

3393

## STATUS OF APPLICATION

Change in points of diversion & place of use  
 Date filed 4-14-76  
 Date of hearing 7-15-76  
 Place of hearing Heppner  
 Date of order 10-15-76 Vol. 28, page 54  
 Date for application of water 10-1-77  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued FEB 1 1980 Vol. 42, page 48986  
NOV 17 1983 46 51738  
Survey 3/78

## DESCRIPTION OF WATER RIGHT

Name of stream Wells #1, 2, 3, 4 & 7  
 Trib. of \_\_\_\_\_ County of Morrow  
 Use irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 312.1  
 Name of ditch \_\_\_\_\_  
 Date of priority April 27, 1965  
 In name of Don C. & Jim M. Key  
 \_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
 App. No. G-3092 Per. No. G-2823 Cert. No. 42526  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
4-14-76	\$100.75 <sup>File &amp; Rec.</sup>	54532
4-14-76	45.00 <sup>P.O.N.</sup>	54533
4-14-76	15.80 <sup>Rec.</sup>	54534
TOTAL 7-14-76	13.00 <sup>PON</sup>	54360
7-14-76	\$ Cert. Fee	54361
Heppner Gazette Times 58.00		Ch. #824 9/28/76

## FEES REFUNDED

Date	Amount	Check No.
1/12/80	2.00	4010 out rec'd
9/28/76	39.25	825

## REMARKS

FPS MAP IN E-20-10

T-91584 POW/AP2A V56 p793

T-91594 POW/AP2A V57 p1200 V57 p638

Fees File 20 -  
 POD 15 -  
 POD (156 ac) 41.50  
 \$ 76.50

INDEX CARDS: Entered Checked

WH	Name	✓	_____
WA	Stream	✓	_____
WH	Pa. of Div.	✓	_____
	Calendar	✓	_____
✓	Checked to Record:		
	Twp. & Sec.	✓	_____
	Decree-vault	_____	_____
	Decree-sale	_____	_____
✓	Cert. of W.R.	✓	_____
✓	Per. Folder	✓	_____
	Chainindex	_____	_____
	Cross Ref.	_____	_____
	Power Claim	_____	_____
	Abstracts	✓	_____

CCB



## STATE OF OREGON

## INTEROFFICE MEMO

TO: Transfer File 3393

DATE: October 6, 1976

FROM: William B. McCall *WBM*

SUBJECT: Application for change in point of diversion and place of use from Key wells 1, 3, 4, and 7 within Sections 4 and 5, Township 3 North, Range 27 East, W. M. to Key wells 1 and 2 in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 30, Township 4 North, Range 27 East, W. M. all within the Ordnance gravel critical ground water area.

Applicant wishes to change point of diversion and place of use from four shallow wells which produce from the shallow gravel aquifer system in the Ordnance gravel critical ground water area, to two shallow gravel wells in Section 30, approximately 1 $\frac{1}{4}$  mile to the north. The "moved to" wells also produce ground water from the shallow gravel aquifer system. The two wells in Section 30 have a permit (G-4878) to appropriate 8.0 cfs for the irrigation of 640 acres in the North half of said Section 4 and 5. This appropriation will be prohibited by the Ordnance critical ground water Order.

All wells involved obtain ground water from a common water body. The use of wells 1 and 2 in Section 30 to irrigate the lands described in the subject transfer is not expected to harm existing rights.

It is recommend that the application for transfer be approved.

## Subject: Identification of wells.

Karl Wozniak

3-31-1970 Filing date.

## Well 1 MORR 1524

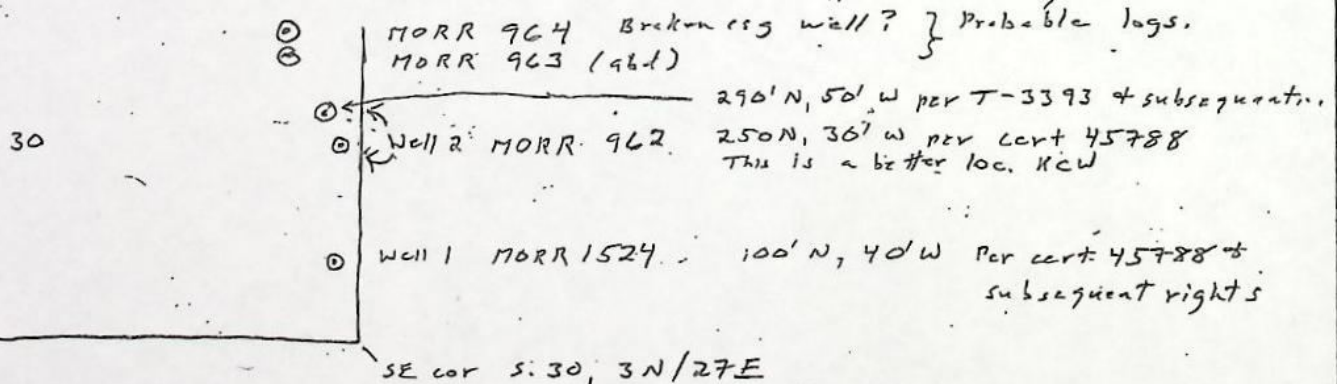
1st of 4 wells drilled in 30dd. Application lists 1 existing well 100 ft N, + 40 ft W of SE corner of S. 30. Notes in file indicates that southernmost well produced 2900 gpm w/ 10 ft of drawdown. Therefore MORR 1524, 115' deep, 16" csg fr 0-115 ft, completed 4-20-1970 is Well 1. Final proof & cert. 45788 show same location as on application.

## Well 2

Proposed well at time of application. Proposed location: 400 ft N, 40 ft W of SE corner of S. 30.

10-6-1972 letter from applicant in file indicates that a well was drilled at the proposed location but ran into production problems. Data on well log MORR 964 indicate this log is for the original Well #2. Apparently, a 3rd well was drilled near this location, MORR 963, but the casing was pulled and it was abandoned.

MORR 962 is apparently the final attempt to drill Well 2. This is the well described in the final-proof survey notes.



Southern Wells in sections 4, 5 3N/27E.

