

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

In the Matter of Transfer Application) FINAL ORDER APPROVING
T-12874, 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 22, 2018, Echo Irrigation District filed a district transfer application to temporarily change the places of use within the boundaries of the irrigation district under Certificates 85124, 92001, 87042, 80849, 80850, 87667, 87666, 87111, and Water Use Permit S-54773. The Department assigned the application number T-12874.
2. Notice of the application for transfer was published on March 27, 2018, pursuant to ORS 540.570 and OAR 690-385-3400. No comments were filed in response to the notice.
3. On April 10, 2018, the Department contacted the Agent for the applicant by e-mail with regard to deficiencies in application T-12874.
4. 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 96.5 Acres and 83.4 Acres of SUPPLEMENTAL IRRIGATION
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 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

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.

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	40 E	WM	7	SW SW	WELL 3 : 1420 FEET SOUTH AND 40 FEET EAST FROM THE WEST¼ CORNER OF SECTION 7
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:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	1	NE SE	8.6
3 N	30 E	WM	6	NE NW	32.8
3 N	30 E	WM	6	SE NW	36.3
3 N	30 E	WM	6	NW SW	10.1
3 N	30 E	WM	7	NE SW	6.8
3 N	30 E	WM	7	SW SW	1.9
Total:					96.5

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	30 E	WM	6	NW SW	2.8
3 N	30 E	WM	7	SW NW	23.8
3 N	30 E	WM	7	SE NW	23.6
3 N	30 E	WM	7	NE SW	33.2
Total:					83.4

5. Transfer Application T-12874 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	29 E	WM	1	SW NE	100	4.9
3 N	29 E	WM	1	SE NE	100	0.4
3 N	29 E	WM	1	NE SE	100	9.4
3 N	29 E	WM	1	NW SE	100	3.2
3 N	29 E	WM	1	SW SE	100	3.7
3 N	29 E	WM	1	SE SE	100	0.4
3 N	30 E	WM	10	SE NW	300	4.9
3 N	30 E	WM	10	NE SW	300	1.2
3 N	30 E	WM	10	NE SW	400	1.6
3 N	30 E	WM	13	SE SW	400	1.0
3 N	30 E	WM	13	SW SE	400	31.4
3 N	29 E	WM	13	SE SE	3700	30.3

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	30 E	WM	2	SE NW	400	4.1
Total:						96.5

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29 E	WM	1	SW SE	100	1.3
3 N	29 E	WM	11	SE SW	304	3.5
3 N	29 E	WM	12	NW NE	100	0.8
3 N	29 E	WM	12	SW NE	100	0.7
3 N	29 E	WM	12	NW SE	100	0.2
3 N	30 E	WM	7	NE NE	1300	8.1
3 N	30 E	WM	7	NW NE	1300	16.2
3 N	30 E	WM	7	SW NE	1300	34.3
3 N	30 E	WM	7	SE NE	1300	18.3
Total:						83.4

6. Transfer Application T-12874 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	Measured Distances
3 N	29 E	WM	11	SE SE	H-5: 60FEET NORTH AND 590 FEET WEST FROM THE SE CORNER OF SECTION 11

7. 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 83.4 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: WELL 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 S 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
3 N	29 E	WM	2	SE NE	WELL 4 : 180 FEET NORTH AND 260 FEET WEST FROM THE E ¹ / ₄ CORNER OF SECTION 2
3 N	29 E	WM	11	SW NE	WELL 6 : 132 FEET NORTH AND 2190 FEET WEST FROM THE EAST ¹ / ₄ 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	30 E	WM	6	NW SW	2.8
3 N	30 E	WM	7	SW NW	23.8
3 N	30 E	WM	7	SE NW	23.6
3 N	30 E	WM	7	NE SW	33.2
Total:					83.4

8. Transfer Application T-12874 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	1	SW SE	1.3
3 N	29 E	WM	11	SE SW	3.5
3 N	29 E	WM	12	NW NE	0.8
3 N	29 E	WM	12	SW NE	0.7
3 N	29 E	WM	12	NW SE	0.2
3 N	30 E	WM	7	NE NE	8.1
3 N	30 E	WM	7	NW NE	16.2
3 N	30 E	WM	7	SW NE	34.3
3 N	30 E	WM	7	SE NE	18.3
Total:					83.4

