

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

In the Matter of Allocation of Conserved	)	ORDER ON SUBMISSION OF CLAIM OF
Water Application CW-63,	)	BENEFICIAL USE AND APPROVING
Umatilla County	)	DISPOSITION AND USE OF THE
	)	APPLICANT'S PORTION OF CONSERVED
	)	WATER

**Applicant**

Mike Hawman  
84917 Hwy 37  
Hermiston, OR 97838-6393

**Applicable Law**

ORS 537.455 to 537.500 authorize and establish the process in which a water right holder may submit a request for an allocation of conserved water. OAR Chapter 690, Division 18, implements the statutes and provides the Department's procedures and criteria for evaluating conserved water applications and for implementing the use of the conserved water.

Pursuant to ORS 537.470(3), the Department determined the allocation of conserved water under Conserved Water Application CW-63. Any person or agency allocated conserved water under ORS 537.470 may reserve the water instream for future out-of-stream use or otherwise use or dispose of the conserved water. Any person or agency to whom conserved water is allocated shall notify the Commission of any change in the type of use, place of use, or point of diversion.

OAR 690-018-0062 establishes the criteria and procedures on completion and finalization of a conserved water project.

**Findings of Fact**

1. On December 17, 2010, the Department issued a Final Order Approving and Partially Finalizing an Allocation of Conserved Water and Partial Cancellation (Final Order), recorded at Special Order Volume 83, Pages 281-294. The Final Order was mailed on January 4, 2011.

<p>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.</p>
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2. The Final Order stated the Applicant designated a "permanent place of use" for a portion of the conserved water allocated to the applicant and required completion of use at the permanent place of use by October 1, 2011, and a Claim of Beneficial use to be submitted on or before October 1, 2012, (identified in the table below in the column "Applied (Proof Required)"); thereafter, a certificate would be issued. (Final Order, Page 13, ¶11).
3. The Final Order established the Applicant's portion of conserved water as follows:

Applicant's Portion of Conserved Water				Applied (Proof Required)		Reserved Instream for Future Out-of-Stream Use	
Originating Certificate	Priority	Rate (cfs)	Volume (AF)	Rate (cfs)	Volume (AF)	Rate (cfs)	Volume (AF)
36803	8/28/1964*	4.55**	847.12	2.97	557.40	1.58	289.72
37974	1/23/1969*	1.13	185.96			1.13	185.96
37975	4/14/1969*	4.03	669.82			4.03	669.82
Totals		9.71	1702.90	2.97	557.40	6.74	1145.50

\* - plus one minute

\*\* - scrivener's error in rate of Applicant's portion in Final Order, should be 4.55 cfs not 4.54 cfs

4. The Final Order also stated the remaining portion of the Applicant's portion of conserved water would be reserved instream until the Applicant provided the information required under OAR 690-018-0062(3), and the Department approved the new use. The information required under OAR 690-018-0062(3)(a) includes the following:
  - a. The name and address of the person using the water
  - b. A description of the type of beneficial use of the water
  - c. A legal description of the place of use; and
  - d. A map meeting the standards in OAR 690-310-0050.
5. On May 2, 2011, at the Applicant's request, the Department issued an Order Finalizing Increment II of Allocation of Conserved Water CW-63 (Increment 2 Order), recorded at Special Order Volume 83, Pages 1105-1114.
6. The Final Order stated the Applicant designated a "permanent place of use" for a portion of the conserved water allocated to the applicant and approved two new additional points of diversion for the conserved water to serve the new lands as follows:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Measured Distances
5 N	30 E	WM	8	SW NW	200	POD #2 (ROYALE COLUMBIA FARMS PUMPING STATION) 2860 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 8
5 N	30 E	WM	7	SE SW	200	POD #3 (JB LAND PUMPING STATION) 460 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 7

7. The Increment 2 Order required completion of use at the permanent place of use by October 1, 2012, and a Claim of Beneficial use to be submitted within one year after the

deadline for completion of the change and full beneficial use of the water, (identified in the table below in the column "Applied Proof Required Increment 2"); thereafter, a certificate would be issued. (Increment 2 Order, Page 10, ¶12).