Appl. G-3092, Permit G-2823

Per the application, wells 1-7 were already drilled prior to filing, 4-27-1965  
Well 8 was proposed.By KCW  
1-18-2012

Well #	Depth	SWL	Extension Reg	Ext Reg	Ext Reg	Cert	Well Log
			10-25-1966	9-26-1967	11-14-1968	42526	MORR
1	80	40				1	613
2*	88	46				3	614
3	106	56		Remed. Inst. 1/4" x 20" csg capped at center		4	612
4*	112	60	"Abandoned"	4/3' of soil Dgn to 300 ft		(Abd)	615
5*	280	72		Dgn to 400'		-	621
6	200	80				7	619
7	145	86	string of tools in hole			(Abd)	620
8	Proposed			Drilled to 180'		2	611
↳ Not drilled at proposed loc.							4 15 ft west of 3 51977

Well 3  
on T-3393  
certDug open pit  
50 x 100' x 45'  
deep. Installed  
horiz. perforated  
pipe + 36" vertical  
pipe. Filled to  
ground levelA summary of the various numbering / naming conventions used  
for these wells:

Application	Certificate	Owners	GW Section	Ordinance	Well Log	Well Log
G-3092	42526	Number on	Wtr Lvl	CGWA	Nbr	
Well #	Well #	Well Log	Sheets	ORD #s	MORR	
1	1	1	4H1	23	613	
2	3	2	4G1	23A	614	
3	4	3	4F1 (bdc)	23B	612	
4	-	4	4E1	23C	615	
5	-	5	5H1	23D	621	
6	7	6	5G1	23E	619	
7	-	7	5F1	23F	620	
8	2	8			611	
				23-1A	51977	

D1?

Aug. 4, 1978 Field inspection notes (T-3393 by Richard Barvin describe well 3 (MORR 51977) as 50 ft deep, 36" csg, with four 20 ft, 12" collectors. Application for an Extension of time in file G-3092 (Permit G-2823) received November 14, 1968 describes the construction as follows: Dug an open pit 50' x 100' x 45' deep, put in perforated pipe in a tee shape at the bottom of pit welded to a 36" upright pipe to ground level. Filled 10 feet with 1" washed rock. Filled back to ground level and sealed with clay. See well log MORR 51977 for an alternative construction that was described in other correspondence with Don Key.

## MORR 51977

WELL I.D. # L

(1) LAND OWNER  
 Name Donald L. Key Well Number \_\_\_\_\_  
 Address 76992 County Line Rd  
 City Hermiston State OR Zip 97838

(2) TYPE OF WORK  
☒ New Well ☐ Deepening ☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD:  
☐ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger  
☒ Other Aug well

(4) PROPOSED USE:  
☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation  
☐ Thermal ☐ Injection ☐ Livestock ☐ Other \_\_\_\_\_

(5) BORE HOLE CONSTRUCTION:  
 Special Construction approval ☐ Yes ☐ No Depth of Completed Well 45 ft.  
 Explosives used ☐ Yes ☐ No Type \_\_\_\_\_ Amount \_\_\_\_\_

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E  
☐ Other \_\_\_\_\_

Backfill placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Material \_\_\_\_\_  
 Gravel placed from \_\_\_\_\_ ft. to \_\_\_\_\_ ft. Size of gravel \_\_\_\_\_

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used ☐ Inside ☐ Outside ☐ None  
 Final location of shoe(s) \_\_\_\_\_

(7) PERFORATIONS/SCREENS:

☐ Perforations Method \_\_\_\_\_  
☐ Screens Type \_\_\_\_\_ Material \_\_\_\_\_

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

<input type="checkbox"/> Pump	<input type="checkbox"/> Bailor	<input type="checkbox"/> Air	Flowing <input type="checkbox"/> Artesian
Yield gal/min	Drawdown	Drift stem at	Time
			1 hr.

Temperature of water \_\_\_\_\_ Depth Artesian Flow Found \_\_\_\_\_  
 Was a water analysis done? ☐ Yes By whom \_\_\_\_\_  
 Did any strata contain water not suitable for intended use? ☐ Too little  
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other \_\_\_\_\_  
 Depth of strata: \_\_\_\_\_

(9) LOCATION OF WELL by legal description:  
 County Morrow Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 Township 3 N N or S Range 27 E E or W. WM.  
 Section 4 SE 1/4 NE 1/4  
 Tax Lot 107 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Street Address of Well (or nearest address) \_\_\_\_\_

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(10) STATIC WATER LEVEL:  
 \_\_\_\_\_ ft. below land surface. Date \_\_\_\_\_  
 Artesian pressure \_\_\_\_\_ lb. per square inch Date \_\_\_\_\_

(11) WATER BEARING ZONES:  
 Depth at which water was first found \_\_\_\_\_

From	To	Estimated Flow Rate	SWL

(12) WELL LOG:  
 Ground Elevation \_\_\_\_\_

Material	From	To	SWL
Nearby wells indicate that the well is completed in Missoula flood gravels at total depth.			
Depth reported variously as 40 or 45 feet.			
Probably constructed in 1968.			
This is a collector well drilled by the owner.			
Listed on various water rights as being 1920 feet south and 790 feet west from the NE corner of section 4.			

Date started \_\_\_\_\_ Completed \_\_\_\_\_

SOURCE OF DATA/INFO  
Water right file Co-3092 (Sec 11-14-1968)  
extension of time. (2) letter from  
owner, attached.

COMPILED BY: Karl C. Wozniak  
Groundwater Section

DATE: January 18, 2012.

APR 27 '95

8:47 No.001 P.02

11.2.0.1#

17736

P.O. P.I.D.

29546

April 26, 1995

State of Oregon  
WATER RESOURCES DEPARTMENT  
3850 Portland Road N.E.  
Salem, Oregon 973310

Donald C. Key  
Rt. 1 Box 1844  
Hermiston, OR 97838  
503-567-5917

Dear Sirs,

I would like to request an exemption from the pump test requirement on well number three (#3) of permit #G-2823 user I.D. 28546.

This well has a 42" diameter pipe with three (3) 12" horizontal pipes 10 and 20 feet long coming into it. The well was constructed from a pit 100' X 50' X 40' deep. Pipe was laid in and then gravel packed. I then drilled a 16" well through the clay for a sump.

