



# Oregon

Theodore R. Kulongoski, Governor

T-11149

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271  
503-986-0900  
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NOVEMBER 16, 2010

## NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm the water rights established under the terms of a transfer order issued by this department.

This is a final 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 **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Gerry Clark at 503-986-0811.

STATE OF OREGON  
 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HALE FARMS, LLC  
 73120 HIGHWAY 207  
 ECHO, OR 97826

confirms the right to use the waters of SIX WELLS in the UMATILLA RIVER BASIN for IRRIGATION of 250.00 ACRES.

This right was perfected under Permit G-5335. The date of priority is JULY 19, 1974. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.17 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL NAME	TWP	RNG	MER	SEC	Q-Q	MEASURED DISTANCES
HALE #8	3N	29E	WM	14	SW NW	1350 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF THE NW 1/4 NW 1/4 OF SECTION 14
COPPINGER #3	3N	29E	WM	23	SE NE	3960 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 23
COPPINGER #1	3N	29E	WM	24	SW NE	20 FEET NORTH AND 1490 FEET WEST FROM THE E 1/4 CORNER OF SECTION 24
HALE #3	3N	30E	WM	7	SW SW	1420 FEET SOUTH AND 40 FEET EAST FROM THE W 1/4 CORNER OF SECTION 7
DITCHENS LAND Co. #2	3N	30E	WM	20	SW SW	80 FEET EAST FROM THE SW CORNER OF SECTION 20
DITCHENS LAND Co. #1	3N	30E	WM	30	NE SW	30 FEET SOUTH AND 640 FEET WEST FROM THE C 1/4 CORNER OF SECTION 30

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

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.

profile to be utilized by plant growth in the subsequent growing season, provided the amount of water used at the authorized place of use, together with the amount of water approved for use under Certificate 86680 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.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

TWP	RNG	MER	SEC	Q-Q	ACRES
3 N	30 E	WM	5	SE SW	3.35
3 N	30 E	WM	7	NE SE	29.10
3 N	30 E	WM	7	NW SE	28.50
3 N	30 E	WM	7	SW SE	28.90
3 N	30 E	WM	7	SE SE	31.30
3 N	30 E	WM	8	NE NW	30.50
3 N	30 E	WM	8	NW NW	31.40
3 N	30 E	WM	8	SW NW	31.20
3 N	30 E	WM	8	SE NW	30.70
3 N	30 E	WM	8	NE SW	5.05
TOTAL:					250.00

The quantity of water diverted at the new points of appropriation (wells), together with the quantity diverted from the original point of appropriation, REW Well #1, shall not exceed the quantity of water lawfully available from the original point of appropriation. The quantity of water allowed to be diverted from REW WELL #1 for the rights perfected under Permits G-5335 and G-5337 is limited to a quantity of water not to exceed 2.0 cubic feet per second, the capacity of the well system at the time of perfection of the rights.

Measurement, recording and reporting conditions:

1. Before water may be applied to the lands, the water user shall install totalizing flow meters or other measurement systems as approved by the Department at:
  - a) The point of diversion from the Columbia River and all other points of diversion or appropriation, which supply water to the new lands;
  - b) The northern boundary connection of the Echo Irrigation District; and
  - c) All field diversions (center pivots or other method of water delivery) used to apply water to the lands.

Additionally, the meters must be maintained in good working order according to manufacturer's specifications. A different plan for measurement of diverted water at each field diversion, which is acceptable to, and approved by the Department may be allowed. Testing of the approved measurement devices shall occur at such intervals as deemed appropriate and necessary by the Watermaster.