9. 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 93.3 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	180 FEET NORTH AND 260 FEET WEST FROM THE E1/4 CORNER OF SECTION 2
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	4.5
3 N	29 E	WM	1	SW NW	3.8
3 N	29 E	WM	1	SE NW	15.5
3 N	29 E	WM	1	NE SW	16.3
3 N	29 E	WM	1	SW SW	10.3
3 N	29 E	WM	1	SE SW	3.5
3 N	29 E	WM	2	SE NE	8.8
3 N	29 E	WM	2	NE SE	6.5
3 N	29 E	WM	2	SE SE	8.7
3 N	29 E	WM	11	NE SE	14.4
3 N	29 E	WM	11	NW SE	1.0
Total:					93.3

10. Transfer Application T-12874 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	10	SW NW	6.6
3 N	29 E	WM	10	SE NW	5.6
3 N	29 E	WM	10	NE SW	25.3
3 N	29 E	WM	10	NW SW	23.5
3 N	29 E	WM	10	SW SW	5.5
3 N	29 E	WM	10	SE SW	20.9
3 N	29 E	WM	10	NW SE	1.8
3 N	29 E	WM	10	SW SE	4.1
Total:					93.3

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

Certificate: 80849 issued in the name of KENNETH H. COPPINGER (perfected under Permit G-6626)

Use: IRRIGATION of 352.2 acres

Priority Dates: DECEMBER 29, 1975

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	29 E	WM	24	SW NE	WELL 1: 20 FEET NORTH AND 1570 FEET WEST FROM THE E1/4 CORNER OF SECTION 24

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	24	SE NE	WELL 2 : 960 FEET NORTH AND 30 FEET EAST FROM THE E1/4 CORNER OF SECTION 24

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	24	NE NE	11.7
3 N	29 E	WM	24	NW NE	9.7
3 N	29 E	WM	24	SW NE	10.2
3 N	29 E	WM	24	SE NE	11.7
3 N	29 E	WM	24	NE SE	37.1
3 N	29 E	WM	24	NW SE	40.0
3 N	29 E	WM	24	SW SE	40.0
3 N	29 E	WM	24	SE SE	40.0
3 N	30 E	WM	19	NE NW	26.2
3 N	30 E	WM	19	NW NW	11.2
3 N	30 E	WM	19	SW NW	10.4
3 N	30 E	WM	19	SE NW	26.9
3 N	30 E	WM	19	NE SW	29.8
3 N	30 E	WM	19	NW SW	10.3
3 N	30 E	WM	19	SW SW	9.2
3 N	30 E	WM	19	SE SW	27.8
Total:					352.2

12. Transfer Application T-12874 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	29.2
3 N	30 E	WM	1	NW SW	200	32.7
3 N	30 E	WM	1	SW SW	200	30.4
3 N	30 E	WM	1	SE SW	200	29.3
3 N	30 E	WM	2	NE NE	301	38.5
3 N	30 E	WM	2	NW NE	301	34.2
3 N	30 E	WM	2	SW NE	301	12.3
3 N	29 E	WM	2	SE NE	301	13.5
3 N	29 E	WM	2	SE NW	400	8.6
3 N	29 E	WM	2	NE SW	400	16.0
3 N	29 E	WM	2	NW SW	400	37.8
3 N	29 E	WM	2	SW SW	400	36.9
3 N	29 E	WM	2	SE SW	400	14.9
3 N	29 E	WM	3	NE SE	400	8.1
3 N	29 E	WM	3	SE SE	400	8.1
3 N	29 E	WM	35	SW SE	3704	0.7
3 N	29 E	WM	35	SE SE	3704	1.0
Total:						352.2