*+ covered with clay.*

*Donald C Key*

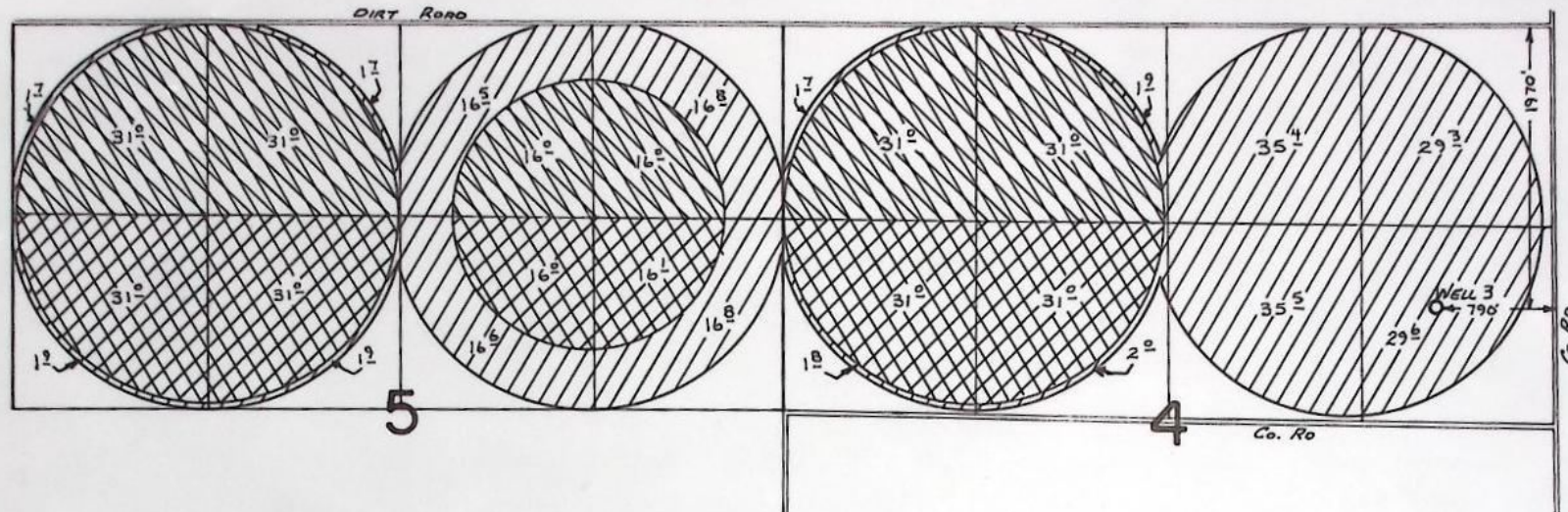
Donald C. Key

*This is a collector well drilled by Mr Key in 1968 or thereabouts. Notes in file G-3092 indicate it may be 45 ft. deep.*

*Well # 3 on T-3393, T-9118, T-9119, T-9158, T-9159.  
Also Well # 3 on certificates 48986, 51738, + 80228.*

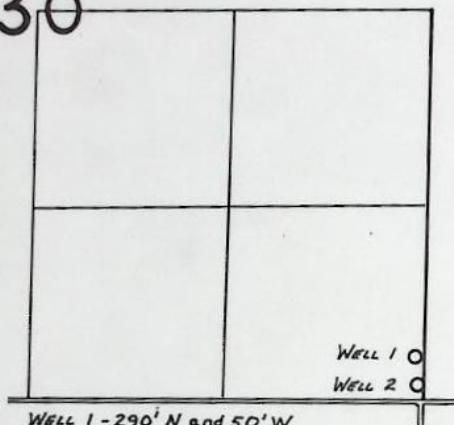
*K.C. Wozniak*

T.3N.,R.27E.,W.M.



T.4N.,R.27E.,W.M.

30



WELL 1 - 290' N and 50' W  
WELL 2 - 100' N and 40' W  
BOTH FROM SE COR. SEC. 30

SUPERSEDING

# FINAL PROOF SURVEY UNDER.

Transfer No. 3393

Application No. G-3092

G-5145

Permit No. G-2823

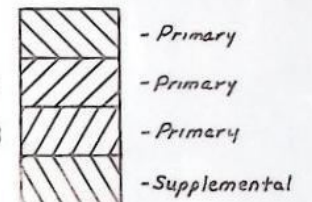
G-4878

IN NAME OF

JIM & DON KEY

Surveyed August 4, 1978 by R. BARWIN

April 11, 1975 by R. G. MUCKEN



PTS 1978-P-D  
272-167  
NE-1/4-123, 115  
Relined 2/15/83 LMR

T-3393

Day

**BEFORE THE WATER RESOURCES DIRECTOR OF OREGON**

**MORROW COUNTY**

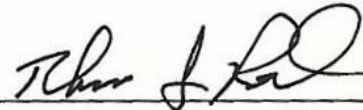
**ORDER REJECTING TEMPORARY TRANSFER APPLICATION 9158**

Temporary Transfer Application 9158, in the name of Donald Key, was filed June 24, 2002. The applicant requested a temporary change in the place of use and an additional point of appropriation for certain water rights.

Staff examined the temporary transfer application and found that enlargement and injury to existing rights would result from the requested changes in accordance with ORS 540.523. The temporary transfer application should be rejected.

Temporary Transfer Application 9158, in the name of Donald Key, is REJECTED and of no further force or effect.

WITNESS the signature of the Water Resources Director, affixed AUGUST 7, 2002.



*for* Paul R. Cleary, Director

**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.**

## STATE OF OREGON

## COUNTY OF MORROW

CORRECTION ORDER APPROVING A CHANGE IN PLACE OF  
USE AND ADDITIONAL POINT OF APPROPRIATION

Pursuant to ORS 537.705, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 9159 submitted by

DONALD KEY  
76992 COUNTY LINE ROAD  
HERMISTON, OREGON 97838.

The FIRST right to be modified, as evidenced by a portion of Certificate 51739, was perfected under Permit G-4878 with a date of priority of MARCH 31, 1970. The right allow the use of water from WELLS 1 and 2, within the UMATILLA RIVER BASIN, for the IRRIGATION OF 7.1 ACRES. The right is limited to an amount actually beneficially used and shall not exceed 0.06 CUBIC FOOT PER SECOND, being 0.03 cubic foot per second from each well, if available at the original wells, or its equivalent in case of rotation measured at the wells.

**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.

The wells are located as follows:

WELL 1 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30; AND

WELL 2 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the completed wells shall not exceed 175 feet in depth, nor appropriate water from an aquifer below that depth.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The SECOND right to be modified, was perfected under Permit G-10836 with a date of priority of FEBRUARY 15, 1978. The right allows the use of water from WELLS 3 and 4, within the UMATILLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION OF 7.1 ACRES. The right is limited to an amount actually beneficially used and shall not exceed 0.08 CUBIC FOOT PER SECOND, if available at the original wells, or its equivalent in case of rotation measured at the wells.

