



foot per second (or its equivalent) and 3.0 acre-feet (af) for each acre irrigated each year.

**Source:** Umatilla River and Cold Springs Reservoir, tributaries of the Columbia River

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Description/Measured Distances
4 N	29 E	WM	3	SE NW	A-CANAL: 1490 FEET SOUTH AND 2840 FEET EAST FROM THE NORTHWEST CORNER OF SETION 3

**Authorized Places of Use:**

PRIMARY AND SUPPLEMENTAL IRRIGATION										
Priority Date	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	AF/Acre	Acres	Water User	Notice
9/6/1905	4 N	28 E	WM	15	NW SW	301	6.0	1.00	Derbyshire	2015-01
9/6/1905	4 N	28 E	WM	15	NW SW	600	6.0	0.42	Derbyshire	2015-01
9/6/1905	5 N	28 E	WM	21	NW SW	1201	6.0	2.00	Parkins	2015-02
								<b>Total</b>	<b>3.42</b>	

5. Transfer Application T-12253 proposes to change the place of use to:

**Proposed Place of Use:**

PRIMARY AND SUPPLEMENTAL IRRIGATION										
Priority Date	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	AF/Acre	Acres	Water User	Notice
9/6/1905	4 N	29 E	WM	5	NE NW	301	6.0	1.42	Simmons	2015-01
9/6/1905	5 N	28 E	WM	28	NW NE	600	6.0	2.00	Parkins	2015-02
								<b>Total</b>	<b>3.42</b>	

6. The District permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.

7. The water right is subject to transfer as defined in OAR 690-385-0100(17).

8. The proposed change in place of use would not result in enlargement of the right.

9. The proposed change in place of use will not result in injury to other water rights.

**Conclusions of Law**

The change in place of use proposed in Transfer Application T-12253 satisfies the requirements of ORS 540.574(3) and 540.580.

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

1. The proposed change in place of use is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 89006 and any related decree.
3. The former place of use shall no longer be irrigated as part of this water right.
4. This order supersedes Special Order Volume 98, the order APPROVING District Permanent Transfer recorded at, Pages 846 through 848.

5. The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.
6. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2017**. A Claim of Beneficial Use shall be submitted by Hermiston Irrigation District to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
8. Water right certificate 89006 is modified. The Department will issue a superseding certificate describing the rights when it determines it is necessary for record keeping.

Dated at Salem, Oregon this 9 day of October 2017.

  
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Dwight French, Water Right Services Administrator for  
Thomas M. Byler, Director

Mailing Date: OCT 13 2017