

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application) FINAL ORDER APPROVING
T-12619, Umatilla County) A DISTRICT TEMPORARY TRANSFER
)

Authority

Oregon Revised Statute (ORS) 540.570 establishes the process in which a district may submit a request to temporarily transfer a water right within district boundaries. Oregon Administrative Rule (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
P.O. BOX 643
STANFIELD, OR 97875

Findings of Fact

1. On March 24, 2017, Echo Irrigation District filed a district transfer application to temporarily change the places of use within the boundaries of the irrigation district under Certificates 85214, 92001, 87042, 80849, 80850, 87667, 87666, 74762, 87111, and Water Use Permit S-54773. The Department assigned the application number T-12619.
2. Notice of the application for transfer was published on March 28, 2017, pursuant to ORS 540.570 and OAR 690-385-3400. No comments were filed in response to the notice.
3. On May 3, July 11, and again on July 13, 2017, the Department contacted the Agent for the applicant by e-mail and phone with regard to deficiencies in application T-12619.
4. On July 21, 2017, the agent for the applicant submitted an amended application which clarified and corrected deficiencies found in the original application.
5. On August 1, 2017, the agent for the Applicant contacted the Department in reference to a deficiency in the application, and authorized the Department to correct the deficiency.
6. The portion of the first right to be transferred is as follows:
Certificate: 85124 issued in the name of ROBERT C. HALE, RICK L. HALE, and DOUGLAS L. HALE (perfected under Permit G-4969)
Use: PRIMARY IRRIGATION of 95.0 acres
Priority Dates: JUNE 8, 1971
Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each

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 137-004-0080, you may 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.

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.

Source: WELLS 1, 2, 3, 4, 6 & 7 WITHIN, THE STAGE GULCH BASIN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
3 N	30 E	WM	7	NW NW	UMAT 1347	WELL 1: 4340 FEET NORTH AND 1830 FEET WEST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 7
3 N	40 E	WM	6	NW SW	UMAT 1341	WELL 2 : 2010 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 6
3 N	40 E	WM	7	SW SW	UMAT 1295	WELL 3 : 1420 FEET SOUTH AND 40 FEET EAST FROM THE WEST $\frac{1}{4}$ CORNER OF SECTION 7
3 N	29 E	WM	11	SE NE	UMAT 1238	WELL 4 : 180 FEET NORTH AND 260 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 2
3 N	29 E	WM	11	SW NE	UMAT 1286	WELL 6 : 132 FEET NORTH AND 2190 FEET WEST FROM THE EAST $\frac{1}{4}$ CORNER OF SECTION 11
3 N	29 E	WM	12	NW NW	UMAT 1294	WELL 7: 1010 FEET SOUTH AND 40 FEET EAST FROM THE NW CORNER OF SECTION 12

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	30 E	WM	6	NE NW	32.80
3 N	30 E	WM	6	SW NW	36.50
3 N	30 E	WM	6	NW SW	10.30
3 N	29 E	WM	1	NE SE	8.60
3 N	30 E	WM	7	NE SW	6.80
Total:					95.00

7. Transfer Application T-12619 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	DLC	Acres
3 N	29 E	WM	1	SW NE	100		6.20
3 N	29 E	WM	1	SE NE	100		0.80
3 N	29 E	WM	1	NE SE	100		11.60
3 N	29 E	WM	1	NW SE	100		3.50
3 N	29 E	WM	1	SW SE	100		4.90
3 N	29 E	WM	1	SE SE	100		0.80
3 N	30 E	WM	2	NW NE	300	45.53	7.00
3 N	30 E	WM	2	SW NE	300		10.50
3 N	30 E	WM	2	NE NW	400	45.89	1.40
3 N	30 E	WM	2	SE NW	400		37.80
3 N	30 E	WM	2	NE SW	400		6.50
3 N	29 E	WM	13	SE SW	4000		4.00
Total:							95.00

8. Transfer Application T-12619 also proposed to change the point of appropriation to serve the proposed place of use described as follows:

