

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

In the Matter of Allocation of Conserved Water Application CW-84, Morrow County) ORDER APPROVING USE AND
) DISPOSITION OF APPLICANT'S
) PORTION OF CONSERVED WATER

Applicant

Hale Farms, LLC
73120 Highway 207
Echo, OR 97826

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-84. 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. The notice must be submitted 60 days before the actual the change.

The Director shall approve a change in the type of use, place of use, or point of diversion for conserved water, if: 1) the proposed new use is within the area described under OAR 690-018-0050(4)(h); 2) the proposed change would not constitute an expansion of the right; and c) the approval is consistent with OAR 690-005-0045 (Standards for Goal Compliance and Compatibility with Acknowledged Comprehensive Plans).

Findings of Fact

1. On May 27, 2014, the Department issued a Final Order Approving on Completion and Finalization Allocation of Conserved Water CW-84.

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.

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water Right User
3 N	28 E	WM	31	SW SE	8900	26.0	Hale Farms, LLC
3 N	28 E	WM	32	NE SW	9000	31.3	Hale Farms, LLC
3 N	28 E	WM	32	NW SW	9000	31.3	Hale Farms, LLC
3 N	28 E	WM	32	SW SW	9000	31.2	Hale Farms, LLC
3 N	28 E	WM	32	SE SW	9000	31.2	Hale Farms, LLC
3 N	28 E	WM	32	NE SE	9000	31.3	Hale Farms, LLC
3 N	28 E	WM	32	NW SE	9000	31.3	Hale Farms, LLC
3 N	28 E	WM	32	SW SE	9000	31.2	Hale Farms, LLC
3 N	28 E	WM	32	SE SE	9000	31.2	Hale Farms, LLC
2 N	27 E	WM	1	NE NE	500	4.4	Hale Farms, LLC
2 N	28 E	WM	6	NE NW	1000	31.3	Hale Farms, LLC
2 N	28 E	WM	6	NW NW	1000	39.9	Hale Farms, LLC
2 N	28 E	WM	6	SW NW	1000	20.2	Hale Farms, LLC
2 N	28 E	WM	6	SE NW	1000	12.5	Hale Farms, LLC
2 N	28 E	WM	5	NE SW	900	31.3	Hale Farms, LLC
2 N	28 E	WM	5	NW SW	900	31.3	Hale Farms, LLC
2 N	28 E	WM	5	SW SW	900	31.2	Hale Farms, LLC
2 N	28 E	WM	5	SE SW	900	31.2	Hale Farms, LLC
2 N	28 E	WM	5	NE SE	900	31.3	Hale Farms, LLC
2 N	28 E	WM	5	NW SE	900	31.3	Hale Farms, LLC
2 N	28 E	WM	5	SW SE	900	31.2	Hale Farms, LLC
2 N	28 E	WM	5	SE SE	900	31.2	Hale Farms, LLC
Total						981.6	

Conclusions of Law

1. The proposed use is within the area described under OAR 690-018-0050(4)(h).
2. The proposed use would not constitute an expansion of the right.
3. 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 Finding of Fact #4 is approved.
2. The right is subject to the provisions of ORS 540.510 to 540.539, 540.572 to 540.578, and 540.610 to 540.670.

DATED at Salem, Oregon this 27 day of May, 2014.



 Dwight French, Water Right Services Administrator for
 PHILLIP C. WARD, DIRECTOR

MAY 28 2014

Mailing date: _____