

STATE OF OREGON

COUNTY OF UMATILLA

ORDER OF THE OREGON WATER RESOURCES DEPARTMENT APPROVING A TEMPORARY CHANGE IN PLACE OF USE IN AN IRRIGATION DISTRICT

Pursuant to ORS 540.570, after the Department published notice in summary form on February 20, 2001, and no objections were filed; and pursuant to ORS 540.570 (3) and OAR 690-21-060 (2) finding that no injury to existing water rights or an enlargement of existing rights would result; this order approves as conditioned or limited herein, TEMPORARY DISTRICT TRANSFER 8687 submitted by:

ECHO IRRIGATION DISTRICT
P. O. BOX 110
HERMISTON, OREGON 97838.

I.

The first water right to be modified, as evidenced by a portion of Certificate 74897, was perfected under Permit G-4969. The date of priority is June 8, 1971.

The right allows the use of Wells #1, #2, #3, #4, #6 and #7 for irrigation of 181.00 acres. The authorized points of appropriation are located as follows:

- Well #1: NW1/4 NW1/4, Section 7, Township 3 N, Range 30 E, W.M.; 4340 feet North and 1830 feet West from the South 1/4 Corner, Section 7.
Well #2: NW1/4 SW1/4, Section 6, Township 3 N, Range 30 E, W.M.; 2010 feet North and 1330 feet East from the Southwest Corner, Section 6.
Well #3: . SW1/4 SW1/4, Section 7, Township 3 N, Range 30 E, W.M.; 1420 feet South and 40 feet East from the West 1/4 Corner, Section 7.
Well #4: SE1/4 NE1/4, Section 2, Township 3 N, Range 29 E, W.M.; 180 feet North and 260 feet West from the East 1/4 Corner, Section 2.
Well #6: SW1/4 NE1/4, Section 11, Township 3 N, Range 29 E, W.M.; 132 feet North and 2190 feet West from the East 1/4 Corner, Section 11.
Well #7: NW1/4 NW1/4, Section 12, Township 3 N, Range 29 E, W.M.; 1010 feet South and 40 feet East from the Northwest Corner, Section 12.

The authorized places of use are located as follows:

Table with 9 columns: USE, TWP, RNG, SEC, Q/Q, TAXLOT, ACRES, OWNER, ATT. #. It lists four entries for irrigation rights owned by HALE BROS.

This is an order 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

IR	3N	29E	12	NW NE	104	39.30	HALE BROS.	A.
IR	3N	29E	12	SW NE	104	15.00	HALE BROS.	A.
IR	3N	29E	12	SE NE	104	13.40	HALE BROS.	A.
IR	3N	30E	7	NE SW	706	2.60	HALE BROS.	A.
IR	3N	30E	7	SW SW	706	7.00	HALE BROS.	A.
						181.00		

The applicant proposes to change the places of use to:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT. #
IR	3N	30E	5	SW SW	602	3.40	HALE BROS.	A.
IR	3N	30E	6	NE SE	602	0.80	HALE BROS.	A.
IR	3N	30E	6	NW SE	602	1.70	HALE BROS.	A.
IR	3N	30E	6	SW SE	602	12.5	HALE BROS.	A.
IR	3N	30E	6	SE SE	602	37.60	HALE BROS.	A.
IR	4N	29E	35	SW NW	5191	11.70	HALE BROS.	A.
IR	4N	29E	35	SE NW	5191	13.20	HALE BROS.	A.
IR	4N	29E	35	NE SW	5191	36.90	HALE BROS.	A.
IR	4N	29E	35	NW SW	5191	34.70	HALE BROS.	A.
IR	4N	29E	35	SW SW	5191	13.10	HALE BROS.	A.
IR	4N	29E	35	SE SW	5191	14.40	HALE BROS.	A.
IR	4N	29E	35	NW SE	5191	1.00	HALE BROS.	A.
						181.00		

II.

