of Section 6
3 N	30 E	WM	7	sw sw	Well #3 - 1420 feet South and 40 feet East from the W1/4 Corner of Section 7
3 N	29 E	WM	2	SE NE	Well #4 - 180 feet North and 260 feet West from the E1/4 Corner of Section 2
3 N	29 E	WM	11	SE SE	Well #5 - 60 feet North and 590 feet West from the SE Corner of Section 11
3 N	29 E	WM	11	SW NE	Well #6 - 132 feet North and 2190 feet West from the E1/4 Corner of Section 11

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
3 N	29 E	WM	12	NW NW	Well #7 - 1010 feet South and 40 feet East from the NW Corner of Section 12

Certificate: 85124, issued in the name of Robert C., Rick L., and Douglas Hale (perfected

under Permit G-4969)

Use: Supplemental Irrigation (IS) of 103.0 acres

Priority Date: June 8, 1971

Rate & Duty: ONE-EIGHTIETH of one cfs and 3.0 acre-feet per acre for each acre

irrigated during the irrigation season of each year.

Source: Wells #1, #2, #3, #4, #6 and #7, within the Stage Gulch Basin.

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	$\mathbf{Q} \cdot \mathbf{Q}$	Measured Distances
3 N	30 E	WM	7	NW NW	Well #1 - 4340 feet North and 1830 feet West from the S1/4 Corner of Section 7
3 N	30 E	WM	6	NW SW	Well #2 – 2011 feet North and 1330 feet East from the SW Corner of Section 6
3 N	30 E	WM	7	sw sw	Well #3 - 1420 feet South and 40 feet East from the W1/4 Corner of Section 7
3 N	29 E	WM	2	SE NE	Well #4 - 180 feet North and 260 feet West from the E1/4 Corner of Section 2
3 N	29 E	WM	11	SW NE	Well #6 - 132 feet North and 2190 feet West from the E1/4 Corner of Section 11
3 N	29 E	WM	12	NW NW	Well #7 - 1010 feet South and 40 feet East from the NW Corner of Section 12

Permit: S-54773, issued in the name of Echo Irrigation District (filed under Application

S-87076)

Use: Supplemental Irrigation (IS) of 103.0 acres

Priority Date: January 30, 2008

Rate & Duty: ONE-EIGHTIETH of one cfs for and 3.0 acre-feet per acre for supplemental irrigation from March 1 – April 14 and from October 1 - October 31

Source: Columbia River, a tributary of the Pacific Ocean

Authorized Point of Diversion:

Twp	Rng	Mer Sec Q-Q		Q-Q	Measured Distances		
5 N	30 E	WM	8	SW NW	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8		

Authorized Places of Use:

]	Primary Irri	gation (IR)	and Supple	emental Ir	rigation (IS)	
Т	Dma	Mon	Saa	0.0	Tou Lat	CERTIF	ICATE/PI	ERMIT (acres)	T
Twp	Kng	Mer	Sec	Q-Q	Tax Lot	74896(IR)	85124 (IS)	Per S-54773(IR)	User
3 N	29 E	WM	1	SE SE	100	0.2	0.2	0.2	HALE FARMS
3 N	30 E	WM	6	SW SW	1500	2.5	2.5	2.5	HALE FARMS
3 N	30 E	WM	6	SE SW	300/1500	5.2	5.2	5.2	HALE FARMS
3 N	29 E	WM	7	NE NW	300/1500	7.8	7.8	7.8	HALE FARMS
3 N	30 E	WM	7	NW NW	1500	4.2	4.2	4.2	HALE FARMS
3 N	30 E	WM	7	SW NW	1500	20.2	20.2	20.2	HALE FARMS
3 N	30 E	WM	7	SE NW	1500	29.7	29.7	29.7	HALE FARMS
3 N	30 E	WM	7	NE SW	1500	33.2	33.2	33.2	HALE FARMS

7. Transfer Application T-11571 proposes to temporarily change the place of use of the rights to:

Proposed Places of Use:

