

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 540.570, after notice was given and no objections were filed, and finding no injury to existing water rights, this order approves, as conditioned or limited herein, **DISTRICT TEMPORARY TRANSFER 9088**, a petition submitted by:

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

The rights to be modified are as follows:

1. **Certificate 74897; Permit G-4969 (T-6476):** Irrigation; Priority Date - June 8, 1971; Authorized Source - Hale Wells 1, 2, 3, 4, 6 & 7

Authorized Points of Appropriation

Well 1 - NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Township 3 North, Range 30 East, W.M.; 4340 Feet North and 1830 Feet West from the South $\frac{1}{4}$ Corner, Section 7

Well 2 - NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, Township 3 North, Range 30 East, W.M.; 2010 Feet North and 1330 Feet East from the Southwest Corner, Section 6

Well 3 - SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, Township 3 North, Range 30 East, W.M.; 1420 Feet South and 40 Feet East from the West $\frac{1}{4}$ Corner, Section 7

Well 4 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, Township 3 North, Range 29 East, W.M.; 180 Feet North and 260 Feet West from the East $\frac{1}{4}$ Corner, Section 2

Well 6 - SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 3 North, Range 29 East, W.M.; 132 Feet North and 2190 Feet West from the East $\frac{1}{4}$ Corner, Section 11

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.

Well 7 - NW ¼ NW ¼, Section 12, Township 3 North, Range 29 East, W.M.; 1010 Feet South and 40 Feet East from the Northwest Corner, Section 12

The District requests to TEMPORARILY move the rights listed in Table A to locations listed in Table B.

TABLE A - FROM LANDS								
CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
74897	IRR	3 N	29 E	1	NENE	100	6/8/1971	14.3
74897	IRR	3 N	29 E	1	SENE	100	6/8/1971	14.3
74897	IRR	3 N	29 E	1	NESE	100	6/8/1971	6.8
74897	IRR	3 N	29 E	1	NWSE	100	6/8/1971	35.8
74897	IRR	3 N	29 E	1	SWSE	104	6/8/1971	6.8
74897	IRR	3 N	30 E	6	NENW	703	6/8/1971	32.8
74897	IRR	3 N	30 E	6	NWNW	703	6/8/1971	46.1
74897	IRR	3 N	30 E	6	SWNW	703	6/8/1971	47.3
74897	IRR	3 N	30 E	6	NWSW	703	6/8/1971	9.2
74897	IRR	3 N	30 E	7	NESW	706	6/8/1971	2.6
74897	IRR	3 N	30 E	7	SWSW	706	6/8/1971	7.0
IRR TOTAL								223.0

The proposed place of use is located as follows:

TABLE B - TO LANDS								
CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
74897	IRR	4N	29E	35	NESE	5191	6/8/1971	29.5
74897	IRR	4N	29E	35	NWSE	5191	6/8/1971	29.5
74897	IRR	4N	29E	35	SWSE	5191	6/8/1971	29.5
74897	IRR	4N	29E	35	SESE	5191	6/8/1971	29.5
74897	IRR	4N	29E	36	NESW	5191	6/8/1971	26.0

CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
74897	IRR	4N	29E	36	NWSW	5191	6/8/1971	26.0
74897	IRR	4N	29E	36	SWSW	5191	6/8/1971	26.5
74897	IRR	4N	29E	36	SESW	5191	6/8/1971	26.5
IRR TOTAL								223.0

2. **Certificate 76367; Permit G-6600:** Irrigation; Priority Date - November 12, 1975; Authorized Source - Ditchen Land Co. Well #1

Authorized Point of Appropriation

Well 1 - NE¼ SW¼, Section 30, Township 3 North, Range 30 East, W.M.; 30 Feet South and 640 Feet West from the Center of Section 30

Certificate 76368; Permit G-8041: Supplemental Irrigation; Priority Date - February 21, 1978; Authorized Source - Ditchen Land Co. Well #1

Authorized Point of Appropriation

Well 1 - NE¼ SW¼, Section 30, Township 3 North, Range 30 East, W.M.; 30 Feet South and 640 Feet West from the Center of Section 30

The District requests to TEMPORARILY move the rights listed in Table C to locations listed in Table D.