8. The Increment 2 Order established the Applicant's portion of conserved water as follows:

Applicant's Portion of Conserved Water				Applied (Proof Required) Increment 1		Applied (Proof Required) Increment 2		Reserved Instream for Future Out-of-Stream Use	
Originating Certificate	Priority	Rate (cfs)	Rate (cfs)	Rate (cfs)	Volume (AF)	Rate (cfs)	Volume (AF)	Rate (cfs)	Volume (AF)
36803	8/28/1964*	4.55	847.12	2.97	557.40	1.44	267.6	0.14**	22.12
37974	1/23/1969*	1.13	185.96			1.13	185.96	0	0
37975	4/14/1969*	4.03	669.82			3.84	638.46	0.19	31.36
Totals		9.71	1702.90	2.97	557.40	6.41	1092.02	0.33	53.48

\* - plus one minute

\*\* - scrivener's error in Increment 2 Order, should be 0.14 cfs not 0.13 cfs

9. On January 11, 2012, the Department issued an Order Finalizing Increment III of Allocation of Conserved Water CW-63 (Increment 3 Order). The Increment 3 Order required completion of use at the permanent place of use by October 1, 2013, and a Claim of Beneficial use to be submitted within one year after the deadline for completion of the change and full beneficial use of the water, (identified in the table below in the column "Applied Proof Required Increment 3"); thereafter, a certificate would be issued. (Increment 3 Order, Page 6, ¶16).

10. The Increment 3 Order established the Applicant's portion of conserved water as follows:

Applicant's Portion of Conserved Water				Applied (Proof Required) Increment 1		Applied (Proof Required) Increment 2		Applied (Proof Required) Increment 3		Reserved Instream for Future Out-of-Stream Use	
Originating Certificate	Priority	Rate (cfs)	Rate (cfs)	Rate (cfs)	Volume (AF)	Rate (cfs)	Volume (AF)	Rate (cfs)	Volume (AF)	Rate (cfs)	Volume (AF)
36803	8/28/1964*	4.55	847.12	2.97	557.40	1.44	267.6	0.14**	22.12	0	0
37974	1/23/1969*	1.13	185.96			1.13	185.96	0	0	0	0
37975	4/14/1969*	4.03	669.82			3.84	638.46	0.19	31.36	0	0
Totals		9.71	1702.90	2.97	557.40	6.41	1092.02	0.33**	53.48	0	0

\* - plus one minute

\*\* - corrected for scrivener's error in Increment 2 Order

11. The proposed areas for the Applicant's portion of conserved water to be used for out-of-stream uses were identified by the Applicant on July 1, 2019.

Township	Ranges
2 North	23, 24, 26, 27, 28, 29 East
3 North	23, 24, 26, 27, 28, 29, 30, 31 East
4 North	23, 24, 25, 26, 27, 28, 29, 30, 31 East
5 North	26, 27, 28, 29, 30, 31 East

12. On February 6, 2013, upon the advice of the Department, the Applicant submitted a Request for Assignment assigning a portion of his interest in the conserved water application to Cold Springs Canyon, LLC. This was done because a portion of the conserved water was placed on Cold Springs Canyon, LLC's property.
13. On July 1, 2019, the Applicant submitted a letter to the Department indicating it was not his intent to permanently give or sell his conserved water to Cold Spring Canyon, LLC. Rather, his intent was to use the conserved water on Cold Spring Canyon, LLC's land.
14. On July 1, 2019, the Applicant submitted Claims of Beneficial Use for the "Applied (Proof Required)" portions of conserved water as required under the Final Order, Increment 2 Order, and the Increment 3 Order.
15. The first submitted Claim of Beneficial Use identified the following use from the Final Order:

**Use:** IRRIGATION OF 185.8 ACRES  
**Priority Date:** August 28, 1964, *plus one-minute*  
**Rate:** 2.97 CUBIC FEET PER SECOND cfs  
**Limit:** The amount of water used for irrigation is limited to a diversion of 1/62 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, further limited to an annual volume of 557.4 acre feet.  
**Source:** COLUMBIA RIVER, tributary to the PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	NE NW	POD #1: (HAWMAN PUMPING STATION) 9360 FEET NORTH AND 3530 FEET WEST FROM THE SE CORNER OF SECTION 17