Proposed Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
3 N	29 E	WM	11	SE SE	UMAT 1282	H-5: 60FEET NORTH AND 590 FEET WEST FROM THE SE CORNER OF SECTION 11

9. The portion of the second right to be transferred is as follows:

Certificate: 92001 issued in the name of ROBERT C, RICK L. AND DOUGLAS L. HALE (perfected under Permit)

Use: IRRIGATION 91.2 of Acres

Priority Date: April 8, 1963

Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Source: WELL1, 2, 4, 6, AND 7 IN THE STAGE GULCH BASIN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
3 N	30 E	WM	7	NW NW	UMAT 1347	WELL 1: 4340 FEET NORTH AND 1830 FEET WEST FROM THE S¼ CORNER OF SECTION 7
3 N	40 E	WM	6	NW SW	UMAT 1341	WELL 2 : 2010 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 6
3 N	29 E	WM	2	SE NE	UMAT 1238	WELL 4 : 180 FEET NORTH AND 260 FEET WEST FROM THE E¼ CORNER OF SECTION 2
3 N	29 E	WM	11	SW NE	UMAT 1286	WELL 6 : 132 FEET NORTH AND 2190 FEET WEST FROM THE EAST¼ CORNER OF SECTION 11
3 N	29 E	WM	12	NW NW	UMAT 1294	WELL 7: 1010 FEET SOUTH AND 40 FEET EAST FROM THE NW CORNER OF SECTION 12

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	30 E	WM	6	NW SW	8.50
3 N	30 E	WM	6	SW SW	4.30
3 N	30 E	WM	7	NE NW	3.00
3 N	30 E	WM	7	SW NW	22.20
3 N	30 E	WM	7	SE NW	19.30
3 N	30 E	WM	7	NE SW	33.20
3 N	29 E	WM	1	NE SE	0.50
3 N	29 E	WM	1	SE SE	0.20
Total:					91.20

10. Transfer Application T-12619 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	30 E	WM	1	NE SW	28.20
3 N	30 E	WM	1	SE SW	19.80
3 N	30 E	WM	5	NW SE	13.20
3 N	30 E	WM	5	SW SE	30.00
Total:					91.20

11. The portion of the third right to be transferred is as follows:

Certificate: 87042 issued in the name of ROBERT C., AND DOUGLAS L. HALE
(perfected under Permit G-5215)

Use: IRRIGATION of 90.0 Acres

Priority Date: FEBRUARY 16, 1973

Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second,(or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Source: WELLS 1, 2, 4, 6, AND 7 IN THE STAGE GULCH BASIN

Authorized Points of Diversion:

WELL NAME	TwP	Rng	Mer	Sec	Q-Q	Measured Distances
WELL 4	3 N	29 E	WM	2	SE NE	60 FEET NORTH AND 590 FEET WEST FROM THE SE CORNER OF SECTION 11
WELL 6	3 N	29 E	WM	11	SW NE	132 FEET NORTH AND 2190 FEET WEST FROM THE E1/4 CORNER OF SECTION 11
WELL 7	3 N	29 E	WM	12	NW NW	1010 FEET SOUTH AND 40 FEET EAST FROM THE NW CORNER OF SECTION 12
WELL 1	3 N	30 E	WM	7	NW NW	4340 FEET NORTH AND 1830 FEET WEST FROM THE S1/4 CORNER OF SECTION 7
WELL 2	3 N	30 E	WM	6	NW SW	2010 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 6

Authorized Place of Use:

IRRIGATION					
TwP	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	1	NE NW	5.10
3 N	29 E	WM	1	SW NW	4.30
3 N	29 E	WM	1	SE NW	16.00
3 N	29 E	WM	1	NE SW	16.80
3 N	29 E	WM	1	SW SW	11.00
3 N	29 E	WM	1	SE SW	2.80
3 N	29 E	WM	2	SE NE	7.30
3 N	29 E	WM	2	NE SE	5.40
3 N	29 E	WM	2	SE SE	8.90
3 N	29 E	WM	11	NE SE	11.40