The second water right to be modified, as evidenced by a portion of Certificate 76367, was perfected under Permit G-6600. The date of priority is November 12, 1975.

The right allows the use of a Well for irrigation of 70.30 acres. The authorized point of appropriation is located as follows: NE¼ SW¼, Section 30, Township 3 N, Range 30 E, W.M.; 30 feet South and 640 feet West from the Center, Section 30.

The authorized places of use are located as follows:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT.#
IR	3N	30E	30	NW NW	4900	40.60	DITCHEN LAND CO.	C.
IR	3N	30E	30	SW NW	4900	29.70	DITCHEN LAND CO.	C.
						70.30		

The applicant proposes to change the places of use to:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT.#
IR	3N	30E	29	NW SW	4800	7.70	DITCHEN LAND CO.	C.
IR	3N	30E	29	SW SW	4800	31.30	DITCHEN LAND CO.	C.
IR	3N	30E	29	SE SW	4800	31.30	DITCHEN LAND CO.	C.
						70.30		

III.

The third water right to be modified, as evidenced by a portion of Certificate 76369, was perfected under Permit G-8367. The date of priority is August 2, 1978.

The right allows the use of a Well for irrigation of 54.70 acres. The authorized point of appropriation is located as follows: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Township 3 N, Range 30 E, W.M.; 100 feet North and 80 feet East from the SW Corner, Section 20.

The authorized places of use are located as follows:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT. #
IR	3N	30E	20	NE SW	3000	8.75	DITCHEN LAND CO.	D.
IR	3N	30E	20	NW SW	3000	8.75	DITCHEN LAND CO.	D.
IR	3N	30E	20	SW SW	3000	8.75	DITCHEN LAND CO.	D.
IR	3N	30E	20	SE SW	3000	8.75	DITCHEN LAND CO.	D.
IR	3N	30E	30	NE NE	4900	6.40	DITCHEN LAND CO.	D.
IR	3N	30E	30	NW NE	4900	5.70	DITCHEN LAND CO.	D.
IR	3N	30E	30	SE NE	4900	2.40	DITCHEN LAND CO.	D.
IR	3N	30E	30	NE NW	4900	5.20	DITCHEN LAND CO.	D.
						54.70		

The applicant proposes to change the places of use to:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT. #
IR	3N	30E	29	NE SW	4800	31.20	DITCHEN LAND CO.	D.
IR	3N	30E	29	NW SW	4800	23.50	DITCHEN LAND CO.	D.
						54.70		

IV.

The fourth water right to be modified, as evidenced by a portion of Certificate 49733, was perfected under Permit G-6626. The date of priority is December 29, 1975.

The right allows the use of Wells #1 and #2 for irrigation of 355.30 acres. The authorized points of appropriation are located as follows:

Well #1: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 3 N, Range 29 E, W.M.; 20 feet North and 1570 feet West from the East $\frac{1}{4}$ Corner, Section 24.

Well #2: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 3 N, Range 29 E, W.M.; 960 feet North and 30 feet West from the East $\frac{1}{4}$ Corner, Section 24.

The authorized places of use are located as follows:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT. #
IR	3N	29E	24	NE NE	8600	10.00	COPPINGER	E.
IR	3N	29E	24	NW NE	8600	10.00	COPPINGER	E.
IR	3N	29E	24	SW NE	8600	10.00	COPPINGER	E.
IR	3N	29E	24	SE NE	8600	10.00	COPPINGER	E.
IR	3N	29E	24	NE SE	8700	37.10	COPPINGER	E.
IR	3N	29E	24	NW SE	8700	40.00	COPPINGER	E.
IR	3N	29E	24	SW SE	8700	40.00	COPPINGER	E.
IR	3N	29E	24	SE SE	8700	40.00	COPPINGER	E.
IR	3N	30E	19	NE NW	2601	25.90	COPPINGER	E.
IR	3N	30E	19	NW NW	2601	14.20	COPPINGER	E.
IR	3N	30E	19	SW NW	2601	14.50	COPPINGER	E.
IR	3N	30E	19	SE NW	2601	25.40	COPPINGER	E.
IR	3N	30E	19	NE SW	2600	27.00	COPPINGER	E.