**Authorized Place of Use:**

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	30 E	WM	15	NW NW	8.4
5 N	30 E	WM	15	SW NW	25.8
5 N	30 E	WM	15	NW SW	2.0
5 N	30 E	WM	16	NE NE	14.8
5 N	30 E	WM	16	SE NE	5.8
5 N	30 E	WM	16	NE NW	8.4
5 N	30 E	WM	16	NW NW	9.2
5 N	30 E	WM	16	SW NW	0.1
5 N	30 E	WM	16	SW SW	2.6
5 N	30 E	WM	16	SE SW	5.4
5 N	30 E	WM	16	NE SE	2.9

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	30 E	WM	16	SW SE	5.4
5 N	30 E	WM	17	NE NE	8.6
5 N	30 E	WM	17	NW NE	0.4
5 N	30 E	WM	17	SW NE	7.8
5 N	30 E	WM	17	SE NE	2.3
5 N	30 E	WM	17	SW NW	2.3
5 N	30 E	WM	17	SE NW	2.3
5 N	30 E	WM	17	NE SW	14.5
5 N	30 E	WM	17	NW SW	12.1
5 N	30 E	WM	17	SW SW	1.1
5 N	30 E	WM	17	SW SE	0.8
5 N	30 E	WM	17	SE SE	12.2
5 N	30 E	WM	19	NE NE	2.4
5 N	30 E	WM	19	NW NE	0.9
5 N	30 E	WM	19	SW NE	1.8
5 N	30 E	WM	19	SE NE	3.9
5 N	30 E	WM	19	NE SW	0.8
5 N	30 E	WM	20	NE NE	3.8
5 N	30 E	WM	20	SW NE	0.7
5 N	30 E	WM	20	NW NW	1.1
5 N	30 E	WM	21	NW NE	5.4
5 N	30 E	WM	21	NE NW	5.4
5 N	30 E	WM	21	NW NW	3.5
5 N	30 E	WM	30	NW NE	0.1
5 N	30 E	WM	30	NE NW	0.8
TOTAL:					185.8

16. The second submitted Claim of Beneficial Use identified the following uses from the Increment 2 Order:

**Use:** IRRIGATION OF 89.2 ACRES  
**Priority Date:** August 28, 1964, *plus one-minute*  
**Rate:** 1.44 CUBIC FEET PER SECOND  
**Limit:** The amount of water used for irrigation is limited to a diversion of 1/62 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, further limited to an annual volume of 267.6 acre feet.

**Source:** COLUMBIA RIVER, tributary to the PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	NE NW	POD #1: (HAWMAN PUMPING STATION) 9360 FEET NORTH AND 3530 FEET WEST FROM THE SE CORNER OF SECTION 17

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	SW NW	POD #2 (ROYALE COLUMBIA FARMS PUMPING STATION) 2860 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 8
5 N	30 E	WM	7	SE SW	POD #3 (JB LAND PUMPING STATION) 460 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 7

**Authorized Place of Use:**

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
4 N	30 E	WM	2	NW NE	2	1.6
4 N	30 E	WM	2	NE NW	2	17.9
4 N	30 E	WM	2	NW NW	2	2.6
5 N	30 E	WM	35	NE SW		5.6
5 N	30 E	WM	35	NW SW		0.1
5 N	30 E	WM	35	SW SW		12.5
5 N	30 E	WM	35	SE SW		40.0
5 N	30 E	WM	35	SW SE		8.9
Total						89.2

**Use:** IRRIGATION OF 61.98 ACRES

**Priority Date:** JANUARY 23, 1969, *plus one-minute*

**Rate:** 1.13 CUBIC FEET PER SECOND

**Limit:** The amount of water used for irrigation is limited to a diversion of 1/55 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, further limited to an annual volume of 185.96 acre feet.

**Source:** COLUMBIA RIVER, tributary to the PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	NE NW	POD #1: (HAWMAN PUMPING STATION) 9360 FEET NORTH AND 3530 FEET WEST FROM THE SE CORNER OF SECTION 17
5 N	30 E	WM	8	SW NW	POD #2 (ROYALE COLUMBIA FARMS PUMPING STATION) 2860 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 8
5 N	30 E	WM	7	SE SW	POD #3 (JB LAND PUMPING STATION) 460 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 7

**Authorized Place of Use:**

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 N	30 E	WM	35	NE NW	11.30
5 N	30 E	WM	35	NW NW	23.80
5 N	30 E	WM	35	SW NW	14.38
5 N	30 E	WM	35	SE NW	12.50
Total					61.98

**Use:** IRRIGATION OF 212.82 ACRES

**Priority Date:** APRIL 14, 1969, *plus one-minute*

**Rate:** 3.84 CUBIC FEET PER SECOND

**Limit:** The amount of water used for irrigation is limited to a diversion of 1/55 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, further limited to an annual volume of 638.46 acre feet.