2. The water user shall maintain a complete record of water usage on a monthly basis and shall submit monthly and annual reports to the Watermaster's office in Pendleton. The water use reports shall include recorded monthly water usage measurements from each point of diversion, the measurement device located at the North Echo Irrigation District boundary connection and for each field diversion (center pivot or other means of application). The reports shall also include dates of measurement and other information as may be requested by the Watermaster. The frequency or timing of the reports may be modified upon a determination by the Department that an alternate frequency is needed or appropriate. The reporting frequency may also be modified after the second full season of use, if requested by the water user and approved by the Department. The reports may be e-mailed, faxed or mailed.
3. The water user shall allow the Watermaster access to the water meters described above. Where a meter is located within a private structure, the Watermaster shall request access upon reasonable notice.
4. Additional measurement and reporting conditions, including, but not limited to, additional measuring sites, general water-use information, and the place and nature of water use may be required at the discretion of the Department.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in PLACE OF USE AND POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered April 23, 2010, and recorded at Special Order Volume 80, pages 715 to 727, approving Transfer Application T-10692. This certificate together with Certificate 86211, supersedes Certificate 54559, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed November 18, 2010.

  
Phillip C. Ward, Director

STATE OF OREGON  
COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HALE FARMS, LLC  
73120 HIGHWAY 207  
ECHO, OR 97826

confirms the right to use the waters of SIX WELLS in the UMATILLA RIVER BASIN for IRRIGATION of 120.45 ACRES.

This right was perfected under Permit G-5337. The date of priority is OCTOBER 21, 1974. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.25 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL NAME	TWP	RNG	MER	SEC	Q-Q	MEASURED DISTANCES
HALE #8	3N	29E	WM	14	SW NW	1350 FEET SOUTH AND 50 FEET WEST FROM THE NE CORNER OF THE NW 1/4 NW 1/4 OF SECTION 14
COPPINGER #3	3N	29E	WM	23	SE NE	3960 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 23
COPPINGER #1	3N	29E	WM	24	SW NE	20 FEET NORTH AND 1490 FEET WEST FROM THE E 1/4 CORNER OF SECTION 24
HALE #3	3N	30E	WM	7	SW SW	1420 FEET SOUTH AND 40 FEET EAST FROM THE W 1/4 CORNER OF SECTION 7
DITCHENS LAND Co. #2	3N	30E	WM	20	SW SW	80 FEET EAST FROM THE SW CORNER OF SECTION 20
DITCHENS LAND Co. #1	3N	30E	WM	30	NE SW	30 FEET SOUTH AND 640 FEET WEST FROM THE C 1/4 CORNER OF SECTION 30

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, provided the amount of water used 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,

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which reflect the capacity of the well system at the time of perfection attributable to the rights modified by T-10692.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

TWP	RNG	MER	SEC	Q-Q	ACRES
3N	30E	WM	5	NE SW	29.80
3N	30E	WM	5	NW SW	28.20
3N	30E	WM	5	SW SW	34.00
3N	30E	WM	5	SE SW	28.45
TOTAL:					120.45

The quantity of water diverted at the new points of appropriation (wells), together with the quantity diverted from the original point of appropriation, REW Well #1, shall not exceed the quantity of water lawfully available from the original point of appropriation. The quantity of water allowed to be diverted from REW WELL #1 for the rights perfected under Permits G-5335 and G-5337 is limited to a quantity of water not to exceed 2.0 cubic feet per second, the capacity of the well system at the time of perfection of the rights.

Measurement, recording and reporting conditions:

1. Before water may be applied to the lands, the water user shall install totalizing flow meters or other measurement systems as approved by the Department at:
  - a) The point of diversion from the Columbia River and all other points of diversion or appropriation, which supply water to the new lands;
  - b) The northern boundary connection of the Echo Irrigation District; and
  - c) All field diversions (center pivots or other method of water delivery) used to apply water to the lands.

Additionally, the meters must be maintained in good working order according to manufacturer's specifications. A different plan for measurement of diverted water at each field diversion, which is acceptable to, and approved by the Department may be allowed. Testing of the approved measurement devices shall occur at such intervals as deemed appropriate and necessary by the Watermaster.