13. Transfer Application T-12874 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	Measured Distances
3 N	30 E	WM	30	NE SW	D-1: 30 FEET SOUTH AND 640 FEET WEST FROM THE CENTER OF SECTION 30
3 N	30 E	WM	20	NW NW	D-2: 100 FEET NORTH AND 80 FEET EAST FROM THE W1/4 CORNER OF SECTION 20
3 N	30 E	WM	7	SW SW	H-3 : 1420 FEET SOUTH AND 40 FEET EAST FROM THE W1/4 CORNER OF SECTION 2
4 N	30 E	WM	35	SW SE	L :1860 FEET SOUTH AND 2920 FEET EAST FROM THE W1/4 CORNER OF SECTION 35

14. 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: IRRIGATION of 115.2 Acres

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, NWNW OF SECTION 14

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	11	NE SW	3.6
3 N	29 E	WM	11	NE SE	1.8
3 N	29 E	WM	11	NW SE	7.8
3 N	29 E	WM	11	SE SE	3.3
3 N	29 E	WM	12	NW SW	0.1
3 N	29 E	WM	12	SW SW	29.2
3 N	29 E	WM	12	SE SW	24.4
3 N	29 E	WM	14	NW NE	10.3
3 N	29 E	WM	14	SW NE	7.6
3 N	29 E	WM	14	SE NE	5.3
3 N	29 E	WM	14	NE NW	10.3
3 N	29 E	WM	14	NW NW	4.3
3 N	29 E	WM	14	SE NW	7.2
Total:					115.2

15. Transfer Application T-12874 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29 E	WM	15	SW NE	3404	17.5
3 N	29 E	WM	15	SW NW	3404	3.1
3 N	29 E	WM	15	SE NW	3404	32.3
3 N	29 E	WM	15	NE SW	100	37.0
3 N	29 E	WM	15	NW SW	100	4.2
3 N	29 E	WM	15	SE SW	100	0.2
3 N	29 E	WM	15	NW SE	100	20.9
Total:						115.2

16. Transfer Application T-12874 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	Measured Distances
4 N	30 E	WM	35	SW SE	L- 1860 FEET SOUTH AND 2920 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 35

17. 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 NWNW 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	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	Acres
3 N	29 E	WM	23	SW NE	0.05
3 N	29 E	WM	23	SE NE	0.4
3 N	29 E	WM	23	NE SE	30.8
3 N	29 E	WM	23	NW SE	5.1
3 N	29 E	WM	23	SE SE	6.3
3 N	30 E	WM	6	NE SE	29.4
3 N	30 E	WM	6	NW SE	2.5
3 N	30 E	WM	6	SW SE	3.4
3 N	30 E	WM	6	SE SE	31.0
Total:					108.95

18. Transfer Application T-12874 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	2	SW NE	301	12.4
3 N	30 E	WM	2	SE NW	400	18.2
3 N	30 E	WM	2	NE SW	400	9.5
3 N	30 E	WM	2	NW SE	301	2.5
3 N	30 E	WM	5	SW SE	500	0.2
3 N	30 E	WM	5	SE SE	500	0.15
3 N	30 E	WM	8	NE NE	1200	3.5
3 N	30 E	WM	8	NW NE	1200	28.8
3 N	30 E	WM	8	SW NE	1200	4.0
3 N	30 E	WM	8	NE SE	1200	14.6
3 N	30 E	WM	8	SE SE	1200	14.2
3 N	30 E	WM	9	NW SW	1200	0.6
3 N	30 E	WM	9	SW SW	1200	0.3
Total:						108.95

19. Transfer Application T-12874 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	Measured Distances
4 N	30 E	WM	35	SW SE	L: 1860 FEET SOUTH AND 2920 FEET EAST FROM THE W1/4 CORNER OF SECTION 35

20. 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 110.4 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 NWNW 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	1.6
3 N	29 E	WM	23	NW ES	22.7
3 N	29 E	WM	23	SW SE	24.4
3 N	29 E	WM	23	SE SE	21.1
3 N	29 E	WM	24	SW NW	1.6
3 N	29 E	WM	24	SE NW	15.5
3 N	29 E	WM	24	NE SW	15.7
3 N	29 E	WM	24	NW SW	7.8
Total:					110.4

21. Transfer Application T-12874 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29 E	WM	13	SE SW	4000	28.1
3 N	30 E	WM	8	SW NE	1200	0.1

