

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 9004 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 74133, was perfected under Permit G-3822 with a date of priority of FEBRUARY 15, 1968. The right allows the use of THREE WELLS (#8, #3, and #4), in the UMATILLA RIVER BASIN, for IRRIGATION of 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 0.19 cubic foot per second, if available at the original well; WELLS 8, 3, and 4, 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 located as follows:

NW $\frac{1}{4}$ 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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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.

SW¼ NW¼	1.5 ACRES
SE¼ NW¼	1.5 ACRES
NE¼ SW¼	1.5 ACRES
NW¼ SW¼	1.5 ACRES
SW¼ SW¼	1.5 ACRES
SE¼ SW¼	1.5 ACRES

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

The second 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 37.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.47 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 Ordnance 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 7; SUPPLEMENTAL FROM WELLS 3, 4, 5, 6, 8, and 9

SE¼ NW¼	0.3 ACRE
NE¼ SW¼	1.5 ACRES
SE¼ SW¼	1.3 ACRES
NW¼ SE¼	0.1 ACRE
SW¼ SE¼	0.6 ACRE

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NE¼ NE¼	1.3 ACRES
NW¼ NE¼	0.6 ACRE
SE¼ NE¼	0.9 ACRE
NE¼ NW¼	0.4 ACRE
NE¼ SE¼	1.5 ACRES
NW¼ SE¼	1.5 ACRES
SW¼ SE¼	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

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.8 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5 ACRE
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.0 ACRE
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.1 ACRES

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NE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.6 ACRE
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.4 ACRES

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

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

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

NW $\frac{1}{4}$ 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

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

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

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

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

The third right to be modified, as evidenced by a PORTION of Certificate 79530 (T-7497), was perfected under Permit G-1671 with a date of priority of JUNE 28, 1960. The right allows the use of a WELL (#1), in the UMATILLA RIVER BASIN, for IRRIGATION of 6.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.075 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 each year.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 6.0 ACRES
SECTION 36
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

The fourth 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 a 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 $\frac{1}{4}$ 4.6 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.4 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.8 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.4 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.1 ACRES
SECTION 26

NE¼ SE¼ 0.6 ACRE
SE¼ SE¼ 1.1 ACRES
SECTION 27

NW¼ NW¼ 0.8 ACRE
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TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

The fifth 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 a 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.

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

The sixth right to be modified, as evidenced by a PORTION of Certificate 47196, was perfected under Permit G-2672 with a date of priority of MARCH 31, 1964. The right allows the use of a WELL (#1), in the UMATILLA RIVER BASIN, for IRRIGATION of 1.3 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 1, 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:

SE¼ SE¼ 1.3 ACRES
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TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

The seventh 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, (#3, #4, #5, #6, #7, #8, and #9) in the UMATILLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION of 40.8 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.51 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 112.23 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:

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

SE¼ NW¼ 4.9 ACRES
NE¼ SW¼ 1.9 ACRES
SE¼ SW¼ 1.3 ACRES

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SE¼ SE¼ 5.0 ACRES
SE¼ SE¼ 1.3 ACRES

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

NE¼ NE¼ 1.3 ACRES
NW¼ NE¼ 2.0 ACRES
SW¼ NE¼ 1.5 ACRES
SE¼ NE¼ 1.5 ACRES
NE¼ NW¼ 1.9 ACRES

NW¼ NW¼ 1.5 ACRES
 SW¼ NW¼ 1.5 ACRES
 SE¼ NW¼ 1.5 ACRES
 NE¼ SW¼ 1.5 ACRES
 NW¼ SW¼ 1.5 ACRES
 SW¼ SW¼ 1.5 ACRES
 SE¼ SW¼ 1.5 ACRES
 NE¼ SE¼ 1.5 ACRES
 NW¼ SE¼ 1.5 ACRES
 SW¼ SE¼ 1.5 ACRES
 SE¼ SE¼ 1.5 ACRES