**Source:** COLUMBIA RIVER, tributary to the PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	NE NW	POD #1: (HAWMAN PUMPING STATION) 9360 FEET NORTH AND 3530 FEET WEST FROM THE SE CORNER OF SECTION 17
5 N	30 E	WM	8	SW NW	POD #2 (ROYALE COLUMBIA FARMS PUMPING STATION) 2860 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 8
5 N	30 E	WM	7	SE SW	POD #3 (JB LAND PUMPING STATION) 460 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 7

**Authorized Place of Use:**

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
4 N	30 E	WM	2	NE NE	2	23.00
4 N	30 E	WM	2	NW NE	2	16.50
4 N	30 E	WM	2	SW NE		1.20
4 N	30 E	WM	2	SE NE		2.60
5 N	30 E	WM	26	SE SW		2.00
5 N	30 E	WM	26	SW SE		7.00
5 N	30 E	WM	35	NW NE		37.30
5 N	30 E	WM	35	SW NE		6.60
5 N	30 E	WM	35	NE NW		18.80
5 N	30 E	WM	35	SW NW		11.62
5 N	30 E	WM	35	SE NW		1.90
5 N	30 E	WM	35	NE SW		0.40

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Glots	Acres
5 N	30 E	WM	35	NE SE		0.80
5 N	30 E	WM	35	NW SE		31.10
5 N	30 E	WM	35	SW SE		25.10
5 N	30 E	WM	35	SE SE		26.90
Total						212.82

17. The third submitted Claim of Beneficial Use identified the following uses from the Increment 3 Order:

**Use:** IRRIGATION OF 7.37 ACRES  
**Priority Date:** August 28, 1964, *plus one-minute*  
**Rate:** 0.14 CUBIC FOOT PER SECOND  
**Limit:** The amount of water used for irrigation is limited to a diversion of 1/53 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, further limited to an annual volume of 22.12 acre feet.

**Source:** COLUMBIA RIVER, tributary to the PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	NE NW	POD #1: (HAWMAN PUMPING STATION) 9360 FEET NORTH AND 3530 FEET WEST FROM THE SE CORNER OF SECTION 17
5 N	30 E	WM	8	SW NW	POD #2 (ROYALE COLUMBIA FARMS PUMPING STATION) 2860 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 8
5 N	30 E	WM	7	SE SW	POD #3 (JB LAND PUMPING STATION) 460 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 7

**Authorized Place of Use:**

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	30 E	WM	11	SW NE	4.53
4 N	30 E	WM	11	SE NW	2.84
Total					7.37

**Use:** IRRIGATION OF 10.45 ACRES  
**Priority Date:** APRIL 14, 1969, *plus one-minute*  
**Rate:** 0.19 CUBIC FOOT PER SECOND  
**Limit:** The amount of water used for irrigation is limited to a diversion of 1/55 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, further limited to an annual volume of 31.36 acre feet.

**Source:** COLUMBIA RIVER, tributary to the PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	NE NW	POD #1: (HAWMAN PUMPING STATION) 9360 FEET NORTH AND 3530 FEET WEST FROM THE SE CORNER OF SECTION 17
5 N	30 E	WM	8	SW NW	POD #2 (ROYALE COLUMBIA FARMS PUMPING STATION) 2860 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 8
5 N	30 E	WM	7	SE SW	POD #3 (JB LAND PUMPING STATION) 460 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 7

**Authorized Place of Use:**

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	30 E	WM	11	SW NE	0.45
4 N	30 E	WM	11	SE NW	0.40
4 N	30 E	WM	11	NE SW	5.09
4 N	30 E	WM	11	NW SE	4.51
Total					10.45

- On July 1, 2019, the Applicant submitted 60-Day Notices of Use or Disposition of the Applicant’s Portion of Conserved Water (Notices of Use) for each finalized increment. The 60-day Notices of Use included the additional information required under 537.490(1) and OAR 690-018-0062(3)(A), along with a map. The 60-day Notices of Use specified use of water at the same places of use as the Claims of Beneficial Use.