IR	3N	30E	19	NW SW	2600	10.80	COPPINGER	E.
IR	3N	30E	19	SW SW	2600	13.50	COPPINGER	E.
IR	3N	30E	19	SE SW	2600	26.90	COPPINGER	E.
						355.30		

The applicant proposes to change the places of use to:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT. #
IR	3N	29E	13	NE NE	3700	30.00	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	13	NW NE	3700	30.00	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	13	SW NE	3700	30.00	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	13	SE NE	3700	30.00	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	13	NE SE	3700	30.00	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	13	NW SE	3700	30.00	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	13	SW SE	3700	30.00	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	13	SE SE	3700	30.00	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	23	NE SE	8400	22.10	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	23	NW SE	8400	31.00	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	23	SW SE	8400	30.40	COPPINGER/HALE-RAMOS	E.
IR	3N	29E	23	SE SE	8400	31.80	COPPINGER/HALE-RAMOS	E.
						355.30		

V.

The fifth water right to be modified, as evidenced by a portion of Certificate 74898, was perfected under Permit G-5215. The date of priority is February 16, 1973.

The right allows the use of Wells #1, #2, #4, #6, and #7 for irrigation of 49.00 acres. The authorized points of appropriation are located as follows:

- Well #1: NW¼ NW¼, Section 7, Township 3 N, Range 30 E, W.M.; 4340 feet North and 1830 feet West from the South ¼ Corner, Section 7.
- Well #2: NW¼ SW¼, Section 6, Township 3 N, Range 30 E, W.M.; 2010 feet North and 1330 feet East from the SW Corner, Section 6
- Well #4: SE¼ NE¼, Section 2, Township 3 N, Range 29 E, W.M.; 180 feet North and 260 feet West from the East ¼ Corner, Section 2.
- Well #6: SW¼ NE¼, Section 11, Township 3 N, Range 29 E, W.M.; 132 feet North and 2190feet West from the East ¼ Corner, Section 11.
- Well #7: NW¼ NW¼, Section 12, Township 3 N, Range 29 E, W.M.; 1010 feet South and 40 feet East from the NW Corner, Section 12.

The authorized places of use are located as follows:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT. #
IR	3N	29E	1	NE SW	202	26.20	HALE BROS.	F.
IR	3N	29E	1	SW SW	201	11.00	HALE BROS.	F.
IR	3N	29E	1	SE SW	201	2.50	HALE BROS.	F.
IR	3N	29E	2	NE SE	202	1.70	HALE BROS.	F.
IR	3N	29E	2	SE SE	202	7.60	HALE BROS.	F.
						49.00		

The applicant proposes to change the places of use to:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT. #
IR	3N	30E	5	NW SW	602	3.30	HALE BROS.	F.
IR	3N	30E	6	NE SE	602	35.60	HALE BROS.	F.
IR	3N	30E	6	NW SE	602	10.10	HALE BROS.	F.
						49.00		

VI.

The sixth water right to be modified, as evidenced by a portion of Certificate 65485, was perfected under Permit G-5215. The date of priority is February 16, 1973.

The right allows the use of Wells #5 and #8 for irrigation of 91.10 acres. The authorized points of appropriation are located as follows:

Well #5: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 3 N, Range 29 E, W.M.; 60 feet North and 590 feet West from the SE Corner, Section 11.

Well #8: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, Township 3 N, Range 29 E, W.M.; 1350 feet South and 50 feet West from the NE Corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14.