The wells are located as follows: (same as Wells #1 & 2 above)

WELL 3 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30; AND

WELL 4 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated

during the irrigation season of March 10 to October 15 for each calendar year; provided the use does not alter the Ordinance Critical Ground Water Area Order.

The authorized place of use for the above described rights under CERTIFICATE 51739 and PERMIT G-10836 are as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.80 ACRES (LOT 3) *
NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.70 ACRES (LOT 4)
SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.80 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.80 ACRES

SECTION 4

TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

\* This location of 1.8 acres corrects a scrivener's error found under Permit G-10836, locating it correctly in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , section 4, not in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and is part of a circle located entirely within the NW $\frac{1}{4}$  of section 4.

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

The applicant proposes to CHANGE THE PLACE OF USE for the above listed rights to:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
(LOT 1) NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.70 ACRE	0.70 ACRE
(LOT 2) NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.40 ACRE	0.40 ACRE
SW $\frac{1}{4}$ NE $\frac{1}{4}$	0.60 ACRE	0.60 ACRE
SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.70 ACRE	0.70 ACRE
(LOT 3) NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.10 ACRE	0.10 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.10 ACRE	0.10 ACRE
SW $\frac{1}{4}$ NW $\frac{1}{4}$	4.50 ACRES	4.50 ACRES

SECTION 4

TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

The THIRD right to be modified, as evidenced by a portion of Certificate 51738, was perfected under permit G-2823 with a date of priority of APRIL 27, 1965. The right allow the use of water from WELLS 1, 2, and 3, within the UMATILLA RIVER BASIN, for the

IRRIGATION OF 4.5 ACRES. The right is limited to an amount actually beneficially used and shall not exceed 0.03 CUBIC FOOT PER SECOND, if available at the original wells, or its equivalent in case of rotation measured at the wells.

The wells are located as follows:

WELL 1 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30;

WELL 2 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30; AND

WELL 3 - SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 4, T 3 N, R 27 E, W.M.; 1970 FEET SOUTH AND 790 FEET WEST FROM THE NE CORNER, SECTION 4.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The FOURTH right to be modified, again, as evidenced by a portion of Certificate 51739, was perfected under Permit G-4878 with a date of priority of MARCH 31, 1970. The right allow the use of water from WELLS 1 and 2, within the UMATILLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION OF 4.5 ACRES. The right is limited to an amount actually beneficially used and shall not exceed 0.04 CUBIC FOOT PER SECOND, if available at the original wells, or its equivalent in case of rotation measured at the wells.

The wells are located as follows:

WELL 1 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30; AND

WELL 2 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the completed wells shall not exceed 175 feet in depth, nor appropriate water from an aquifer below that depth.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The FIFTH right to be modified, again, as perfected under Permit G-10836 with a date of priority of FEBRUARY 15, 1978. The right allows the use of water from WELLS 3 and 4, within the UMATILLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION OF 4.5 ACRES. The right is limited to an amount actually beneficially used and shall not exceed 0.05 CUBIC FOOT PER SECOND, if available at the original wells, or its equivalent in case of rotation measured at the wells.

The wells are located as follows: (same as Wells #1 & 2 above)

WELL 3 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30; AND

WELL 4 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30;

The authorized place of use for the above described rights under CERTIFICATE 51738, CERTIFICATE 51739 and PERMIT G-10836 are as follows:

SW $\frac{1}{4}$  NW $\frac{1}{4}$       4.50 ACRES  
SECTION 4  
TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

The applicant proposes to change the PLACE OF USE for the above listed rights to:

SE $\frac{1}{4}$  NE $\frac{1}{4}$       4.50 ACRES  
SECTION 4  
TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

The applicant also proposes to add an ADDITIONAL POINT OF APPROPRIATION to Certificate 51738 **only** for the above listed 4.5 acres to a point located:

SE¼ NE¼, SECTION 4, T 3 N, R 27 E, W.M.; 700 FEET NORTH AND 40 FEET WEST FROM THE E¼ CORNER, SECTION 4.

THIS SUPERSEDING CORRECTION ORDER CORRECTLY DESCRIBES THE AUTHORIZED PLACE OF USE FOR THE RIGHTS LOCATED WITHIN THE NW¼ OF SECTION 4, T 3 N, R 27 E, W.M.. FOUND WAS A SCRIVENER'S ERROR ON PERMIT G-10836 IDENTIFYING THE 32.9 ACRES OF SUPPLEMENTAL IRRIGATION TO EXISTING CERTIFICATES 51738 & 51739.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

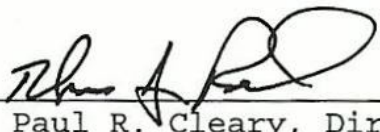
1. The proposed change shall be completed on or before October 1, 2004.
2. The quantity of water diverted at the new point of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation.
3. Prior to diverting water from the new point of appropriation (well) the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same aquifer as the original point of appropriation. The new proposed well has been determined to develop water from the same groundwater bearing zone as Well #3. Any modification or alterations to the new proposed well located within the SE¼ NE¼, Section 4, must be approved by the Watermaster. Wells #1 and 2 located within section 30 are authorized for supplemental use only on the lands described in this transfer order.

5. The use of water for supplemental irrigation on the newly authorized 4.5 acres located within the SE¼ NE¼, section 4, may only be made provided such pipe system is installed for delivery of water from Wells #1 and 2 to the new place of use for the 4.5 acres within the SE¼ NE¼, section 4 .

Certificates 51738 and 51739 are canceled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes under this transfer are received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed JUL 30 2003.

  
\_\_\_\_\_  
For Paul R. Cleary, Director

T-3393

STATE OF OREGON

COUNTY OF MORROW

ORDER APPROVING A CHANGE IN PLACE OF  
USE AND ADDITIONAL POINT OF APPROPRIATION

Pursuant to ORS 537.705, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 9159 submitted by

DONALD KEY  
76992 COUNTY LINE ROAD  
HERMISTON, OREGON 97838.