**Review Criteria**

- Under ORS 537.490(1), the Department may only require a Notice of Use of the right to the use of conserved water. The Notice of Use shall include the name and address of the person buying or leasing the right to the use of conserved water; the use to which the conserved water is to be put; and the terms of any agreement between the appropriator and the person using the conserved water.
- Under OAR 690-018-0062(4)(c), upon receipt of a request that an allocation of conserved water be finalized, the Director shall issue an order allowing: a) the use of any portion of the conserved water allocated to the applicants at the location for the type of use identified pursuant to subsection (3)(a) of the rule; and the use and management as an instream water right for that water that is being leased or temporarily reserved instream for future out-of-stream use.

21. OAR 690-18-0090 allows any person or agency entitled to the use of conserved water to notify the Director of any change in the type of use, place of use, or point of diversion.
22. ORS 537.500(1) states a water right for conserved water shall have the same legal status as any other water right for which a certificate has been issued.
23. Under ORS 537.490(3), any right to the use of conserved water sold under ORS 537.490(1) shall: a) become appurtenant to the premises upon which the purchaser uses the water, and b) shall be subject to the provisions of ORS 540.505 to 540.565 [transfer statutes] and 540.610 to 540.650 [forfeiture statutes].
24. None of the conserved water statutes or rules requires an applicant to specify a permanent place of use of the conserved water, thereby making the water right appurtenant to the lands specified. Only upon gift or sale of the conserved water shall the water right become appurtenant to the premises upon which use is made and a certificate of water right shall be issued upon satisfactory proof.

#### **Conclusions of Law**

1. The Department did not have the authority to require the Applicant to submit Claims of Beneficial Use making the conserved water appurtenant to specific lands.
2. The Applicant has complied with the terms of the Final Order, Increment 2 Order, Increment 3 Order, and the Final Order Approving an Extension of Time for Increment 2.
3. The proposed use is within the area described by the applicant under OAR 690-018-0050(4)(h).
4. The proposed use would not constitute an expansion of the right.
5. The proposed use is consistent with OAR 690-005-0045(Standards for Goal Compliance and Compatibility with Acknowledged Comprehensive Plans).

Now, therefore, it is **ORDERED**:

1. The use of water as described in Findings of Fact #15, #16, and #17 is approved.
2. Before water may be applied to the new lands the applicant shall install totalizing flow meters to the Department's satisfaction at the authorized points of diversion from the Columbia River (*if not already present*), and at such places, including "tie-ins," or connection points as deemed necessary by the Watermaster to ensure the Applicant is not exceeding the quantity of water allowed on the new lands as described above. Additionally, the meters must be maintained in good working order according to manufacturer's specifications. A different plan for measurement of diverted water at each point of diversion that is acceptable to, and approved by the Director, may be allowed.

3. The applicant shall provide the Watermaster access to the meters or measuring devices at all times. However, if the meter is located within a private structure, the Watermaster shall provide reasonable notice of intent to inspect the meter, prior to entering the private structure.
4. The Applicant shall maintain a complete record of water usage on a monthly basis and shall submit annual reports of water usage to the Watermaster's office in Pendleton. The water use reports shall include recorded monthly water usage measurements from each point of diversion and each tie-in. The reports shall also include dates of measurement and other information as may be requested by the Watermaster. The frequency or timing of the reports may be modified upon a determination by the Department that an alternate frequency is needed or appropriate. The reporting frequency may also be modified, if requested by the Applicant and approved by the Department. The reports may be e-mailed, faxed, mailed or delivered in person.
5. Additional measurement and reporting conditions, including, but not limited to, additional measuring sites, general water-use information, the place and nature of use of water, and telemetry may be required at the discretion of the Department.
6. The use of water as identified in Finding of Fact #15, #16, and #17, and as specified below, may be made until such time as subsequent Notices of Use are received pursuant to ORS 537.490 and OAR 690-018-0090.

**Use:** IRRIGATION OF 282.37 ACRES  
**Priority Date:** August 28, 1964, *plus one-minute*  
**Rate:** 4.55 CUBIC FEET PER SECOND cfs  
**Limit:** The amount of water used for irrigation is limited to a diversion of 1/62 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, further limited to an annual volume of 847.12 acre feet.