				Primary Ir	rigation (IR)	and Supple	emental Irr	rigation (IS)	
Т	Dan	Man	Saa	0.0		Certi	ficate/Pern	**	
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	74896 (IR)	85124(IS)	Per S-54773(IS)	User
3 N	30 E	WM	6	SW SW	300/1500	5.5	5.5	5.5	HALE FARMS
3 N	30 E	WM	8	NE NE	1200	20.6	20.6	20.6	HALE FARMS
3 N	30 E	WM	8	NW SW	1400	28.1	28.1	28.1	HALE FARMS
3 N	30 E	WM	8	SW SW	1400	22.8	22.8	22.8	HALE FARMS
3 N	30 E	WM	8	SE SE	1200	14.5	14.5	14.5	HALE FARMS
3 N	30 E	WM	20	NW SW	1000	11.5	11.5	11.5	HALE FARMS
					Total:	103.0	103.0	103.0	

NOTE: Primary water rights under Permit S-54773 and Certificate 84095 existing on these lands will not be used during the 2013 irrigation season.

8. Transfer Application T-11571 also proposes to temporarily add additional points of appropriation to facilitate the place of use change for the above described acres. The proposed additional points of appropriation are located as follows:

Proposed Additional Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Well Log	Measured Distances
3 N	30 E	WM	30	NE SW	UMAT 1369	DITCHEN WELL #1 – 30 FEET SOUTH AND 640 FEET WEST FROM THE CENTER OF SECTION 30
3 N	30 E	WM	20	sw sw	UMAT 1361	DITCHEN WELL #2 – 80 FEET EAST FROM THE SW CORNER OF SECTION 20
3 N	30 E	WM	9	NW SW	UMAT 1349	REESE #1 - 520 FEET SOUTH AND 940 FEET EAST FROM THE W1/4 CORNER OF SECTION 9

9. The portion of the third primary right and its layered supplemental water right to be transferred is as follows:

Certificate: 74762, issued in the name of Robert C., Rick L., and Douglas L. Hale

(perfected under Permit U-714) **Use:** Irrigation of 42.7 acres **Priority Date:** March 25, 1955

Rate & Duty: ONE-EIGHTIETH of one cfs per acre or the equivalent for each acre irrigated and is further limited to a total diversion not to exceed 3.0 acre-feet per acre for

each acre irrigated during the irrigation season of each year. **Source**: Wells 1, 2, 4, 6 and 7 within the Umatilla River Basin

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
3 N	30 E	WM	7	NW NW	WELL #1 - 4340 FEET NORTH AND 1830 FEET
3 N	30 E	44 141	<i>'</i>	14 44 14 44	WEST FROM THE S1/4 CORNER OF SECTION 7
3 N	30 E	WM	6	NIW CW	WELL #2 – 2010 FEET NORTH AND 1330 FEET
3 N	30 E	W IVI	О	NW SW	EAST FROM THE SW CORNER OF SECTION 6
2 NI	29 E	WM	2	SE NE	WELL #4 - 180 FEET NORTH AND 260 FEET
3 N	29 E	WIVI	2	SE NE	WEST FROM THE E¼ CORNER OF SECTION 2
2 N	20 E	33/3.4	11	SW NE	WELL #6 - 132 FEET NORTH AND 2190 FEET
3 N	29 E	WM	11	SW NE	WEST FROM THE E¼ CORNER OF SECTION 11

3 N 29 E WM 12 NW NW	WELL #7 - 1010 FEET SOUTH AND 40 FEET EAST FROM THE NW CORNER OF SECTION 12
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Certificate: 87042, issued in the name Robert C., Rick L., and Douglas L. Hale

(perfected under Permit G-5215)
Use: Irrigation of 42.7 acres
Priority Date: February 16, 1973

Rate & Duty: ONE-EIGHTIETH of one cfs or the equivalent for each acre irrigated and is

further limited to a total diversion not to exceed 3.0 acre-feet per acre for each acre

irrigated during the irrigation season of each year.