2. The water user shall maintain a complete record of water usage on a monthly basis and shall submit monthly and annual reports to the Watermaster's office in Pendleton. The water use reports shall include recorded monthly water usage measurements from each point of diversion, the measurement device located at the North Echo Irrigation District boundary connection and for each field diversion (center pivot or other means of application). The reports shall also include dates of measurement and other information as may be requested by the Watermaster. The frequency or timing of the reports may be modified upon a determination by the Department that an alternate frequency is needed or appropriate. The reporting frequency may also be modified after the second

full season of use, if requested by the water user and approved by the Department. The reports may be e-mailed, faxed or mailed.

3. The water user shall allow the Watermaster access to the water meters described above. Where a meter is located within a private structure, the Watermaster shall request access upon reasonable notice.
4. Additional measurement and reporting conditions, including, but not limited to, additional measuring sites, general water-use information, and the place and nature of water use may be required at the discretion of the Department.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

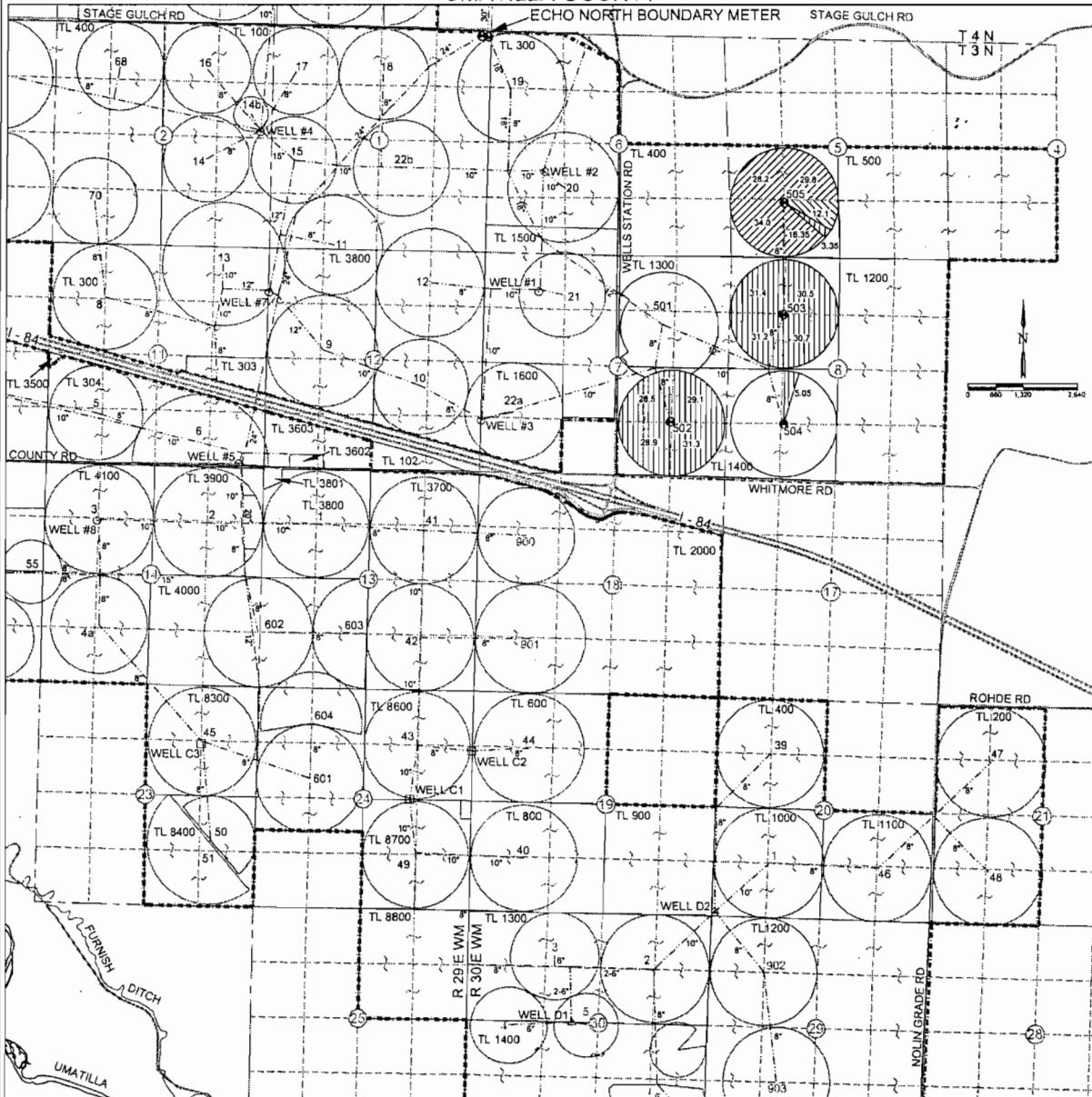
This certificate is issued to confirm a change in PLACE OF USE AND POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered April 23, 2010, approving Transfer Application T-10692. This certificate also confirms a change in PLACE OF USE approved by an order of the Water Resources Director entered September 2, 2003, and recorded at Special Order Volume 58, pages 77 to 79, approving Transfer Application T-8070 upon which the Director determined satisfactory proof of beneficial use on November 19, 2008. This certificate together with Certificate 86213 supersedes Certificate 80428, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed November 18, 2010.