**Source:** COLUMBIA RIVER, tributary to the PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	NE NW	POD #1 (HAWMAN PUMPING STATION) 9360 FEET NORTH AND 3530 FEET WEST FROM THE SE CORNER OF SECTION 17
5 N	30 E	WM	8	SW NW	POD #2 (ROYALE COLUMBIA FARMS PUMPING STATION) 2860 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 8
5 N	30 E	WM	7	SE SW	POD #3 (JB LAND PUMPING STATION) 460 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 7

**Authorized Place of Use:**

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION (former Certificate 36803)								
Twp	Rng	Mer	Sec	Q-Q	GLot	Increment 1 Acres (POD 1)	Increment 2 Acres (PODs 1, 2, 3)	Increment 3 Acres (PODs 1, 2, 3)
4 N	30 E	WM	2	NW NE	2		1.60	
4 N	30 E	WM	2	NE NW	2		17.90	
4 N	30 E	WM	2	NW NW	2		2.60	
4 N	30 E	WM	11	SW NE				4.53
4 N	30 E	WM	11	SE NW				2.84
5 N	30 E	WM	15	NW NW		8.40		
5 N	30 E	WM	15	SW NW		25.80		
5 N	30 E	WM	15	NW SW		2.00		
5 N	30 E	WM	16	NE NE		14.80		
5 N	30 E	WM	16	SE NE		5.80		
5 N	30 E	WM	16	NE NW		8.40		
5 N	30 E	WM	16	NW NW		9.20		
5 N	30 E	WM	16	SW NW		0.10		
5 N	30 E	WM	16	SW SW		2.60		
5 N	30 E	WM	16	SE SW		5.40		
5 N	30 E	WM	16	NE SE		2.90		
5 N	30 E	WM	16	SW SE		5.40		
5 N	30 E	WM	17	NE NE		8.60		
5 N	30 E	WM	17	NW NE		0.40		
5 N	30 E	WM	17	SW NE		7.80		
5 N	30 E	WM	17	SE NE		2.30		
5 N	30 E	WM	17	SW NW		2.30		
5 N	30 E	WM	17	SE NW		2.30		
5 N	30 E	WM	17	NE SW		14.50		
5 N	30 E	WM	17	NW SW		12.10		
5 N	30 E	WM	17	SW SW		1.10		
5 N	30 E	WM	17	SW SE		0.80		
5 N	30 E	WM	17	SE SE		12.20		
5 N	30 E	WM	19	NE NE		2.40		
5 N	30 E	WM	19	NW NE		0.90		
5 N	30 E	WM	19	SW NE		1.80		
5 N	30 E	WM	19	SE NE		3.90		
5 N	30 E	WM	19	NE SW		0.80		
5 N	30 E	WM	20	NE NE		3.80		
5 N	30 E	WM	20	SW NE		0.70		

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION (former Certificate 36803)									
Twp	Rng	Mer	Sec	Q-Q	GLot	Increment 1 Acres (POD 1)	Increment 2 Acres (PODs 1, 2, 3)	Increment 3 Acres (PODs 1, 2, 3)	
5 N	30 E	WM	20	NW NW		1.10			
5 N	30 E	WM	21	NW NE		5.40			
5 N	30 E	WM	21	NE NW		5.40			
5 N	30 E	WM	21	NW NW		3.50			
5 N	30 E	WM	30	NW NE		0.10			
5 N	30 E	WM	30	NE NW		0.80			
5 N	30 E	WM	35	NE SW			5.60		
5 N	30 E	WM	35	NW SW			0.10		
5 N	30 E	WM	35	SW SW			12.50		
5 N	30 E	WM	35	SE SW			40.00		
5 N	30 E	WM	35	SW SE			8.90		
TOTAL:						185.80	89.20	7.37	282.37

**Use:** IRRIGATION OF 61.98 ACRES

**Priority Date:** JANUARY 23, 1969, *plus one-minute*

**Rate:** 1.13 CUBIC FEET PER SECOND

**Limit:** The amount of water used for irrigation is limited to a diversion of 1/55 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, further limited to an annual volume of 185.96 acre feet.