Source: Hale Wells #1, 2, 4, 6 & 7, within the Stage Gulch Basin

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
3 N	30 E	WM	7	NW NW	WELL #1 - 4340 FEET NORTH AND 1830 FEET
314	JUL	** 141	'	14 77 14 77	WEST FROM THE S1/4 CORNER OF SECTION 7
3 N	30 E	WM	6	NW SW	WELL #2 – 2011 FEET NORTH AND 1330 FEET
3 N	30 E	W IVI	0	14 W 3 W	EAST FROM THE SW CORNER OF SECTION 6
3 N	29 E	WM	2	SE NE	WELL #4 - 180 FEET NORTH AND 260 FEET
3 IN	29 E	W IVI		SE NE	WEST FROM THE E1/4 CORNER OF SECTION 2
3 N	29 E	WM	11	SW NE	WELL #6 - 132 FEET NORTH AND 2190 FEET
3 N	29 E	WW	11	SW NE	WEST FROM THE E1/4 CORNER OF SECTION 11
3 N	29 E	WM	12	NW NW	WELL #7 - 1010 FEET SOUTH AND 40 FEET EAST
3 N	29 E	WIVI	12	NW NW	FROM THE NW CORNER OF SECTION 12

Water Use Permit: S-54773, issued in the name of Echo Irrigation District (filed under

Application S-87076)

Use: Supplemental Irrigation (IS) of 42.7 acres

Priority Date: January 30, 2008

Rate & Duty: ONE-EIGHTIETH of one cfs for and 3.0 acre-feet per acre for supplemental

irrigation from March 1 – April 14 and October 1 - October 31 **Source:** Columbia River, a tributary of the Pacific Ocean

Authorized Point of Diversion:

 		U			
Twp	Rng	Mer	r Sec Q - Q Measured Distances		Measured Distances
5 N	30 E	WM	8	SW NW	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

Authorized Places of Use:

			Pı	imary Irrig	ation (IR	and Supp	olemental 1	Irrigation (IS)	
Т	Des	Mon	Saa	Q-Q	Tax Lot	CERTIF	ICATE/PI	ERMIT (acres)	User
1 wp	Twp Rng M	Mer	Sec			74762(IR)	87042(IS)	Per. S-54773(IS)	
3 N	29 E	WM	11	SE NE	300	25.5	25.5	25.5	HALE FARMS
3 N	29 E	WM	11	NE SE	303	0.2	0.2	0.2	HALE FARMS
3 N	29 E	WM	11	SE NE	3600	1.5	1.5	1.5	HALE FARMS
3 N	29 E	WM	12	NW NW	3600	11.3	11.3	11.3	HALE FARMS
3 N	29 E	WM	12	SW NW	3600	4.2	4.2	4.2	HALE FARMS
		42.7							

10. Transfer Application T-11571 proposes to temporarily change the place of use of the above described rights to:

Proposed Place of Use:

			Prima	ary Irrigat	ion (IR)	and Supple	mental Irr	rigation (IS)				
Twp	Rng	Mer	Sec	0.0	Tax	Certi	ficate/Perr	nit (acres)				
TWP	Kiig	Mer	Sec	Q-Q	Lot	74762(IR)	87042(IS)	Per.54773(IS)	User			
3 N	30 E	WM	7	NE NE	1300	2.6	2.6	2.6	HALE FARMS			
3 N	30 E	WM	7	NE NE	1300	0.4	0.4	0.4	HALE FARMS			
3 N	30 E	WM	7	NW NE	1300	4.1	4.1	4.1	HALE FARMS			
3 N	30 E	WM	7	NW NE	1300	0.6	0.6	0.6	HALE FARMS			
3 N	30 E	WM	7	SW NE	1300	5.2	5.2	5.2	HALE FARMS			
3 N	30 E	WM	7	SW NE	1300	1.0	1.0	1.0	HALE FARMS			
3 N	30 E	WM	7	SE NE	1300	4.5	4.5	4.5	HALE FARMS			
3 N	30 E	WM	7	SE NE	1300	0.7	0.7	0.7	HALE FARMS			
3 N	30 E	WM	7	NW SE	1400	0.6	0.6	0.6	HALE FARMS			
3 N	30 E	WM	8	SE NW	1300	20.6	20.6	20.6	HALE FARMS			
3 N	30 E	WM	8	SE SE	1200	2.4	2.4	2.4	HALE FARMS			
	Total: 42.7 42.7 42.7											