 for  
Phillip C. Ward, Director

Township 3 North, Range 29 East - Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 23, 24, & 25  
 Township 3 North, Range 30 East - Sections 5, 6, 7, 8, 17, 18, 19, 20, 21, 29, & 30  
 Township 4 North, Range 29 East - Sections 35 & 36

UMATILLA COUNTY



POINTS OF APPROPRIATION

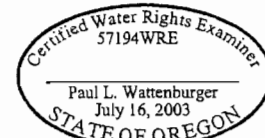
- HALE - WELL #3 ○ 1420'S 40'E FROM W1/4 COR, SEC 7, T3N, R30E, W.M. AND METER
- HALE - WELL #8 ○ 1350'S 50'W FROM NE COR NW1/4 NW 1/4 SEC 14, T3N, R29E, W.M.
- COPPINGER - WELL C1 □ 20'N 1400'W FROM E1/4 COR, SEC 24, T3N, R29E, W.M. AND METER
- COPPINGER - WELL C3 □ 3960'N 1320'W FROM SE COR, SEC 23, T3N, R29E, W.M. AND METER
- DITCHEN LAND CO. - WELL D1 △ 30'S 640'W FROM CENTER, SEC 30, T3N, R30E, W.M. AND METER
- DITCHEN LAND CO. - WELL D2 △ 80'E FROM SW COR, SEC 20, T3N, R30E, W.M. AND METER

LEGEND

- 14b 6 PIVOT NUMBER
- CENTER PIVOT FLOW METER
- 8" — PIPELINE AND SIZE
- TL 300 TAX LOT NUMBER
- ECHO IRRIGATION DISTRICT BOUNDARY
- [Hatched Box] 250.0 AC FROM CERT 54559 ADD POAS - WELLS LISTED
- [Diagonal Hatched Box] 108.35 AC FROM CERT 80428 ADD POAS - WELLS LISTED
- [Cross-hatched Box] 12.1 AC FROM T-8070 ADD POAS - WELLS LISTED