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	11	NW SE	1.00
Total:					90.00

12. Transfer Application T-12619 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	30 E	WM	8	NW SE	23.30
3 N	30 E	WM	8	SW SE	32.80
3 N	30 E	WM	8	SE SE	33.90
Total:					90.00

13. The portion of the fourth right to be transferred is as follows:

Certificate: 88049 issued in the name of KENNETH H. COPPINGER (perfected under Permit G-6626)

Use: IRRIGATION of 346.3 acres

Priority Dates: JUNE 8, 1971

Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second 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: COPPINGER WELLS #1 AND #2 WITHIN THE STAGE GULCH BASIN

Authorized Points of Diversion:

Twp	Rng	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 S $\frac{1}{4}$ CORNER OF SECTION 7
3 N	40 E	WM	6	NW SW	WELL 2 : 2010 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 6

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gov Lot	Acres
3 N	30 E	WM	19	NE NW		27.50
3 N	30 E	WM	19	NW NW	1	13.20
3 N	30 E	WM	19	SW NW	2	13.60
3 N	30 E	WM	19	SE NW		26.70
3 N	30 E	WM	19	NE SW		28.50
3 N	30 E	WM	19	NW SW	3	8.10
3 N	30 E	WM	19	SW SW	4	9.20
3 N	30 E	WM	19	SE SW		26.40
3 N	30 E	WM	24	NE NE		9.00
3 N	30 E	WM	24	NW NE		9.00
3 N	30 E	WM	24	SW NE		9.00
3 N	30 E	WM	24	SE NE		9.00

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gov Lot	Acres
3 N	30 E	WM	24	NE SE		37.10
3 N	30 E	WM	24	NW SE		40.00
3 N	30 E	WM	24	SW SE		40.00
3 N	30 E	WM	24	SE SE		40.00
Total:						346.30

14. Transfer Application T-12619 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	30 E	WM	8	NW NW	1300	31.90
3 N	30 E	WM	8	SW NW	1300	4.40
3 N	30 E	WM	8	NE SE	1200	20.60
3 N	30 E	WM	7	NE NE	1300	7.50
3 N	30 E	WM	7	NW NE	1300	15.50
3 N	30 E	WM	7	SW NE	1300	36.50
3 N	30 E	WM	7	SE NE	1300	20.60
3 N	29 E	WM	7	NW SE	1400	0.60
3 N	29 E	WM	13	NE SE	3700	2.20
3 N	29 E	WM	13	SW SE	3700	30.20
3 N	29 E	WM	13	SE SE	3700	30.20
3 N	29 E	WM	20	NE SW	1000	31.20
3 N	29 E	WM	20	NW SW	1000	31.30
3 N	29 E	WM	20	SW SW	1000	31.20
3 N	29 E	WM	20	SE SW	1000	31.20
3 N	29 E	WM	2	NW NE	300	2.40
3 N	29 E	WM	2	SW NE	300	18.80
Total:						346.30

15. Transfer Application T-12619 also proposed to change the point of appropriation to serve the proposed place of use described as follows:

Proposed Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
3 N	30 E	WM	30	NE SW	UMAT 1369	D-1: 30 FEET SOUTH AND 640 FEET WEST FROM THE CENTER OF SECTION 30
3 N	30 E	WM	20	NW NW	UMAT 1361	D-2: 100 FEET NORTH AND 80 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 20
3 N	30 E	WM	7	SW SW	UMAT 1295	H-3 : 1420 FEET SOUTH AND 40 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 2
4 N	30 E	WM	35	SW SE	UMAT 3010	L :1860 FEET SOUTH AND 2920 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 35

16. The portion of the fifth right to be transferred is as follows:

Certificate: 80850 issued in the name of H-4 FARMS, INC. RICK HALE, PRESIDENT
(perfected under Permit G-5215)