11. The portion of the fourth primary right and its layered supplemental water right to be transferred is as follows:

Certificate: 80850, issued in the name of H – 4 Farms, Inc. (perfected under Permit

G-5215)

Use: Irrigation of 121.2 acres **Priority Date:** February 16, 1973

Rate & Duty: ONE-EIGHTIETH of one cfs and 3.0 acre-feet per acre per growing season

Source: Two wells within the Umatilla River Basin

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Well Log	Measured Distance
3N	29 E	WM	11	SE SE	UMAT 1282	WELL #5 - 60 FEET NORTH AND 590 FEET WEST FROM THE SE CORNER OF SECTION 11
3N	29 E	WM	14	SW NW	UMAT 1300	WELL #8 - 1350 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF THE NW¼ OF THE NW¼ OF SECTION 14

Water Use Permit: S-54773, issued in the name of Echo Irrigation District (filed under

Application S-87076)

Use: Supplemental Irrigation (IS) of 121.2 acres

Priority Date: January 30, 2008

Rate & Duty: ONE-EIGHTIETH of one cfs for and 3.0 acre-feet per acre for supplemental

irrigation from March 1 – April 14 and October 1 - October 31 **Source:** Columbia River, a tributary of the Pacific Ocean

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q · Q	Measured Distances
5 N	30 E	WM	8	sw nw	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

Authorized Places of Use:

	Primary Irrigation (IR) and Supplemental Irrigation (IS)										
_	Rng Mer Sec Q-Q			Tax CERTIFICATE/PERMIT (acres)							
Twp	Rng	Mer	Sec	Q-Q	Lot	80850 (IR)	Per.S-54773(IS)	User			
3 N	29 E	WM	11	NE SW	304	5.9	5.9	HALE FARMS			

			Prim	ary Irrigation	(IR) and	l Supplemental	Irrigation (IS)	
3 N	29 E	WM	11	SE SW	304	1.6	1.6	HALE FARMS
3 N	29 E	WM	11	NE SE	304	3.1	3.1	HALE FARMS
3 N	29 E	WM	11	NW SE	304	8.8	8.8	HALE FARMS
3 N	29 E	WM	11	SE SE	304	4.0	4.0	HALE FARMS
3 N	29 E	WM	12	NW SW	3603	0.1	0.1	HALE FARMS
3 N	29 E	WM	12	sw sw	3603	29.5	29.5	HALE FARMS
3 N	29 E	WM	12	SE SW	3603	20.0	20.0	HALE FARMS
3 N	29 E	WM	14	NW NE	3900	10.6	10.6	HALE FARMS
3 N	29 E	WM	14	SW NE	3900	8.5	8.5	HALE FARMS
3 N	29 E	WM	14	SE NE	3900	6.5	6.5	HALE FARMS
3 N	29 E	WM	14	NE NW	4100	9.9	9.9	HALE FARMS
3 N	29 E	WM	14	SE NW	4100	12.7	12.7	HALE FARMS
				T	OTAL:	121.2	121.2	

12. Transfer Application T-11571 proposes to temporarily change the place of use of the above described rights to:

Proposed Place of Use:

			Pri	mary Irrigatio	n (IR) aı	nd Supplement	al Irrigation (IS)	
7 P W			C .	0.0	Tax	Certificate/	Permit (acres)	**
Twp	Rng	Mer	Sec	Q-Q	Lot	80850 (IR)	Per. 54773(IS)	User
3 N	29 E	WM	11	SE SW	304	2.3	2.3	HALE FARMS
3 N	30 E	WM	20	NE SW	1000	32.1	32.1	HALE FARMS
3 N	30 E	WM	20	NW SW	1000	19.3	19.3	HALE FARMS
3 N	30 E	WM	20	SW SW	1000	31.5	31.5	HALE FARMS
3 N	30 E	WM	20	SE SW	1000	31.7	31.7	HALE FARMS
3 N	30 E	WM	7	NE NE	1300	0.6	0.6	HALE FARMS
3 N	30 E	WM	7	NW NE	1300	1.0	1.0	HALE FARMS
3 N	30 E	WM	7	SW NE	1300	1.5	1.5	HALE FARMS
3 N	30 E	WM	7	SE NE	1300	1.2	1.2	HALE FARMS

NOTE: Primary water rights under Certificate 84095 existing on these lands will not be used during the 2013 irrigation season.