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	30 E	WM	8	SE NE	1200	0.3
3 N	30 E	WM	8	NE SE	1200	7.7
3 N	30 E	WM	8	NW SE	1200	29.5
3 N	30 E	WM	8	SW SE	1200	27.8
3 N	30 E	WM	8	SE SE	1200	16.9
Total:						110.4

22. Transfer Application T-12874 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	Measured Distances
4 N	30 E	WM	35	SW SE	L: 1860 FEET SOUTH AND 2920 FEET EAST FROM THE W1/4 CORNER OF SECTION 7

23. The portion of the eighth 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 356.2 Acres

Priority Date: JANUARY 30, 2008

Rate & Duty:

IRRIGATION USE	LIMIT (CFS PER ACRE)	DUTY (AF PER ACRE)	PERIOD OF USE
PRIMARY	1/40	4.50 MAX	MARCH 1-APRIL 14 AND OCTOBER 1-OCTOBER 31
PRIMARY	1/40	FURTHER LIMITED TO 1.5	NOVEMBER 1- FEBRUARY 29
SUPPLEMENTAL	1/80	3.00 MAX	MARCH 1-APRIL 14 AND OCTOBER 1-OCTOBER 31
SUPPLEMETNAL	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	13	NW SW	25.9
3 N	29 E	WM	13	SW SW	25.9
3 N	29 E	WM	14	NE SE	25.9
3 N	29 E	WM	14	SE SE	25.9

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	6	NE SE	25.5
3 N	29 E	WM	35	NE SE	25.5
3 N	29 E	WM	35	NW SE	25.6
3 N	29 E	WM	35	SW SE	25.5
3 N	29 E	WM	35	SE SE	25.5
3 N	29 E	WM	36	NE SW	31.25
3 N	29 E	WM	36	NW SW	31.25
3 N	29 E	WM	36	SW SW	31.25
3 N	29 E	WM	36	SE SW	31.25
Total:					356.2

24. Transfer Application T-12874 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	29 E	WM	13	NE NE	3700	25.8
3 N	29 E	WM	13	NW NE	3700	26.5
3 N	29 E	WM	13	SW NE	3700	33.3
3 N	29 E	WM	13	SE NE	3700	32.9
3 N	29 E	WM	13	NE SE	3700	27.6
3 N	29 E	WM	13	NW NE	3700	28.9
3 N	29 E	WM	13	SW SE	3700	31.4
3 N	29 E	WM	13	SE SE	3700	30.3
3 N	29 E	WM	23	NE NE	8300	29.8
3 N	29 E	WM	23	NW NE	8300	29.5
3 N	29 E	WM	23	SW NE	8300	30.3
3 N	29 E	WM	23	SE NE	8300	29.9
Total:						356.2

25. 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: IRRIGATION totaling 300.8 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	30.4
3 N	29 E	WM	14	SE SE	31.0
Total:					61.4

IRRIGATION AT 1.0 Acre-Foot per acre					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	1	NE NW	4.6
3 N	29 E	WM	1	NW NW	38.7
3 N	29 E	WM	1	SW NW	21.4
3 N	29 E	WM	1	SE NW	1.2
3 N	29 E	WM	2	NE NE	29.2
3 N	29 E	WM	2	NW NE	34.0
3 N	29 E	WM	2	SW NE	29.2
3 N	29 E	WM	2	SE NE	17.7
3 N	29 E	WM	2	NE SE	21.7
3 N	29 E	WM	2	NW SE	36.0
3 N	29 E	WM	2	SW SE	4.4
3 N	29 E	WM	2	SE SE	1.3
Total:					239.4

26. Transfer Application T-12874 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	10	SW NE	3404	4.8
3 N	29 E	WM	10	SE NW	3404	12.5
3 N	29 E	WM	10	NE SW	3404	13.7
3 N	29 E	WM	10	NW SE	3404	18.3
3 N	30 E	WM	8	NE SE	3404	12.1
Total:						61.4
IRRIGATION AT 1.0 Acre-Foot per acre						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
3 N	29 E	WM	13	NE NW	3800	28.1
3 N	29 E	WM	13	NW NW	3800	29.2
3 N	29 E	WM	13	SW NW	3800	30.4
3 N	29 E	WM	13	SE NW	3800	29.6
3 N	29 E	WM	14	NE NW	4100	29.5
3 N	29 E	WM	14	NW NW	4100	29.3
3 N	29 E	WM	14	SW NW	4100	31.5
3 N	29 E	WM	14	SE NW	4100	31.8
Total:						239.4