**Source:** COLUMBIA RIVER, tributary to the PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	NE NW	POD #1: (HAWMAN PUMPING STATION) 9360 FEET NORTH AND 3530 FEET WEST FROM THE SE CORNER OF SECTION 17
5 N	30 E	WM	8	SW NW	POD #2 (ROYALE COLUMBIA FARMS PUMPING STATION) 2860 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 8
5 N	30 E	WM	7	SE SW	POD #3 (JB LAND PUMPING STATION) 460 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 7

**Authorized Place of Use:**

LANDS RECEIVING CONSERVED							
WATER FOR IRRIGATION (Former Certificate 37974)							
Twp	Rng	Mer	Sec	Q-Q	Increment 1 Acres (PODs 1, 2, 3)	Increment 2 Acres (PODs 1, 2, 3)	Increment 3 Acres (PODs 1, 2, 3)
5 N	30 E	WM	35	NE NW		11.30	
5 N	30 E	WM	35	NW NW		23.80	
5 N	30 E	WM	35	SW NW		14.38	
5 N	30 E	WM	35	SE NW		12.50	
Total						61.98	61.98

**Use:** IRRIGATION OF 223.27 ACRES  
**Priority Date:** APRIL 14, 1969, *plus one-minute*  
**Rate:** 4.03 CUBIC FEET PER SECOND  
**Limit:** The amount of water used for irrigation is limited to a diversion of 1/55 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, further limited to an annual volume of 669.82 acre feet.  
**Source:** COLUMBIA RIVER, tributary to the PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	NE NW	POD #1: (HAWMAN PUMPING STATION) 9360 FEET NORTH AND 3530 FEET WEST FROM THE SE CORNER OF SECTION 17
5 N	30 E	WM	8	SW NW	POD #2 (ROYALE COLUMBIA FARMS PUMPING STATION) 2860 FEET NORTH AND 70 FEET EAST FROM THE SW CORNER OF SECTION 8
5 N	30 E	WM	7	SE SW	POD #3 (JB LAND PUMPING STATION) 460 FEET NORTH AND 1680 FEET EAST FROM THE SW CORNER OF SECTION 7


**Authorized Place of Use:**

LANDS RECEIVING CONSERVED								
WATER FOR IRRIGATION (former Certificate 37975)								
Twp	Rng	Mer	Sec	Q-Q	GLot	Increment 1 Acres (PODs 1, 2, 3)	Increment 2 Acres (PODs 1, 2, 3)	Increment 3 Acres (PODs 1, 2, 3)
4 N	30 E	WM	2	NE NE	2		23.00	
4 N	30 E	WM	2	NW NE	2		16.50	
4 N	30 E	WM	2	SW NE			1.20	
4 N	30 E	WM	2	SE NE			2.60	

LANDS RECEIVING CONSERVED WATER FOR IRRIGATION (former Certificate 37975)									
Twp	Rng	Mer	Sec	Q-Q	GLot	Increment 1 Acres (PODs 1, 2, 3)	Increment 2 Acres (PODs 1, 2, 3)	Increment 3 Acres (PODs 1, 2, 3)	
4 N	30 E	WM	11	SW NE				0.45	
4 N	30 E	WM	11	SE NW				0.40	
4 N	30 E	WM	11	NE SW				5.09	
4 N	30 E	WM	11	NW SE				4.51	
5 N	30 E	WM	26	SE SW			2.00		
5 N	30 E	WM	26	SW SE			7.00		
5 N	30 E	WM	35	NW NE			37.30		
5 N	30 E	WM	35	SW NE			6.60		
5 N	30 E	WM	35	NE NW			18.80		
5 N	30 E	WM	35	SW NW			11.62		
5 N	30 E	WM	35	SE NW			1.90		
5 N	30 E	WM	35	NE SW			0.40		
5 N	30 E	WM	35	NE SE			0.80		
5 N	30 E	WM	35	NW SE			31.10		
5 N	30 E	WM	35	SW SE			25.10		
5 N	30 E	WM	35	SE SE			26.90		
TOTAL:							212.82	10.45	223.27

7. The use of water as identified in #6 above is subject to the provisions of OAR 690-0018-0090(6) and ORS 540.610 to 540.660.

DATED at Salem, Oregon this 5<sup>th</sup> day of July, 2019.

  
 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
 THOMAS M. BYLER, DIRECTOR  
 Oregon Water Resources Department

Mailing date: July 5, 2019