13. Transfer Application T-11571 also proposes to TEMPORARILY add additional points of appropriation under this right to facilitate the place of use change for the above described 124.3 acres. The proposed additional points of appropriation are located as follows:

Proposed Additional Points of Appropriation:

Twp	Rng	Mer	Sec	Q · Q	Well Log	Measured Distances
3 N	30 E	WM	30	NE SW	UMAT 1369	DITCHEN WELL #1 – 30 FEET SOUTH AND 640 FEET WEST FROM THE CENTER OF SECTION 30
3 N	30 E	WM	20	sw sw	UMAT 1361	DITCHEN WELL #2 - 80 FEET EAST FROM THE SW CORNER OF SECTION 20
3 N	30 E	WM	9	NW SW	UMAT 1349	REESE #1 - 520 FEET SOUTH AND 940 FEET EAST FROM THE W1/4 CORNER OF SECTION 9

14. The portion of the fifth primary water right to be transferred is as follows:

Certificate: 87111, issued in the name of Hale Farms, LLC (perfected under Permit

S-37121)

Use: Irrigation of 248.1 acres **Priority Date:** October 3, 1973

Rate & Duty: ONE-SIXTIETH of one cfs or the equivalent for each acre irrigated and is

further limited to a total diversion not to exceed 3.0 acre-feet per acre for each acre

irrigated during the irrigation season of each year.

Source: Hale Wells #1, 2, 4, 6 & 7, within the Stage Gulch Basin

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
5 N	30 E	WM	8	sw nw	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

Authorized Place of Use:

				Primary	Irrigation		
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres	User
3 N	29 E	WM	1	NE NE Lot 1	100	15.3	HALE FARMS
3 N	29 E	WM	1	SE NE	100	15.3	HALE FARMS
3 N	29 E	WM	13	NW SW	4000	31.0	HALE FARMS
3 N	29 E	WM	13	SW SW	4000	29.8	HALE FARMS
3 N	29 E	WM	14	NE SE	4000	31.0	HALE FARMS
3 N	29 E	WM	14	SE SE	4000	31.0	HALE FARMS
3 N	30 E	WM	6	NW NW Lot 4	4000	44.0	HALE FARMS
3 N	30 E	WM	6	SW NW Lot 5	4000	50.7	HALE FARMS
					Total:	248.1	

15. Transfer Application T-11571 proposes to temporarily change the place of use of the right to:

				Primary	Irrigation		
Twp	Rng	Mer	Sec	Q – Q	Tax Lot	Acres	User
3 N	29 E	WM	14	NE NE	3900	30.4	HALE FARMS
3 N	29 E	WM	14	NW NE	3900	29.4	HALE FARMS
3 N	29 E	WM	14	SW NE	3900	31.5	HALE FARMS
3 N	29 E	WM	14	SE NE	3900	31.5	HALE FARMS
3 N	29 E	WM	14	NE NW	4100	29.9	HALE FARMS
3 N	29 E	WM	14	NW NW	4100	33.6	HALE FARMS
3 N	29 E	WM	14	SW NW	4100	33.5	HALE FARMS
3 N	29 E	WM	14	SE NW	4100	28.3	HALE FARMS
					Total:	248.1	

16. The portion of the sixth water right and its layered supplemental water right to be transferred is as follows:

Certificate: 87666, issued in the name of Hale Fams, LLC (perfected under Permit G-

5335)

Use: Irrigation of 69.8 acres **Priority Date:** July 19, 1974

Rate & Duty: ONE-EIGHTIETH of one cfs or the equivalent for each acre irrigated and is

further limited to a total diversion not to exceed 3.0 acre-feet per acre for each acre

irrigated during the irrigation season of each year.