The FIRST right to be modified, as evidenced by a portion of Certificate 51739, was perfected under permit G-4878 with a date of priority of MARCH 31, 1970. The right allows the use of water from WELLS 1 and 2, within the UMATILLA RIVER BASIN, for the IRRIGATION OF 7.1 ACRES. The right is limited to an amount actually beneficially used and shall not exceed 0.06 CUBIC FOOT PER SECOND (CFS), being 0.03 cfs from each well, if available at the original wells, or its equivalent in case of rotation measured at the wells.

**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.

The wells are located as follows:

WELL 1 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30;

WELL 2 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the completed wells shall not exceed 175 feet in depth, nor appropriate water from an aquifer below that depth.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The SECOND right to be modified, was perfected under Permit G-10836 with a date of priority of FEBRUARY 15, 1978. The right allows the use of water from WELLS 3 and 4, within the UMATILLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION OF 7.1 ACRES. The right is limited to an amount actually beneficially used and shall not exceed 0.08 CUBIC FOOT PER SECOND, if available at the original wells, or its equivalent in case of rotation measured at the wells.

The wells are located as follows: (same as Wells #1 & 2 above)

WELL 3 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30;

WELL 4 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated

during the irrigation season of March 10 to October 15 for each calendar year; provided the use does not alter the Ordinance Critical Ground Water Area Order.

The authorized place of use for the above listed rights (Certificate 51739 and Permit G-10836) are as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.80 ACRES (LOT 3)
NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.70 ACRES (LOT 4)
SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.80 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.80 ACRES

SECTION 4

TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

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

The applicant proposes to change the PLACE OF USE for the above listed rights to:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
(LOT 1) NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.70 ACRE	0.70 ACRE
(LOT 2) NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.40 ACRE	0.40 ACRE
SW $\frac{1}{4}$ NE $\frac{1}{4}$	0.60 ACRE	0.60 ACRE
SE $\frac{1}{4}$ NE $\frac{1}{4}$	0.70 ACRE	0.70 ACRE
(LOT 3) NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.10 ACRE	0.10 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.10 ACRE	0.10 ACRE
SW $\frac{1}{4}$ NW $\frac{1}{4}$	4.50 ACRES	4.50 ACRES

SECTION 4

TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

The THIRD right to be modified, as evidenced by a portion of Certificate 51738, was perfected under permit G-2823 with a date of priority of APRIL 27, 1965. The right allows the use of water from WELLS 1, 2, and 3, within the UMATILLA RIVER BASIN, for the IRRIGATION OF 4.5 ACRES. The right is limited to an amount actually beneficially used and shall not exceed 0.03 CUBIC FOOT PER SECOND, if available at the original wells, or its equivalent in case of rotation measured at the wells.

The wells are located as follows:

WELL 1 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30;

WELL 2 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30;

WELL 3 - SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 4, T 3 N, R 27 E, W.M.; 1970 FEET SOUTH AND 790 FEET WEST FROM THE NE CORNER, SECTION 4.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The FOURTH right to be modified, again, as evidenced by a portion of Certificate 51739, was perfected under permit G-4878 with a date of priority of MARCH 31, 1970. The right allows the use of water from WELLS 1 and 2, within the UMATILLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION OF 4.5 ACRES. The right is limited to an amount actually beneficially used and shall not exceed 0.04 CUBIC FOOT PER SECOND (CFS), being 0.02 cfs from each well, if available at the original wells, or its equivalent in case of rotation measured at the wells.

The wells are located as follows:

WELL 1 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30;

WELL 2 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that

the completed wells shall not exceed 175 feet in depth, nor appropriate water from an aquifer below that depth.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The FIFTH right to be modified, again, as perfected under Permit G-10836 with a date of priority of FEBRUARY 15, 1978. The right allows the use of water from WELLS 3 and 4, within the UMATILLA RIVER BASIN, for SUPPLEMENTAL IRRIGATION OF 4.5 ACRES. The right is limited to an amount actually beneficially used and shall not exceed 0.05 CUBIC FOOT PER SECOND, if available at the original wells, or its equivalent in case of rotation measured at the wells.

The wells are located as follows: (same as Wells #1 & 2 above)

WELL 3 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30;

WELL 4 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30.

The authorized place of use for the above listed rights (Certificates 51738, 5173 and Permit G-10836) are as follows:

SW $\frac{1}{4}$  NW $\frac{1}{4}$  4.50 ACRES  
SECTION 4  
TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

The applicant proposes to change the PLACE OF USE for the above listed rights to:

SE $\frac{1}{4}$  NE $\frac{1}{4}$  4.50 ACRES  
SECTION 4  
TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

The applicant further proposes to add an ADDITIONAL POINT OF APPROPRIATION to Certificate 51738 **only** for the above listed 4.5 acres to a point located:

SE¼ NE¼, SECTION 4, T 3 N, R 27 E, W.M.; 700 FEET NORTH AND 40 FEET WEST FROM THE E¼ CORNER, SECTION 4.

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2004.
2. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available from the original points of appropriation.
3. Prior to diverting water from the new point of appropriation (well) the water user **shall** install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same aquifer as the original point of appropriation. The new proposed well has been determined to develop water from the same groundwater bearing zone as Well #3. Any modification or alterations to the new proposed well located within the SE¼ NE¼, Section 4, must be approved by the Watermaster. Wells #1 and 2 located within section 30 are authorized for supplemental use only on the lands described in this transfer order.
5. The use of water for supplemental irrigation on the newly authorized 4.5 acres located within the SE¼ NE¼, Section 4, may only be made provided such pipe system is installed for delivery of water from Wells #1 and 2 to the new place of use for the 4.5 acres within the SE¼ NE¼, Section 4 .

Certificates 51738 an 51739 are canceled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes under this transfer are received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed MAY 20 2003.

  
\_\_\_\_\_  
For Paul R. Cleary, Director

STATE OF OREGON  
COUNTY OF MORROW  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JIM AND DON KEY  
ROUTE 1, BOX 1844  
HERMISTON, OREGON 97838

confirms the right to use the waters of WELLS 1, 2 AND 3 in the UMATILLA RIVER BASIN for IRRIGATION OF 307.6 ACRES.

This right was perfected under Permit G-2823. The date of priority is APRIL 27, 1965. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.2 CUBIC FEET PER SECOND, if available at the old points of appropriation; SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 4, SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 5, T 3 N, R 27 E, W.M.; WELL 1 - 1990 FEET SOUTH AND 30 FEET WEST; WELL 2 - 1920 FEET SOUTH AND 820 FEET WEST; WELL 3 - 1910 FEET SOUTH AND 2680 FEET WEST; WELL 4 - 1970 FEET SOUTH AND 3950 FEET WEST, and WELL 5 - 2000 FEET SOUTH AND 7890 FEET WEST, ALL FROM THE NE CORNER, SECTION 4, or its equivalent in case of rotation, measured at the point of diversion from the wells.