**FINAL PROOF SURVEY**  
 Under Transfer T-10692  
 In the name of HALE FARMS, LLC  
 August 27th, 2010

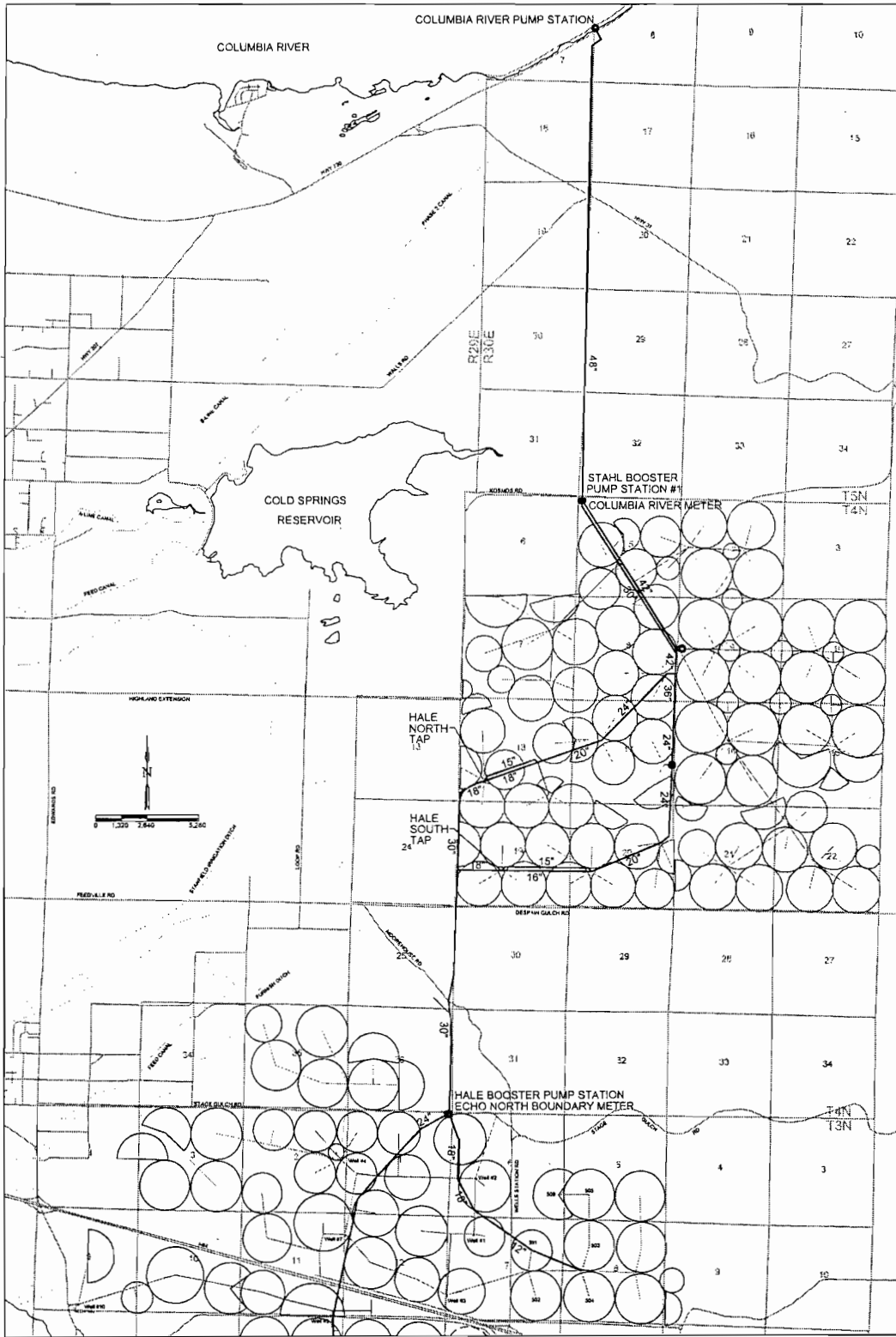
THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.



EXPIRES: 6/30/12



Township 3 North, Range 29 East; Township 3 North, Range 30 East  
 Township 4 North, Range 30 East; Township 5 North, Range 30 East  
 UMATILLA COUNTY



**FINAL PROOF SURVEY  
 SYSTEM AREA MAP**  
 Under Transfer T-10692  
 In the name of HALE FARMS, LLC  
 August 27th, 2010

THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

Certified Water Rights Examiner  
 57194WRE  
 Paul L. Wattenburger  
 July 16, 2003  
 STATE OF OREGON  
 EXPIRES: 6/30/12