Source: Hale Wells #8 and #3 within the Stage Gulch Basin

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Well Log	Measured Distances
3 N	29 E	WM	14	SW NW	UMAT 1300	HALE WELL #8 – 1350 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF THE NWNW OF SECTION 14
3 N	30 E	WM	7	sw sw	UMAT 1247	HALE WELL #3 – 1420 FEET SOUTH AND 40 FEET EAST FROM THE W1/4 CORNER OF SECTION 7

Authorized Place of Use:

	Primary Irrigation											
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	User					
3 N	29 E	WM	23	NE SE	8400	1.6	HALE FARMS					
3 N	29 E	WM	23	NW SE	8400	22.7	HALE FARMS					
3 N	29 E	WM	23	SW SE	8400	24.4	HALE FARMS					
3 N	29 E	WM	23	SE SE	8400	21.1	HALE FARMS					
		•	•		Total:	69.8						

17. Transfer Application T-11571 proposes to temporarily change the place of use of the right to:

	Primary Irrigation											
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres	User					
3 N	30 E	WM	8	NE SW	1400	31.0	HALE FARMS					
3 N	30 E	WM	8	SE SW	1400	31.6	HALE FARMS					
3 N	30 E	WM	8	SW SW	1400	4.2	HALE FARMS					
3 N	30 E	WM	8	SE SE	1400	3.0	HALE FARMS					
					Total:	69.8						

14. The eighth right to be modified is as follows:

Certificate: 87667, issued in the name Hale Farms, LLC (perfected under Permit G-5337)

Use: Irrigation of 65.75 acres **Priority Date:** October 21, 1974

Rate & Duty: ONE-EIGHTIETH of one cfs or the equivalent for each acre irrigated and is

further limited to a total diversion not to exceed 3.0 acre-feet per acre for each acre

irrigated during the irrigation season of each year.

Source: Wells in the Umatilla Basin

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q · Q	Well Logs	Measured Distances
3 N	29 E	WM	14	SW NW	UMAT 1300	1350 FEET SOUTH AND 50 FEET WEST FROM THE EN CORNER OF THE NWNW OF SECTION 14
3 N	30 E	WM	7	sw sw	UMAT 1247	1420 FEET SOUTH AND 40 FEED EAST FROM THE W1/4 CORNER OF SECTION 7

Permit: S-54773, issued in the name Echo Irrigation District (filed under Application

S-87076)

Use: Supplemental Irrigation (IS) of 65.75 acres

Priority Date: January 30, 2008

Rate & Duty: ONE-EIGHTIETH of one cfs for and 3.0 acre-feet per acre for supplemental irrigation from March 1 – April 14 and from October 1 - October 31

Source: Columbia River, a tributary of the Pacific Ocean

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q · Q	Measured Distances
5 N	30 E	WM	8	SW NW	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

Authorized Place of Use:

		P	rimar	y Irrigatio	n (IR) a	nd Suppleme	ental Irrigation (I	(S)
Т	D	3.5		0 0	Tax	Certifica	te/Permit acres	
Twp	Rng	Mer	Sec	Q-Q	Lot	87667 (IR)	Per. S-54773 (IS)	User
3 N	29 E	WM	23	SW NE	8300	0.05	0.05	HALE FARMS, INC.
3 N	29 E	WM	23	SE NE	8300	0.4	0.4	HALE FARMS, INC.
3 N	29 E	WM	23	NE SE	8400	30.8	30.8	HALE FARMS, INC.
3 N	29 E	WM	23	NW SE	8400	5.1	5.1	HALE FARMS, INC.
3 N	29 E	WM	23	SE SE	8400	6.3	6.3	HALE FARMS, INC.
3 N	30 E	WM	6	SE SE	400	22.1	22.1	HALE FARMS, INC.
3 N	30 E	WM	6	SW SE	400	1.0	1.0	HALE FARMS, INC.
					Total:	65.75	65.75	

15. Transfer Application T-11571 proposes to temporarily change the place of use of the right to:

Proposed Place of Use:

тороз	Primary Irrigation (IR) and Supplemental Irrigation (IS)										
Twp	Rng	Mer	Sec	Q-Q	Tax	Certifica	te/Permit acres	¥1			
P	P reng men see	500	V V	Lot	87667 (IR)	Per. S-54773 (IS)	Osci				
3 N	30 E	WM	8	NE SE	1200	31.25	31.25	HALE FARMS, INC.			
3 N	30 E	WM	8	NE NE	1200	11.4	11.4	HALE FARMS, INC.			
3 N	30 E	WM	8	SE NE	1200	3.3	3.3	HALE FARMS, INC.			
3 N	30 E	WM	8	NW SE	1200	8.4	8.4	HALE FARMS, INC.			
3 N	30 E	WM	8	SE SE	1200	11.4	11.4	HALE FARMS, INC.			
					Total:	65.75	65.75				

16. Transfer Application T-11571 also proposes to temporarily add an additional point of appropriation under this right to facilitate the place of use. The proposed additional point of appropriation is located as follows:

Proposed Additional Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Well Log	Measured Distances
3 N	30 E	WM	9	NW SW	UMAT 1349	REESE #1 - 520 FEET SOUTH AND 940 FEET EAST FROM THE W1/4 CORNER OF SECTION 9

17. The eighth right and its layered supplemental to be modified are as follows:

Certificate: 87042, issued in the name Robert C., Rick L., and Douglas L. Hale

(perfected under Permit G-5215) **Use:** Irrigation of 92.4 acres **Priority Date:** February 16, 1973

Rate & Duty: ONE-EIGHTIETH of one cfs or the equivalent for each acre irrigated and is

further limited to a total diversion not to exceed 3.0 acre-feet per acre for each acre

irrigated during the irrigation season of each year.

Source: Hale Wells #1, 2, 4, 6 & 7, within the Stage Gulch Basin

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
3 N	30 E	WM	7	NW NW	WELL #1 - 4340 FEET NORTH AND 1830 FEET
314	30 L	** 141	'		WEST FROM THE S1/4 CORNER OF SECTION 7
3 N	30 E	WM	6	NW SW	WELL #2 – 2011 FEET NORTH AND 1330 FEET
					EAST FROM THE SW CORNER OF SECTION 6
2.27	20.5	3375	1	CE NE	WELL #4 - 180 FEET NORTH AND 260 FEET
3 N	29 E	WM	2	SE NE	WEST FROM THE E1/4 CORNER OF SECTION 2
3 N	29 E	WM	11	SW NE	WELL #6 - 132 FEET NORTH AND 2190 FEET
					WEST FROM THE E1/4 CORNER OF SECTION 11
3 N	20.5	WM	12	NW NW	WELL #7 - 1010 FEET SOUTH AND 40 FEET EAST
	29 E				FROM THE NW CORNER OF SECTION 12

Water Use Permit: S-54773, issued in the name Echo Irrigation District (filed under

Application S-87076)

Use: Supplemental Irrigation (IS) of 92.4 acres

Priority Date: January 30, 2008

Rate & Duty: ONE-EIGHTIETH of one cfs for and 3.0 acre-feet per acre for supplemental irrigation from March 1 – April 14 and from October 1 - October 31

Source: Columbia River, a tributary of the Pacific Ocean

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q · Q	Measured Distances
5 N	30 E	WM	8	SW NW	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

Authorized Place of Use:

Primary Irrigation (IR) and Supplemental Irrigation (IS)								
Т	D	Mer	Sec	Q – Q	Tax Lot	CERTIFICATE/PERMIT (ac)		* *
Twp	Rng					87042 (IR)	Per. S-54773 (IS)	User
3 N	29 E	WM	1	NE NW	100	5.1	5.1	Hale Farms
3 N	29 E	WM	1	SW NW	100	4.3	4.3	Hale Farms
3 N	29 E	WM	1	SE NW	100	16.0	16.0	Hale Farms
3 N	29 E	WM	1	NE SW	100	16.8	16.8	Hale Farms
3 N	29 E	WM	1	SW SW	100	11.0	11.0	Hale Farms
3 N	29 E	WM	1	SE SW	100	2.8	2.8	Hale Farms
3 N	29 E	WM	2	SE NE	100	7.3	7.3	Hale Farms
3 N	29 E	WM	2	NE SE	100	5.4	5.4	Hale Farms
3 N	29 E	WM	2	SE SE	100	8.9	8.9	Hale Farms
3 N	29 E	WM	11	NE SE	303	13.8	13.8	Hale Farms
3 N	29 E	WM	11	NW SE	303	1.0	1.0	Hale Farms
					Total:	92.4	92.4	