TABLE C - FROM LANDS								
CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
76367 76368	IRR SUPP	3 N	30 E	30	NWNW	4900	11/12/1975 2/21/1978	44.7
76367 76368	IRR SUPP	3 N	30 E	30	SWNW	4900	11/12/1975 2/21/1978	22.6
IRR TOTAL								67.3
SUPP TOTAL								67.3

The proposed place of use is located as follows:

TABLE D - TO LANDS								
CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
76367 76368	IRR SUPP	3 N	30 E	20	NWNW	2900	11/12/1975 2/21/1978	6.3
76367 76368	IRR SUPP	3 N	30 E	20	SWNW	2900	11/12/1975 2/21/1978	30.5
76367 76368	IRR SUPP	3 N	30 E	20	SEnw	2900	11/12/1975 2/21/1978	30.5
IRR TOTAL								67.3
SUPP TOTAL								67.3

3. **Certificate 76369; Permit G-8367:** Irrigation; Priority Date - August 2, 1978;
Authorized Source - Ditchen Land Co. Well #2

Authorized Point of Appropriation

Well 2 - SW ¼ SW ¼, Section 20, Township 3 North, Range 30 East, W.M.; 100 Feet North and 80 Feet East from the SW Corner of Section 20

The District requests to TEMPORARILY move the rights listed in Table E to locations listed in Table F.

TABLE E - FROM LANDS								
CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
76369	IRR.	3 N	30 E	20	NESW	3000	8/2/1978	8.75
76369	IRR.	3 N	30 E	20	NWSW	3000	8/2/1978	8.75
76369	IRR.	3 N	30 E	20	SWSW	3000	8/2/1978	8.75
76369	IRR.	3 N	30 E	20	SESW	3000	8/2/1978	8.75
76369	IRR.	3 N	30 E	30	NENE	4900	8/2/1978	6.40
76369	IRR.	3 N	30 E	30	NWNE	4900	8/2/1978	5.70

CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
76369	IRR.	3 N	30 E	30	SENE	4900	8/2/1978	2.40
76369	IRR	3 N	30 E	30	NENW	4900	8/2/1978	5.20
IRR TOTAL								54.7

The proposed place of use is located as follows:

TABLE F - TO LANDS								
CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
76369	IRR	3 N	30 E	20	NENW	4800	8/2/1978	30.5
76369	IRR	3 N	30 E	20	NWNW	4800	8/2/1978	24.2
IRR TOTAL								54.7

4. **Certificate 49733; Permit G-6626:** Irrigation; Priority Date - December 29, 1975;
Authorized Source - Coppinger Wells 1 & 2

Authorized Points of Appropriation

Well 1 - SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 3 North, Range 29 East, 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 North, Range 29 East, W.M.; 960 Feet North and 30 Feet West from the East $\frac{1}{4}$ Corner, Section 24

The District requests to TEMPORARILY move the rights listed in Table G to locations listed in Table H.

TABLE G - FROM LANDS								
CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
49733	IRR	3 N	29 E	24	NENE	8600	12/29/1975	10.0
49733	IRR	3 N	29 E	24	NWNE	8600	12/29/1975	10.0
49733	IRR	3 N	29 E	24	SWNE	8600	12/29/1975	10.0
49733	IRR	3 N	29 E	24	SENE	8600	12/29/1975	10.0

CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
49733	IRR	3 N	29 E	24	NESE	8700	12/29/1975	37.1
49733	IRR	3 N	29 E	24	NWSE	8700	12/29/1975	40.0
49733	IRR	3 N	29 E	24	SWSE	8700	12/29/1975	40.0
49733	IRR	3 N	29 E	24	SESE	8700	12/29/1975	40.0
49733	IRR	3 N	30 E	19	NENW	2601	12/29/1975	27.5
49733	IRR	3 N	30 E	19	NWNW	2601	12/29/1975	13.2
49733	IRR	3 N	30 E	19	SWNW	2601	12/29/1975	13.6
49733	IRR	3 N	30 E	19	SESW	2601	12/29/1975	26.7
49733	IRR	3 N	30 E	19	NESW	2600	12/29/1975	28.5
49733	IRR	3 N	30 E	19	NWSW	2600	12/29/1975	8.10
49733	IRR	3 N	30 E	19	SWSW	2600	12/29/1975	9.20
49733	IRR	3 N	30 E	19	SESW	2600	12/29/1975	26.4
IRR TOTAL								350.3

The proposed place of use is located as follows:

TABLE H - TO LANDS								
CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
49733	IRR	3 N	29 E	13	NENE	3700	12/29/1975	31.0
49733	IRR	3 N	29 E	13	NWNE	3700	12/29/1975	31.0
49733	IRR	3 N	29 E	13	SWNE	3700	12/29/1975	30.0
49733	IRR	3 N	29 E	13	SENE	3700	12/29/1975	30.0
49733	IRR	3 N	29 E	13	NWSW	4000	12/29/1975	31.0
49733	IRR	3 N	29 E	13	SWSW	4000	12/29/1975	8.30
49733	IRR	3 N	29 E	13	NESE	3700	12/29/1975	31.0
49733	IRR	3 N	29 E	13	NWSE	3700	12/29/1975	31.0
49733	IRR	3 N	29 E	13	SWSE	3700	12/29/1975	32.0
49733	IRR	3 N	29 E	13	SESE	3700	12/29/1975	32.0

CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
49733	IRR	3 N	29 E	14	NESE	4000	12/29/1975	31.0
49733	IRR	3 N	29 E	14	SESE	4000	12/29/1975	32.0
IRR TOTAL								350.3

5. **Certificate 65485; Permit G-5215:** Irrigation; Priority Date - February 16, 1973;
Authorized Source - Hale Wells 5 & 8

Authorized Points of Appropriation

Well 5 - SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 3 North, Range 29 East, 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 North, Range 29 East, W.M.; 1350 Feet North and 50 Feet West from the NE Corner, NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 14

The District requests to TEMPORARILY move the rights listed in Table I to locations listed in Table J.

TABLE I - FROM LANDS								
CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
65485	IRR	3 N	29 E	11	NESE	304	2/16/1973	0.9
65485	IRR	3 N	29 E	11	NWSE	304	2/16/1973	8.2
65485	IRR	3 N	29 E	11	SWSE	304	2/16/1973	0.5
65485	IRR	3 N	29 E	11	SESE	304	2/16/1973	6.8
65485	IRR	3 N	29 E	11	SESE	304	2/16/1973	23.8
65485	IRR	3 N	29 E	11	NESW	304	2/16/1973	2.7
65485	IRR	3 N	29 E	11	SESW	304	2/16/1973	2.9
65485	IRR	3 N	29 E	12	NWSW	3603	2/16/1973	0.1
65485	IRR	3 N	29 E	12	SWSW	3603	2/16/1973	29.8
65485	IRR	3 N	29 E	12	SESW	3603	2/16/1973	24.4
65485	IRR	3 N	29 E	14	NWNE	3900	2/16/1973	8.0
65485	IRR	3 N	29 E	14	SWNE	3900	2/16/1973	8.0

CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
65485	IRR	3 N	29 E	14	SENE	3900	2/16/1973	6.0
65485	IRR	3 N	29 E	14	NENW	3900	2/16/1973	6.8
65485	IRR	3 N	29 E	14	SENW	3900	2/16/1973	6.0
IRR TOTAL								134.9

The proposed place of use is located as follows:

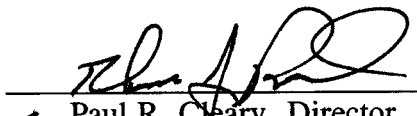
TABLE J - TO LANDS								
CERTIFICATE	USE	TWP	RNG	SEC	QTR/QTR	TAX LOT	PRIORITY	ACRES
65485	IRR	3 N	29 E	9	NWNE	3300	2/16/1973	3.6
65485	IRR	3 N	29 E	9	SWNE	3300	2/16/1973	38.5
65485	IRR	3 N	29 E	9	SENE	3300	2/16/1973	0.6
65485	IRR	3 N	29 E	9	NWSE	3300	2/16/1973	25.2
65485	IRR	3 N	29 E	13	SWSW	4000	2/16/1973	23.7
65485	IRR	3 N	29 E	14	SWNW	4100	2/16/1973	6.1
65485	IRR	3 N	29 E	14	NWSW	4100	2/16/1973	5.8
65485	IRR	3 N	29 E	15	SENE	3404	2/16/1973	15.9
65485	IRR	3 N	29 E	15	NESE	3404	2/16/1973	15.5
IRR TOTAL								134.9

THE PROPOSED TEMPORARY CHANGES TO THE EXISTING DISTRICT WATER RIGHTS FOR THE 2002 IRRIGATION SEASON MAY BE MADE SUBJECT TO THE FOLLOWING CONDITIONS:

1. Pursuant to 540.570(1) the applicant may transfer the place of use of water within the district for one irrigation season provided the land from which the water use is being transferred does not receive any water under the right subject to transfer during the irrigation season in which the change is made; there is no enlargement in rate, duty and acres irrigated of the right subject to transfer; and the type of use subject to transfer remains the same.

2. Use of water on both the transfer "FROM" lands and transfer "TO" lands during the same irrigation season or calendar year is prohibited and may subject the district and landowner to civil penalties.
3. All restrictions and limitations contained in the decree or permit of the subject rights will apply to the "TO" lands.
4. Pursuant to 540.570 (5), the Department may further condition, reject 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.
5. Pursuant to 540.570 (6), 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 terms and conditions of the original water right permit, certificate or an adjudication proceeding under ORS chapter 539 as evidenced by a court decree.

WITNESS the signature of the Water Resources Director, affixed JUL 22 2002.



Paul R. Cleary, Director