

STATE OF OREGON

COUNTIES OF UMATILLA AND MORROW

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 8425 submitted by

HANSELL BROTHERS, INC., AND MARY E. HANSELL
28286 STAFFORD HANSELL ROAD
HERMISTON, OREGON 97838.

The first right to be modified, as evidenced by a PORTION of Certificate 74109, was perfected under Permit U-649 with a date of priority of AUGUST 9, 1954. The right allows the use of ONE WELL (9), in the UMATILLA RIVER BASIN, for IRRIGATION of 1.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.02 cubic foot per second, if available at the original well; WELL 9, or its equivalent in case of rotation, measured at the well.

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 on 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 per acre for each acre irrigated during the irrigation season of each year.

The authorized place of use is as follows:

NW¼ NW¼ 1.7 ACRES
SECTION 36
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

The second right to be modified, as evidenced by a PORTION of Certificate 74110, was perfected under Permit G-2335 with a date of priority of JANUARY 10, 1963. The right allows the use of ONE WELL (7), in the UMATILLA RIVER BASIN, for IRRIGATION of 3.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.04 cubic foot per second, if available at the original well; WELL 7, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 per acre for each acre irrigated during the irrigation season of each year.

The authorized place of use is as follows:

SW¼ NW¼ 2.6 ACRES
NW¼ SW¼ 0.4 ACRE
SECTION 26
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

The third right to be modified, as evidenced by a PORTION of Certificate 74112, was perfected under Permit G-2694 with a date of priority of MARCH 31, 1964. The right allows the use of ONE WELL (7), in the UMATILLA RIVER BASIN, for IRRIGATION of 10.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.13 cubic foot per second, if available at the original well; WELL 7, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 per acre for each acre irrigated during the irrigation season of each year.

The authorized Place of use is as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.4 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.8 ACRE
NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.0 ACRE
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.1 ACRES

SECTION 26

NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.6 ACRE
SE $\frac{1}{4}$ SE $\frac{1}{4}$	1.1 ACRES

SECTION 27

NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.8 ACRE
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SECTION 35

TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

The fourth right to be modified, as evidenced by a PORTION of Certificate 74133, was perfected under Permit G-3822 with a date of priority of FEBRUARY 15, 1968. The right allows the use of THREE WELL (3, 4, and 8), in the UMATILLA RIVER BASIN, for IRRIGATION 15.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.11 cubic foot per second, if available at the original well; WELLS 3, 4, and 8, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 per acre for each acre irrigated during the irrigation season of each year.

The authorize place of use is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.4 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.5 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.6 ACRE
NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.5 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.5 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.5 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.5 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.5 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.5 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.5 ACRES

SECTION 35
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

The fifth right to be modified, as evidenced by a PORTION of Certificate 74185, was perfected under Permit G-10505 with a date of priority of JANUARY 9, 1970. The right allows the use of SEVEN WELLS (3, 4, 5, 6, 7, 8, and 9), in the UMATILLA RIVER BASIN, for IRRIGATION AND SUPPLEMENTAL IRRIGATION of 45.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.56 cubic foot per second, if available at the original well; WELLS 3, 4, 5, 6, 7, 8, and 9, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 per acre for each acre irrigated during the irrigation season of each year, and shall be subject to the provision of the question of determination of a Critical Ground Water Area in the in the Ordinance Area, Morrow and Umatilla Counties, Oregon, by Special Order recorded at Volume 27, Pages 40 through 79 dated the 2nd day of April, 1976.

The authorized place of use is located as follows:

PRIMARY FROM WELL 5; SUPPLEMENTAL FROM WELLS 3, 4, 6, 7, 8, and 9

NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.1 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.6 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.5 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.1 ACRES

SECTION 27
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

PRIMARY FROM WELL 7; SUPPLEMENTAL FROM WELLS 3, 4, 5, 6, 8, and 9

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.3 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.5 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.3 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.1 ACRE
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.6 ACRE

SECTION 26

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.4 ACRE
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.6 ACRE
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.8 ACRE

SECTION 27

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.3 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.6 ACRE
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.9 ACRE
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.4 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 ACRES

SECTION 35

TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

SUPPLEMENTAL FROM WELLS 3, 4, 5, 6, 7, 8, and 9

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.6 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.8 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.4 ACRE
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.4 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.1 ACRES

SECTION 26

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.6 ACRE
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.1 ACRES

SECTION 27

NW¹/₄ NW¹/₄ 0.8 ACRE
SECTION 35
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

SUPPLEMENTAL FROM WELLS 3, 4, 6, 6, 7, and 9

NW ¹ / ₄ NE ¹ / ₄	1.4 ACRES
SW ¹ / ₄ NE ¹ / ₄	1.5 ACRES
SE ¹ / ₄ NE ¹ / ₄	0.6 ACRE
NE ¹ / ₄ NW ¹ / ₄	1.5 ACRES
NW ¹ / ₄ NW ¹ / ₄	1.5 ACRES
SW ¹ / ₄ NW ¹ / ₄	1.5 ACRES
SE ¹ / ₄ NW ¹ / ₄	1.5 ACRES
NE ¹ / ₄ SW ¹ / ₄	1.5 ACRES
NW ¹ / ₄ SW ¹ / ₄	1.5 ACRES
SW ¹ / ₄ SW ¹ / ₄	1.5 ACRES
SE ¹ / ₄ SW ¹ / ₄	1.5 ACRES