27. Transfer Application T-12874 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	Measured Distances
4 N	30 E	WM	35	SW SE	L: 1860 FEET SOUTH AND 2920 FEET EAST FROM THE W1/4 CORNER OF SECTION 7

- 28. 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.
- 29. 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.
- 30. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
- 31. 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.
- 32. 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).
- 33. The proposed change in place of use would not result in injury to other water rights as defined in OAR 690-385-0100(4).
- 34. 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-12874 is consistent with the requirements of ORS 540.570 and OAR 690-385-3500.

Now, therefore, it is ORDERED:

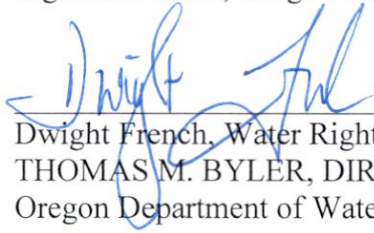
- 1. The temporary changes in place of use and point of appropriation and/or diversion to serve the proposed place of use in Transfer Application T-12874 are approved.
- 2. The former places of use **shall not** be irrigated as part of these water rights during the 2018 irrigation season.
- 3. The areas outside of pivots being transferred in Sections 6 and 7 in Township 3 North, Range 30 East, and in Sections 1, 2, 11, 12, and 14 in Township 3 North, Range 29 East described as supplemental water in Water Use Permit S-54773 will not be transferred and will remain unexercised at the authorized place of use during the 2018 irrigation season.
- 4. Certificate 87111(3 Acre feet/AC). Any portions of Cert. 87111(3 Acre feet/AC) associated with lands being transferred from S-54773 will be transferred to other places of use. (2) Cert. 87667. Any portions of Cert. 87667 associated.

5. For primary irrigation of 25.5 acres, from permit S-54773, will be transferred to another place of use for the 2018 irrigation season. All other portions of S-54773 associated with the portion of Certificate 87667 being temporarily transferred will remain in place and not be exercised during the 2018 irrigation season.
6. The primary acres of permit S-54773 associated with the portions of Cert. 87111 (3Acre feet/AC) will be transferred to other places of use for the 2018 irrigation season. (2) Permit S-54773 supplemental acres. The supplemental portion of Permit S-54773 associated with portions of Cert. 87111 (1Acre feet/AC) will remain in place for the 2018 irrigation season. (3) Cert. 87042. The portion of Cert. 87042 associated with the portion of 87111 (1 acre foot/AC) being transferred will remain in place and not be part of this transfer
7. The portions of supplemental water from Permit S-54773 associated with portions of Certificates 80849, 80850, 87042, 87666, 92001, and 85124, affected by this transfer will not be transferred or exercised during the regular 2018 irrigation season.
8. Any application for permanent transfer of Certificates 85124, 92001, 87042, 80849, 80850, 87667, 87666, 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.
9. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture of Certificates 85124, 92001, 87042, 80849, 80850, 87667, 87666, 87111, and Water Use Permit S-54773, under ORS 540.610.
10. 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.
11. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
12. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
13. 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.
14. 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 85124, 92001, 87042, 80849, 80850, 87667, 87666, 87111, and Water Use Permit S-54773 and any related order or decree.

15. The use of the remaining water rights described by Certificates 85124, 92001, 87042, 80849, 80850, 87667, 87666, 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 85124, 92001, 87042, 80849, 80850, 87667, 87666, 87111, Water Use Permit S-54773 and any related order or decree.
16. The use shall revert to the authorized place of use, and authorized points of appropriation and/or diversions after the 2018 irrigation season.

JUN 28 2018

Signed at Salem, Oregon this _____.



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

Mailing Date: JUN 29 2018