The authorized places of use are located as follows:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT. #
IR	3N	29E	12	NW SW	3603	0.10	H-4 FARMS	G.
IR	3N	29E	12	SW SW	3603	29.80	H-4 FARMS	G.
IR	3N	29E	12	SE SW	3603	14.90	H-4 FARMS	G.
IR	3N	29E	14	NW NE	3900	9.00	H-4 FARMS	G.
IR	3N	29E	14	SW NE	3900	9.00	H-4 FARMS	G.
IR	3N	29E	14	SE NE	3900	7.00	H-4 FARMS	G.
IR	3N	29E	14	NE NW	3900	9.30	H-4 FARMS	G.
IR	3N	29E	14	SE NW	3900	12.00	H-4 FARMS	G.
						91.10		

The applicant proposes to change the places of use to:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT. #
IR	3N	29E	15	NE SE	4000	13.30	H-4 FARMS	G.
IR	3N	29E	15	NW SE	4000	13.20	H-4 FARMS	G.
IR	3N	29E	15	SW SE	4000	28.10	H-4 FARMS	G.
IR	3N	29E	15	SE SE	4000	28.00	H-4 FARMS	G.
IR	3N	29E	23	NE SE	8400	8.50	H-4 FARMS	G.
						91.10		

VII.

The seventh water right to be modified, as evidenced by a portion of Certificate 76368, was perfected under Permit G-8041. The date of priority is February 21, 1978.

The right allows the use of a Well for supplemental irrigation of 70.30 acres. The authorized point of appropriation is located as follows: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 3 N, Range 30 E, W.M.; 30 feet South and 640 feet West from the Center, Section 30.

The authorized places of use are located as follows:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT.#
IR(S)	3N	30E	30	NW NW	4900	40.60	DITCHEN LAND CO.	C.
IR(S)	3N	30E	30	SW NW	4900	29.70	DITCHEN LAND CO.	C.
						70.30		

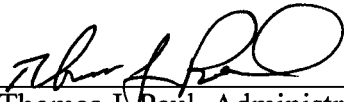
The applicant proposes to change the places of use to:

USE	TWP	RNG	SEC	Q/Q	TAXLOT	ACRES	OWNER	ATT.#
IR(S)	3N	30E	29	NW SW	4800	7.70	DITCHEN LAND CO.	C.
IR(S)	3N	30E	29	SW SW	4800	31.30	DITCHEN LAND CO.	C.
IR(S)	3N	30E	29	SE SW	4800	31.30	DITCHEN LAND CO.	C.
						70.30		

THE PROPOSED TEMPORARY CHANGES TO THE EXISTING DISTRICT WATER RIGHTS FOR THE 2001 IRRIGATION SEASON MAY BE MADE SUBJECT TO THE FOLLOWING CONDITIONS:

1. Pursuant to 540.570(2) water may not be used on either the authorized places of use or proposed places of use prior to April 10, 2001.
2. The authorized places of use will receive no water under any other appurtenant water rights during the 2001 irrigation season unless water rights are transferred to these lands.
3. The use of water for supplemental irrigation under Permit G-8907 may not be exercised on any of the lands subject to this order.
4. All restrictions and limitations contained in the decree or permit of the subject rights will apply to the lands described by the change in place of use. Water use from wells in the Butter Creek and Stage Gulch Critical Ground Water Areas subject to allocation under OAR Chapter 690, Division 507 shall not exceed any limitations imposed by administrative rule.
5. Pursuant to 540.570(6) the Department may further condition or revoke a temporary transfer at any time to the extent necessary to avoid injury if the department finds the transfer is causing injury to an existing water right.
6. Pursuant to 540.570(7), upon expiration of the temporary transfer period, all uses of water for which a temporary transfer is allowed under this section shall revert automatically to the location, terms and conditions of the original water right permit, certificate or an adjudication proceeding under ORS chapter 539 as evidenced by a court decree.

Dated APR 02 2001



 Thomas J. Paul, Administrator
 Field Services Division