SECTION 35
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

SUPPLEMENTAL FROM WELLS 3, 4, 5, 6, 7, and 9

NW¹/₄ NW¹/₄ 1.7 ACRES
SECTION 36
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

The sixth right to be modified is a PORTION of Permit G-10836 with a date of priority of FEBRUARY 15, 1978. The right allows the use of ARTIFICIALLY RECHARGED GROUND WATER FROM SEVEN WELLS, in the UMATILLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION of 42.8 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.48 cubic foot per second, if available at the original well, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 per acre for each acre irrigated during the irrigation season of March 10 to October 15 for each calendar year. This permit does not alter the Ordinance Critical Ground Water Area Order.

The maximum annual diversion shall not exceed 117.74 acre-feet of artificially recharged ground water or a lesser amount as provided in condition 8 of the permit (Allowable Use of Stored Water).

The authorized place of use is located as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.6 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.7 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.3 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.4 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	2.4 ACRES

SECTION 26

NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.1 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.6 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.5 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.1 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.4 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.6 ACRE
SW $\frac{1}{4}$ SE $\frac{1}{4}$	0.8 ACRE
SE $\frac{1}{4}$ SE $\frac{1}{4}$	1.1 ACRE

SECTION 27

NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.3 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.5 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.5 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.9 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.3 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.5 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.5 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	1.5 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.5 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	1.5 ACRES

SECTION 35

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.7 ACRES

SECTION 36

TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

The authorized points of appropriation are located as follows:

WELL 3: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 27, T 4 N, R 27 E, WM; 2740 FEET NORTH AND 1890 FEET EAST FROM THE SW CORNER, SECTION 27;

WELL 4: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 27, T 4 N, R 27 E, WM; 230 FEET NORTH AND 1210 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, SECTION 27;

WELL 5: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 27, T 4 N, R 27 E, WM; 960 FEET NORTH AND 1350 FEET EAST FROM THE W $\frac{1}{4}$, SECTION 27;

WELLS 6 and 7: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 26, T 4 N, R 27 E, WM; 1130 FEET NORTH AND 60 FEET EAST FROM THE W $\frac{1}{4}$, SECTION 26;

WELL 8: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 26, T 4 N, R 27 E, WM; 1160 FEET NORTH AND 370 FEET EAST FROM THE W $\frac{1}{4}$, SECTION 26;

WELL 9: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 36, T 4 N, R 27 E, WM; 1884 FEET SOUTH AND 1315 FEET EAST FROM THE NW CORNER, SECTION 36.

The uses shall conform to any reasonable rotation system ordered by the proper state officer.

The wells shall be maintained in accordance with the General Standard for the Construction and Maintenance of Water Wells in Oregon.

The right to use water for the above purpose is restricted to beneficial use on the lands or places of use described.

The applicant proposes to TEMPORARY change the places of use to:

PERMIT U-649

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.7 ACRES
SECTION 27
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

PERMIT G-2335

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.0 ACRES
SECTION 27
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

PERMIT G-2694

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10.8 ACRES
SECTION 27
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

PERMIT G-3822

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.0 ACRES
SECTION 27

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 ACRES
SECTION 35
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

PERMIT G-10505

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE¼ NE¼		17.8 ACRES
SE¼ SW¼	2.4 ACRES	4.7 ACRES
SECTION 27		
SW¼ NE¼	5.0 ACRES	
SE¼ NW¼	5.0 ACRES	
NE¼ SW¼	1.7 ACRES	3.5 ACRES
NW¼ SE¼	5.0 ACRES	
SECTION 35		
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.		

PERMIT G-10836

SE¼ NE¼	16.8 ACRES	
SE¼ SW¼	22.6 ACRES	
SW¼ SE¼	3.2 ACRES	
SECTION 27		
NE¼ NW¼	0.2 ACRE	
SECTION 34		
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.		

The applicants have requested Temporary Transfer 8114 be canceled, and this temporary transfer application be approved instead.

THESE 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 these water rights during the 2000 and 2001 irrigation seasons.

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. The order of the Water Resources Director, entered November 12, 1998, approving Temporary Transfer 8114 is rescinded.
6. The use of the remaining water rights described by Certificates 74109, 74110, 74112, 74133, 74185, and Permit G-10836 shall continue to be in accordance with the terms and conditions of Certificates 74109, 74110, 74112, 74133, 74185, and Permit G-10836.

WITNESS the signature of the Water Resources Director,

affixed MAR 15 2000 .



Martha O. Pagel, Director