18. Transfer Application T-11571 proposes to temporarily change the place of use of the rights to:

Proposed Place of Use:

Primary Irrigation (IR) and Supplemental Irrigation (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	CERTIFICA		
1 wh						87042 (IR)	Per.S-54773 (IS)	User
3 N	30 E	WM	8	NW NE	1200	31.9	31.9	Hale Farms
3 N	30 E	WM	8	SW NE	1200	31.9	31.9	Hale Farms
3 N	30 E	WM	8	SE NE	1200	28.6	28.6	Hale Farms
				· ·	Total:	92.4	92.4	

- 19. The Department has determined that the proposed additional points of appropriation Ditchen Wells #1 and #2 are all within the same subareas (D and H) of the Stage Gulch Critical Ground Water Area and will all develop the same source of water as the authorized existing wells.
- 20. Pursuant to OAR 690-385-3110, water use under existing water rights or water use permits existing on either the authorized or the proposed place of use will remain unexercised and will not be transferred during the course of the 2013 irrigation season.
- 21. The district temporary transfer application satisfies the criteria of OAR 690-385-3000, contains the information required under OAR 690-385-3200, and includes a map meeting the requirements of OAR 690-385-3300.
- 22. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
- 23. The proposed changes in place of use would not result in enlargement of the rights.
- 24. The proposed changes would not result in injury to other water rights.

Conclusions of Law

The temporary changes in place of use and additional points of appropriation as proposed in Transfer Application T-11571 satisfy the requirements of ORS 540.574(3) and 540.570.

Now, therefore, it is ORDERED:

- 1. The temporary changes proposed in Transfer Application T-11571 are approved.
- 2. The former places of use **shall not** be irrigated as part of these water rights during the 2013 irrigation season.
- 3. The use shall revert to the authorized places of use at the end of the 2013 irrigation season. The authorization to use the additional points of appropriation shall be terminated concurrently.
- 4. The right to the use of the water at the temporary place of use authorized by this transfer shall be in accordance with the conditions and limitations contained in Certificates 85124,

- 74896 (as modified by Transfer Application T-6787), 74762, 80850, 87111, 87666, 87667, 87042 and water use Permit S-54773 and any related decree.
- 5. The water rights appurtenant to the new proposed place of use, in conjunction with all other water rights or water use permits secured under any other right existing for the same lands shall be limited to 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
- 6. The quantity of water diverted at the additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
- 7. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
- 8. 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.
- 9. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
- 10. 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.
- 11. A subsequent application for permanent transfer of Certificates 85124, 74896 (as modified by Transfer Application T-6787), 74762, 80850, 87111, 87666, 87667, 87042 and water use Permit S-54773 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Divisions 380 and 385. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
- 12. Additional measurement and reporting conditions, including, but not limited to, additional measuring sites, general water use information, and the place and nature of water use may be required at the discretion of the Department.
- 13. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
- 14. The use of the remaining water rights described by Certificates 85124, 74896 (as modified by Transfer Application T-6787), 74762, 80850, 87111, 87666, 87667, 87042 and water use Permit S-54773 shall continue to be in accordance with the terms and conditions of Certificates 85124, 74896 (as modified by Transfer Application T-6787), 74762, 80850, 87111, 87666, 87667, 87042 and water use Permit S-54773.

Dated at Salem, Oregon this day of July, 2013.	
Dwift the	
Dwight French Water Right Services Division Administrator for PHILLIPC. WARD, DIRECTOR	
Mailing date: JUL 1 9 2013	