Use: PRIMARY IRRIGATION of 127.2 Acres SUPPLEMENTAL IRRIGATION 29.5

Priority Dates: FEBRUARY 16, 1973

Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing 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 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: TWO WELLS WITHIN, THE UMATILLA RIVER BASIN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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	14	SW NW	WELL #8 : 1350 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF SECTION 14

Authorized Place of Use:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29 E	WM	11	NE SW	304	5.90
3 N	29 E	WM	11	SE SW	304	1.60
3 N	29 E	WM	11	NE SE	304	3.10
3 N	29 E	WM	11	NW SE	304	8.80
3 N	29 E	WM	11	SE SE	304	4.00
3 N	29 E	WM	12	NW SW	3603	0.10
3 N	29 E	WM	12	SW SW	3603	29.50
3 N	29 E	WM	12	SE SW	3603	20.00
3 N	29 E	WM	13	NE NW	3800	1.50
3 N	29 E	WM	13	NW NW	3800	1.50
3 N	29 E	WM	13	SW NW	3800	1.50
3 N	29 E	WM	13	SE NW	3800	1.50
3 N	29 E	WM	14	NW NE	3900	10.60
3 N	29 E	WM	14	SW NE	3900	8.50
3 N	29 E	WM	14	SE NE	3900	6.50
3 N	29 E	WM	14	NE NW	4100	9.90
3 N	29 E	WM	14	SE NW	4100	12.70
Total:						127.20

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29 E	WM	13	SW NW	3800	0.60
3 N	29 E	WM	13	SE NW	3800	28.90
Total:						29.50

17. Transfer Application T-12619 proposes to change the place of use to:

Proposed Place of Use:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	30 E	WM	2	NW NE	300	8.80
3 N	30 E	WM	2	NE SW	400	8.50
3 N	30 E	WM	2	SE SW	400	6.50
3 N	30 E	WM	2	NE SE	300	15.00
3 N	30 E	WM	2	NW SE	300	38.90
3 N	30 E	WM	2	SW SE	300	33.90
3 N	30 E	WM	2	SE SE	1000	13.30
3 N	30 E	WM	11	SE SW	304	2.30
Total						127.2

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29 E	WM	13	SW NW	3800	0.60
3 N	29 E	WM	13	SE NW	3800	28.90
Total:						29.50

18. Transfer Application T-12619 also proposed to change the point of appropriation to serve the proposed place of use described as follows:

Proposed Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
4 N	30 E	WM	35	SW SE	UMAT 3010	L- 1860 FEET SOUTH AND 2920 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 35

19. The portion of the sixth right to be transferred is as follows:

Certificate: 87667 issued in the name of HALE FARMS LLC. (perfected under Permit G-5337)

Use: IRRIGATION of 108.95 acres

Priority Dates: OCTOBER 21, 1974

Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands shall be 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 irrigation season used herein shall include any time of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season, provided the amount of water use at the authorized place of use together with the amount of water approved for use under Certificate 86679 shall not exceed 1.86 cubic feet per second and 1,014.56 acre feet per year, which reflect the capacity of the well system at the time of perfection attributable to the rights modified by T-10692.

Source: FOUR WELLS WITHIN, THE UMATILLA RIVER BASIN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	14	SW NW	HALE WELL #8 : 1350 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF THE NW NW OF SECTION 7
3 N	29 E	WM	23	SE NE	COPPINGER WELL #3: 3960 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 23
3 N	29 E	WM	24	SW NE	COPPINGER WELL #1: 20 FEET NORTH AND 1490 FEET WEST FRIN THE E1/4 CORNER OF SECTION 24
3 N	30 E	WM	7	SW SW	HALE WELL #3: 1420 FEET SOUTH AND 40 FEET EAST FROM THE W ¼ CORNER OF SECTION 7