The wells are located as follows:

WELL 1 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30;

WELL 2 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30;

WELL 3 - SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 4, T 3 N, R 27 E, W.M.; 1970 FEET SOUTH AND 790 FEET WEST FROM THE NE CORNER, SECTION 4.

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 it's 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 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:

NE $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	26.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES

SECTION 4

NE $\frac{1}{4}$ NE $\frac{1}{4}$	16.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	16.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	16.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	16.1 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES

SECTION 5

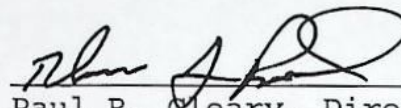
TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

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 describes that portion of the water right confirmed by Certificate 51738, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 20 2003, approving Transfer Application 9159

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director,  
affixed MAY 20 2003.

  
for Paul R. Cleary, Director



Recorded in State Record of Water Right Certificates numbered 80228.

STATE OF OREGON  
COUNTY OF MORROW  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DONALD CLARK KEY  
ROUTE 1, BOX 1844  
HERMISTON, OREGON 97838

confirms the right to use the waters of WELLS 1 AND 2 in the UMATILLA RIVER BASIN for IRRIGATION OF 204.0 ACRES and SUPPLEMENTAL IRRIGATION OF 307.6 ACRES.

This right was perfected under Permit G-4878. The date of priority is MARCH 31, 1970. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 4.21 CUBIC FEET PER SECOND (CFS), BEING 2.105 CFS FROM EACH WELL, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL 1 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 290 FEET NORTH AND 50 FEET WEST FROM THE SE CORNER, SECTION 30;

WELL 2 - SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 30, T 4 N, R 27 E, W.M.; 100 FEET NORTH AND 40 FEET WEST FROM THE SE CORNER, SECTION 30.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the completed wells shall not exceed 175 feet in depth, nor appropriate water from an aquifer below that depth.

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:

PRIMARY IRRIGATION

NE $\frac{1}{4}$ NE $\frac{1}{4}$	29.3 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	35.4 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	35.5 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	29.6 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.1 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.2 ACRE

SECTION 4

NE $\frac{1}{4}$ NE $\frac{1}{4}$	16.8 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	16.5 ACRES
*SW $\frac{1}{4}$ NE $\frac{1}{4}$	16.6 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	16.8 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.7 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.7 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.9 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.9 ACRES

SECTION 5

TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

\* Correctly describes quarter quarter on previous certificate 51739

SUPPLEMENTAL IRRIGATION

NE $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	26.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES

SECTION 4

NE $\frac{1}{4}$ NE $\frac{1}{4}$	16.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	16.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	16.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	16.1 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	31.0 ACRES

SECTION 5

TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.

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 describes that portion of the water right confirmed by Certificate 51739, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 20 2003, approving Transfer Application 9159

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director,  
affixed MAY 20 2003.

  
Paul R. Cleary, Director



Recorded in State Record of Water Right Certificates numbered 80227.

We, Jim Key and Don Key, legal owners of the N 1/2 of Sections 4 and 5, Township 3 North, Range 27 East, WM, request the Water Resources Director to issue correction certificates so as to correctly describe the lands irrigated by our four center pivots. The enclosed map print represents the area we have irrigated with our pivots since October 1976.

Certificate of Water Right recorded at page 45788, Volume 38, State Record of Water Right Certificates, should be superseded by a correction certificate stating the use of 4.31 cubic feet of water per second from Wells numbered 1 and 2 under a date of priority of March 31, 1970, being 2.155 cfs from each well for the irrigation of 211.1 acres and the supplemental irrigation of 312.1 as follows:

#### PRIMARY

29.3 acres NE 1/4 NE 1/4  
35.4 acres NW 1/4 NE 1/4  
35.5 acres SW 1/4 NE 1/4  
29.6 acres SE 1/4 NE 1/4  
1.9 acres NE 1/4 NW 1/4  
1.7 acres NW 1/4 NW 1/4  
1.8 acres SW 1/4 NW 1/4  
2.0 acres SE 1/4 NW 1/4  
Section 4

16.8 acres NE 1/4 NE 1/4  
16.5 acres NW 1/4 NE 1/4  
16.6 acres SW 1/4 NE 1/4  
16.8 acres SE 1/4 NE 1/4  
1.7 acres NE 1/4 NW 1/4  
1.7 acres NW 1/4 NW 1/4  
1.9 acres SW 1/4 NW 1/4  
1.9 acres SE 1/4 NW 1/4

#### Section 5

Township 3 North, Range 27, East, WM

#### SUPPLEMENTAL

31.0 acres NE 1/4 NW 1/4  
31.0 acres NW 1/4 NW 1/4  
31.0 acres SW 1/4 NW 1/4  
31.0 acres SE 1/4 NW 1/4  
Section 4

16.0 acres NE 1/4 NE 1/4  
16.0 acres NW 1/4 NE 1/4  
16.0 acres SW 1/4 NE 1/4  
16.1 acres SE 1/4 NE 1/4  
31.0 acres NE 1/4 NW 1/4  
31.0 acres NW 1/4 NW 1/4  
31.0 acres SW 1/4 NW 1/4  
31.0 acres SE 1/4 NW 1/4

#### Section 5

Township 3 North, Range 27 East, WM

and certificate of water right recorded at page 48986, Volume 42, State record of Water Right Certificate should be superseded by a certificate stating the use of 2.23 cfs from Wells 1, 2 and 3 under a date of priority of April 27, 1965, for the irrigation of 312.1 acres as follows:

31.0 acres NE 1/4 NW 1/4  
31.0 acres NW 1/4 NW 1/4  
31.0 acres SW 1/4 NW 1/4  
31.0 acres SE 1/4 NW 1/4  
Section 4

16.0 acres NE 1/4 NE 1/4  
16.0 acres NW 1/4 NE 1/4  
16.0 acres SW 1/4 NE 1/4  
16.1 acres SE 1/4 NE 1/4  
31.0 acres NE 1/4 NW 1/4  
31.0 acres NW 1/4 NW 1/4  
31.0 acres SW 1/4 NW 1/4  
31.0 acres SE 1/4 NW 1/4  
Section 5

Township 3 North, Range 27 East, WM

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_ day  
of \_\_\_\_\_, 1983.