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

NW¼ NW¼ 1.7 ACRES

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

The eighth right to be modified, as evidenced by a PORTION of Certificate 79530 (T-7496), was perfected under Permit G-3822 with a date of priority of FEBRUARY 15, 1968. The right allows the use of a WELL (#8), in the UMATILLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION of 6.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.075 cubic foot per second, if available at the original well; WELL 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:

SW¼ SW¼ 6.0 ACRES

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

The authorized points of appropriation are located as follows:

WELL 1: NE¼ SE¼, SECTION 27, T 4 N, R 27 E, WM; 14200 FEET NORTH AND 490 FEET WEST FROM THE SE CORNER, SECTION 27;

WELL 3: SE¼ NW¼, SECTION 27, T 4 N, R 27 E, WM; 2740 FEET NORTH AND 1890 FEET EAST FROM THE SW CORNER, SECTION 27;

WELL 4: SW¼ NW¼, SECTION 27, T 4 N, R 27 E, WM; 230 FEET NORTH AND 1210 FEET EAST FROM THE W¼ CORNER, SECTION 27;

WELL 5: SE¼ NW¼, SECTION 27, T 4 N, R 27 E, WM; 960 FEET NORTH AND 1850 FEET EAST FROM THE W¼, SECTION 27;

WELLS 6 and 7: SW¼ NW¼, SECTION 26, T 4 N, R 27 E, WM; 1130 FEET NORTH AND 60 FEET EAST FROM THE W¼, SECTION 26;

WELL 8: SW¼ NW¼, SECTION 26, T 4 N, R 27 E, WM; 1160 FEET NORTH AND 370 FEET EAST FROM THE W¼, SECTION 26;

WELL 9: SW¼ NW¼, 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 TEMPORARILY change the places of use to:

PERMIT U-649, CERTIFICATE 74109

SE¼ SW¼ 1.7 ACRES
SECTION 27
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

PERMIT G-1671, CERTIFICATE 79531

SE¼ SW¼ 6.0 ACRES
SECTION 27
TOWNSHIP 4 NORTH, RANGE 27 EAST, W.M.

PERMIT G-2672, CERTIFICATE 47196

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5 ACRE

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.8 ACRE

SECTION 27

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

PERMIT G-2694, CERTIFICATE 74112

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10.8 ACRES

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

PERMIT G-3822, CERTIFICATE 74133

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 11.0 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.5 ACRES

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.0 ACRES

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NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 ACRES

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

PERMIT G-3822, CERTIFICATE 75930

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.0 ACRES

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

PERMIT G-10505, CERTIFICATE 74185

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE $\frac{1}{4}$ NE $\frac{1}{4}$		16.8 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	12.4 ACRES	3.7 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	0.5 ACRE	3.8 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.1 ACRE	

SECTION 27

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

PERMIT G-10836

SUPPLEMENTAL

SE¼ NE¼ 16.0 ACRES
SE¼ SW¼ 15.6 ACRES
SW¼ SE¼ 4.1 ACRES

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NE¼ NW¼ 0.1 ACRE

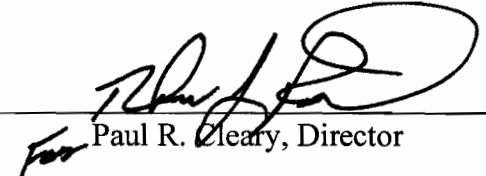
SECTION 34

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

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 2002 and 2003 irrigation seasons.
3. The use shall revert to the authorized places of use at the end of the 2003 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 use of the remaining water rights described by Certificates 47196, 74109, 74112, 74133, 74185, 79530, 79531, and Permit G-10836 shall continue to be in accordance with the terms and conditions of Certificates 47196, 74109, 74112, 74133, 74185, 79530, 79531, and Permit G-10836.

WITNESS the signature of the Water Resources Director, affixed JUN 25 2002



Paul R. Cleary, Director