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29 E	WM	23	SW NE	8300	0.05
3 N	29 E	WM	23	SE NE	8300	0.40
3 N	29 E	WM	23	NE SE	8400	30.80
3 N	29 E	WM	23	NW SE	8400	5.10
3 N	29 E	WM	23	SE SE	8400	6.30
3 N	30 E	WM	6	NE SE	400	29.40
3 N	30 E	WM	6	NW SE	400	2.50
3 N	30 E	WM	6	SW SE	400	3.40
3 N	30 E	WM	6	SE SE	400	31.00
Total:						108.95

20. Transfer Application T-12619 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	30 E	WM	1	SW SW	200	31.30
3 N	30 E	WM	1	SE SW	200	13.20
3 N	30 E	WM	2	NE NE	300	31.80
3 N	30 E	WM	2	NW NE	300	9.45
3 N	30 E	WM	2	SE NE	300	23.20
Total:						108.95

21. Transfer Application T-12619 also proposed to change the point of appropriation to serve the proposed place of use described as follows:

Proposed Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
4 N	30 E	WM	35	SW SE	UMAT 3010	L: 1860FEET SOUTH AND 2920 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 35

22. The portion of the seventh right to be transferred is as follows:

Certificate: 87666 issued in the name of HALE FARMS LLC. (perfected under Permit G-5335)

Use: IRRIGATION of 157.50 acres

Priority Dates: JULY 19, 1974

Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands shall be 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 irrigation season used herein shall include any time of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season, provided the amount of water use at the authorized place of use together with the amount of water approved for use under Certificate 86679 shall not exceed 1.86 cubic feet per second and 1,014.56 acre feet per year, which reflect the capacity of the well system at the time of perfection attributable to the rights modified by T-10692.

Source: FOUR WELLS WITHIN, THE UMATILLA RIVER BASIN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	14	SW NW	HALE WELL #8 : 1350 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF THE NW NW OF SECTION 14
3 N	29 E	WM	23	SE NE	COPPINGER WELL #3: 3960 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 23
3 N	29 E	WM	24	SW NE	COPPINGER WELL #1: 20 FEET NORTH AND 1490 FEET WEST FROM THE E1/4 CORNER OF SECTION 24
3 N	29 E	WM	7	SW SW	HALE WELL #3: 1420 FEET SOUTH AND 40 FEET EAST FORM THE W1/4 CORNER OF SECTION 7

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	23	NE SE	1.60
3 N	29 E	WM	23	NW SE	22.70
3 N	29 E	WM	23	SW SE	24.40
3 N	29 E	WM	24	SE SE	21.10
3 N	29 E	WM	24	NE NW	10.30
3 N	29 E	WM	24	NW NW	10.40
3 N	29 E	WM	24	SW NW	36.20
3 N	29 E	WM	24	SE NW	25.60
3 N	29 E	WM	24	NW SW	5.20
Total:					157.50

23. Transfer Application T-12619 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	30 E	WM	1	NE NW	200	27.30
3 N	30 E	WM	1	NW NW	200	27.20
3 N	30 E	WM	1	SW NW	200	33.30
3 N	30 E	WM	1	SE NW	200	36.20
3 N	30 E	WM	1	NE SW	200	2.70
3 N	30 E	WM	1	NW SW	200	30.80
Total:						157.50

24. Transfer Application T-12619 also proposed to change the point of appropriation to serve the proposed place of use described as follows:

Proposed Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
4 N	30 E	WM	35	SW SE	UMAT 3010	L: 1860 FEET SOUTH AND 2920 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 7

25. The portion of the eighth right to be transferred is as follows:

Certificate: 74762 issued in the name of ROBERT C., RICK L. HALE, and DOUGLAS L. HALE (perfected under Permit U-714)

Use: IRRIGATION of 21.70 acres

Priority Date: MARCH 25, 1955

Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Source: WELLS 1, 2, 4, 6, AND 7 IN THE STAGE GULCH BASIN

Authorized Points of Diversion:

Twp	Rng	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 S¼ CORNER OF SECTION 7
3 N	40 E	WM	6	NW SW	WELL 2 : 2010 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 6
3 N	29 E	WM	11	SE NE	WELL 4 : 180 FEET NORTH AND 260 FEET WEST FROM THE E¼ CORNER OF SECTION 2
3 N	29 E	WM	11	SW NE	WELL 6 : 132 FEET NORTH AND 2190 FEET WEST FROM THE EAST¼ 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

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	11	SE NE	21.70

26. Transfer Application T-12619 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	30 E	WM	8	NE SE	1200	11.50
3 N	30 E	WM	8	NW SE	1200	10.20
Total:						21.70

27. The portion of the ninth right to be transferred is as follows:

Water Use Permit: S-54773 in the name of ECHO IRRIGATION DISTRICT and HALE FARMS, LLC. (applied for under Water Use Permit Application S-87078)

Use: PRIMARY IRRIGATION of 157.50 acres and SUPPLEMENTAL IRRIGATION of 21.70 acres (which include raising the soil moisture to field capacity to be utilized by plant growth in the subsequent growing season)

Priority Date: JANUARY 30, 2008

Rate & Duty:

USE	LIMIT (CFS PER ACRE)	DUTY (AF PER ACRE)	PERIOD OF USE
PRIMARY IRRIGATION	1/40	4.50 MAX	MARCH 1-APRIL 14 AND OCTOBER 1-OCTOBER 31
PRIMARY IRRIGATION	1/40	FURTHER LIMITED TO 1.5	NOVEMBER 1- FEBRUARY 29
SUPPLEMENTAL IRRIGATION	1/80	3.00 MAX	MARCH 1-APRIL 14 AND OCTOBER 1-OCTOBER 31
SUPPLEMETNAL IRRIGATION	1/80	FURTHER LIMITED TO 1.5	NOVEMBER 1- FEBRUARY 29

As further limited above, the amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to an annual total of 4.5 acre-feet per acre for primary irrigation and 3.0 acre-feet per acre for supplemental irrigation.

Source: THE COLUMBIA RIVER a tributary of THE PACIFIC OCEAN

Authorized Points 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					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	1	NE NW	5.10
3 N	29 E	WM	1	SW NW	4.30
3 N	29 E	WM	1	SE NW	16.00
3 N	29 E	WM	1	NE SW	16.80
3 N	29 E	WM	1	SW SW	11.00
3 N	29 E	WM	1	SE SW	2.80
3 N	29 E	WM	2	SE NE	7.30
3 N	29 E	WM	2	NE SE	5.40
3 N	29 E	WM	2	SE SE	8.90

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	11	NE SE	11.40
3 N	29 E	WM	11	NW SE	1.00
Total					90.00

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	11	SE NE	21.70

28. Transfer Application T-12619 proposes to change the place of use to:

Proposed Place of Use:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	30 E	WM	8	NW SE	1200	23.3
3 N	30 E	WM	8	SW SE	1200	32.80
3 N	30 E	WM	8	SE SE	1200	33.90
Total:						90.00

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	30 E	WM	8	NE SE	1200	11.50
3 N	30 E	WM	8	NW SE	1200	10.20
Total:						21.70

29. The portion of the tenth right to be transferred is as follows:

Certificate: 87111 issued in the name of HALE FARMS, LLC (perfected under Permit S-37121)

Use: PRIMARY IRRIGATION of 157.50 acres

Priority Dates: October 3, 1973, plus one minute and December 11, 1973, plus one minute

Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands is limited to a diversion of ONE-SIXTIETH of one cubic foot per second, 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.