\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1983.

\_\_\_\_\_  
Notary Public for Oregon

My Commission Expires:

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Morrow County

IN THE MATTER OF THE APPLICATION  
OF JIM AND DON KEY FOR THE APPROVAL  
OF CHANGES IN POINTS OF DIVERSION AND  
PLACE OF USE OF WATER FROM GROUND  
WATER

ORDER APPROVING  
TRANSFER NO. 3393

On April 14, 1976, Jim and Don Key filed an application for transfer of water right in the office of the Water Resources Director proposing a change in points of diversion and place of use under an existing right of record from ground water.

Certificate of water right issued to Don C. and Jim M. Key and recorded at Page 42526, Volume 34, State Record of Water Right Certificates, confirms a right to the use of 2.23 cubic feet per second of water from five wells for the irrigation of 40.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 38.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 40.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 40.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 4, 40.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 40.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 34.1 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 40.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 5, Township 3 North, Range 27 East, W.M., with a date of priority of April 27, 1965. The five wells are located (1) 1990 feet South and 30 feet West, (2) 1920 feet South and 820 feet West, (3) 1910 feet South and 2680 feet West, (4) 1970 feet South and 3950 feet West, and (5) 2000 feet South and 7890 feet West, all from the Northeast corner of Section 4, being within the (1 and 2) SE $\frac{1}{4}$  NE $\frac{1}{4}$  and (3 and 4) SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 4, and (5) SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 5, Township 3 North, Range 27 East, W.M.

The applicants herein, owners of the lands above described, propose to change, without loss of priority, place of use of irrigation from a certain 40.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 38.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 9.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 9.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 4; 24.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 23.9 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ ,

3.1 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 9.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 5, Township 3 North, Range 27 East, W.M., to a certain 31.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  and 31.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 4; 16.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 16.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 31.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  and 31.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 5 of said Township and Range.

The applicants herein also propose to change, without loss of priority, the points of diversion of ground water for irrigation of all of the lands above described and to divert the ground water from three wells located:

- (1) 100 feet North and 40 feet West from the Northwest corner of Section 32, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 30, Township 4 North, Range 27 East, W.M.;
- (2) 400 feet North and 40 feet West from the Northwest corner of Section 32, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 30, Township 4 North, Range 27 East, W.M.;
- and, (3) 1920 feet South and 820 feet West from the Northeast corner of Section 4, being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 4, Township 3 North, Range 27 East, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Heppner Gazette Times, a newspaper printed and having general circulation in Morrow County, Oregon, for a period of three weeks in the issues of May 20, 27 and June 3, 1976.

Mr. William I. Porfily, Watermaster of District No. 5, has filed a statement to the effect that the proposed changes in points of diversion and place of use may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed changes in points of diversion and place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in points of diversion and place of use of ground water, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the old points of diversion, and shall not exceed 2.23 cubic feet per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed the change in point of diversion of water made and water applied to beneficial use on or before October 1, 1977.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Don C. and Jim M. Key and recorded at Page 42526, Volume 34, State Record of Water Right Certificates, is canceled, and upon proof satisfactory to the Water Resources Director of completion of work and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to Jim and Don Key.

Dated at Salem, Oregon, this 15th day of October, 1976.

/s/ JAMES E. SEXSON  
Director

272-169  
 N7-1MM-123  
 DTS-1978-P-4  
 8/4/78 RFB

REPORT ON INSPECTION UNDER  
 TRANSFER OF WATER RIGHT FOR

changes in place of use and point of appropriation from ground water

3-23-78

Transfer No. 3393

County MORROW

1. Name Jim & Don Key Address Rt 1, Box 1844, Hermiston 97838
2. Source of Supply 5 wells, Trib. of \_\_\_\_\_
3. Amount of Water 2.23 cfs Priority Date April 27, 1965
4. Use irrigation
5. Proposed Point of Diversion 3 wells: ~~100 ft N & 40 ft W from NW Cor of Sec 32, w/i SE 1/4 SE 1/4, S 30, T 4 N, R 27 E; 400 ft N & 40 ft W from NW Cor of Sec 32, w/i SE 1/4 SE 1/4, S 30, T 4 N, R 27 E; 1920 ft S & 820 ft W from the NE Cor of Sec 4, w/i SE 1/4 NE 1/4 of S 4, T 3 N, R 27 E, W.M.~~  
 #1 WELL LOC. 290' N & 50' W FROM SE COR SEC 30 T 4 N R 27 E W/ 1/2 SE 1/4 SEC 30  
 WELL 2 LOC. 100' N & 40' W FROM SE COR SEC 30 T 4 N R 27 E W/ 1/2 SE 1/4 SEC 30  
 WELL 3 LOC. 1920' S & 790' W FROM NE COR SEC 4 T 3 N R 27 E W/ 1/2 SE 1/4 NE 1/4 SEC 4
6. Place of Use C date: 10-1-77

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
3N	27E	4	NE NW	31.0	
		4	NW NW	31.0	
		5	NE NE	16.0	
		5	NW NE	16.0	
		5	NE NW	31.0	
		5	NW NW	31 <sup>0</sup>	