Season of Use: March 1 through October 31

Source: COLUMBIA RIVER, tributary of the PACIFIC OCEAN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	40 E	WM	8	SW SW	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

Authorized Place of Use:

IRRIGATION AT 3.0 Acre-Feet per acre					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	14	NE SE	30.40
3 N	29 E	WM	14	SE SE	25.80

IRRIGATION AT 3.0 Acre-Feet per acre						
Twp	Rng	Mer	Sec	Q-Q	Acres	
Total:					56.20	
IRRIGATION AT 1.0 Acre-Foot per acre						
Twp	Rng	Mer	Sec	Q-Q	Gov-Lot	Acres
3 N	29 E	WM	1	NE NE	1	15.90
3 N	29 E	WM	1	NW NE	2	30.40
3 N	29 E	WM	1	SW NE		18.40
3 N	29 E	WM	1	SE NE		17.00
3 N	29 E	WM	1	NE NW	3	24.40
3 N	29 E	WM	1	SE NW		14.40
3 N	29 E	WM	12	SW NW		28.30
3 N	29 E	WM	12	NW SW		4.10
3 N	30 E	WM	6	NW NW	4	44.50
3 N	30 E	WM	6	SW NW	5	47.10
Total:					244.50	

30. Transfer Application T-12619 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION AT 3.0 Acre-Feet per acre						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29 E	WM	13	NE SW	4000	30.10
3 N	29 E	WM	13	SE SW	4000	26.10
Total:					56.20	
IRRIGATION AT 1.0 Acre-Foot per acre						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29 E	WM	14	NE NE	3900	30.40
3 N	29 E	WM	14	NW NE	3900	28.80
3 N	29 E	WM	14	SW NE	3900	30.90
3 N	29 E	WM	14	SE NE	3900	31.40
3 N	29 E	WM	14	NE NW	4100	29.90
3 N	29 E	WM	14	NW NW	4100	33.30
3 N	29 E	WM	14	SW NW	4100	33.50
3 N	29 E	WM	14	SE NW	4100	26.30
Total:					244.50	

31. Transfer Application T-12619 also proposed to change the point of appropriation to serve the proposed place of use described as follows:

Proposed Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	WELL ID	Measured Distances
4 N	30 E	WM	35	SW SE	UMAT 3010	L: 1860 FEET SOUTH AND 2920 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 7

32. The district temporary transfer application satisfies the criteria of ORS 540.570 and 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.

33. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
34. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
35. Diversion structures, district canals, pumps, pump stations, ditches, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
36. The proposed change in place of use, as conditioned, will not result in enlargement of the rights as defined in OAR 690-385-0100(6).
37. The proposed change in place of use would not result in injury to other water rights as defined in OAR 690-385-0100(4).
38. All other applicable requirements for district temporary water right transfers are met.

Conclusions of Law


The temporary change in place of use proposed in Temporary Transfer Application T-12619 is consistent with the requirements of ORS 540.570 and OAR 690-385-3500.

Now, therefore, it is ORDERED:

1. The temporary changes in place of use and point of appropriation and/or diversion to serve the proposed place of use in Transfer Application T-12619 are approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the 2017 irrigation season.
3. The use shall revert to the authorized place of use, and authorized points of appropriation and/or diversions after the 2017 irrigation season.
4. Any application for permanent transfer of Certificates 85214, 92001, 87042, 80849, 80850, 87667, 87666, 74762, 87111, 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 or 385. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
5. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture of Certificates 85214, 92001, 87042, 80849, 80850, 87667, 87666, 74762, 87111, and Water Use Permit S-54773, under ORS 540.610.
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/or landowners to civil penalties.
7. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.

8. 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.
9. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 85214, 92001, 87042, 80849, 80850, 87667, 87666, 74762, 87111, and Water Use Permit S-54773 and any related order or decree.
10. The use of the remaining water rights described by Certificates 85214, 92001, 87042, 80849, 80850, 87667, 87666, 74762, 87111, and Water Use Permit S-54773, not involved in this transfer shall continue to be in accordance with the terms and conditions of Certificates 85214, 92001, 87042, 80849, 80850, 87667, 87666, 74762, 87111, Water Use Permit S-54773 and any related order or decree.

Signed at Salem, Oregon this 2 day of August 2017.



Dwight French, Water Right Services Administrator for
THOMAS M. BYLER, DIRECTOR
Oregon Department of Water Resources

Mailing Date: AUG 08 2017