DON - 567-5917  
 JIM - 5833

JUNE 9, 1978 64878

WELL #1: DON KEY } CHECK LOGS  
WELL #2: 20" CASING }  
WELL #3: PIT WELL 50' DEEP

36" CASING PERFORATED  
RANEY COLLECTOR  
4 20" 12" COLLECTORS

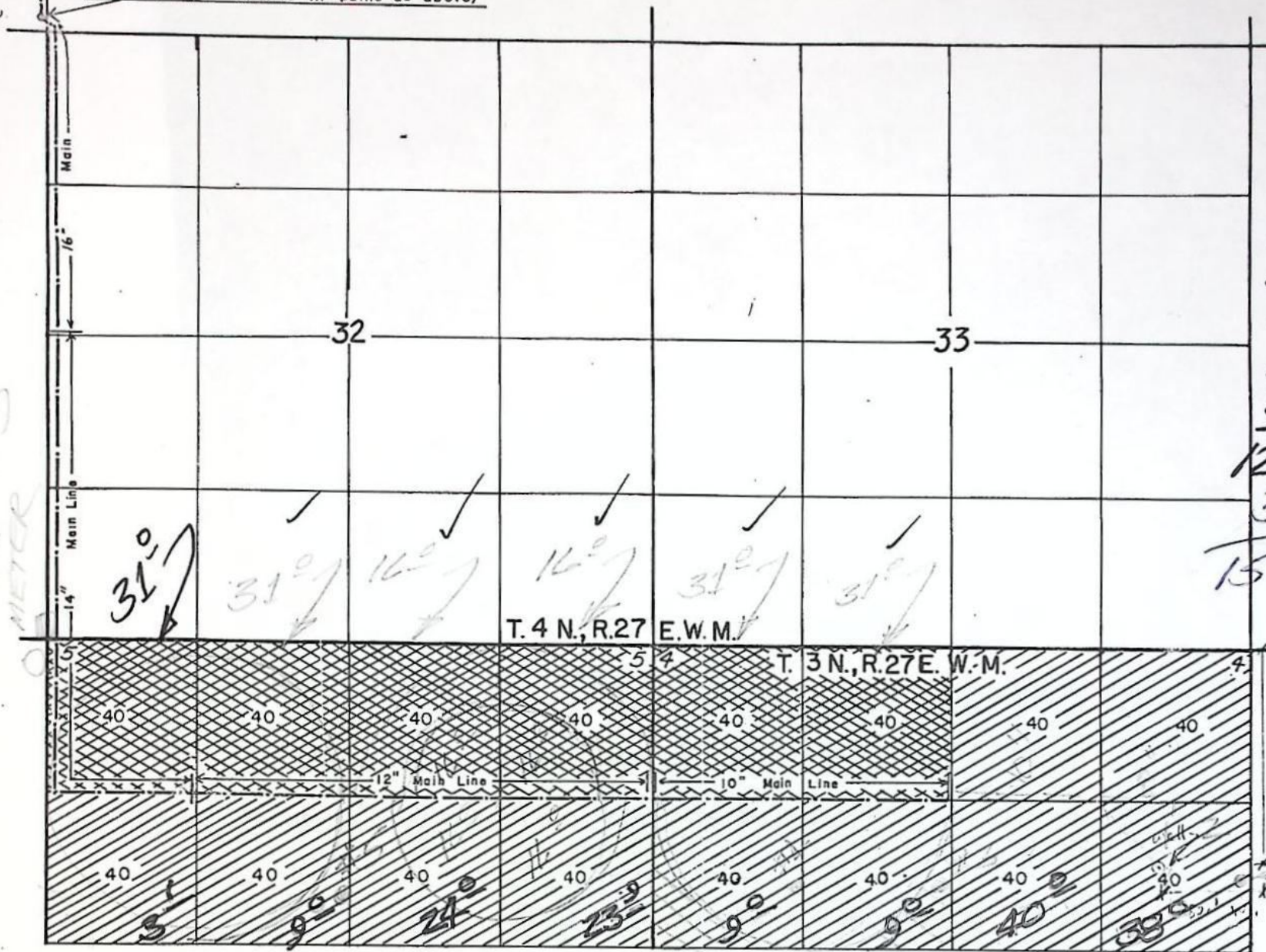
ALFALFA HAY  
LIFT ± 10'

4 13 TOWER CENTER - PIVOTS

Well No. 2- 400' N. & 40' W. from the NW. cr. of Sec. 32, T4N., R. 27 E.

400' N. & 40' W.  
100' N. & 40' W.

Well NO. 1- 100' N. & 40' W. (same as above)



1°	4°
31°	38°
31°	40°
16°	9°
16°	9°
31°	23°
125°	24°
31°	9°
156°	3°
	156°

Primary  
Supplementary

Map to accompany GROUND WATER application of DONALD CLARK KEY

T-3393

INFO: DON KEY. THIS TRANSFER, ALONG  
WITH A FUTURE TRANSFER, WITH  
ALLOW JIM & DON KEY TO IRRIGATE  
WITH CENTER PIVOTS IN ACCORDANCE  
WITH THE ORDINANCE CRITICAL  
GROUNDWATER ORDER.

WELL : DEPTH - CASING - SWL -

PUMP &

MOTOR: WESTINGHOUSE 200 HP @ 1773 RPM  
FLOWAY TURBINE, 10" DISCHARGE  
2000 GPM @ 370'

WELL : DEPTH - CASING - SWL -

PUMP &

MOTOR: US MOTORS 200 HP @ 1773 RPM  
BYRON JOHNSON TURBINE, 10" DISCHARGE  
1600 GPM @ 430'

WELL : DEPTH - 50' CASING - 36"  
4 20' 2 1/2" COLLECTORS

PUMP &

MOTOR: NEWMAN 40 HP @ 1775 RPM  
PEERLESS TURBINE, 4" DISCHARGE  
RELIANCE 25 HP @ 1765 RPM  
~~FLOWAY TURBINE, 10" DISCHARGE~~  
BERKELEY RADIAL FLOW, 6"x5"

PIPE: 2640' 16" BURIED STEEL

3960' 14" " "

5280' 12" " "

3960' 10" " "

1800' 8" " "

HEADS : 4 1300' CENTER PIVOTS  
LIFT : +0 to -30', AVE - 20' (FROM  
WELLS 142)

CROP : ALFALFA, HAY

TIE : 272-169

NZ-1MM-123

PTS-1978-P-D

AUGUST 4, 1978

*Robert F. Brown*  
FIELD ENGINEER

JIM & DON KEY TRANSFER

Columbia R. Misc.

TOWNSHIP 3N RANGE 27E W. M. SECTION 4

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES																		
41° 40' 23"				40° 25' 40" 28"														
41 40° 23' 40 40				40 40 40 40 40 40				40 40 40 40				9668	7400					
				40 21 40 40								9981	7853					
				521 92								4581	4551	CANCELLED				
								40° 20' 68 74				G-94	G-48	26170				
								40° 20' 68 74				30325	24069	26169				
								19° 26'				30395	24069	26169				
								24° 30'				37212	27731	34485				
				Trans 3393 Sp. Or. V28 P54								G-3092	G-2823	42536				
Umatilla R. Vol. 3				40° 39' 21 38 44								45883	34976	Supplemental				
Columbia R. Misc. Vol. 3-A												G-5145	G-4878					
												G-5145	G-4878					

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 3N RANGE 27E W. M. SECTION 4 Card #2

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES																		
								15 40 40 40								50951	37150	
				31° 31°												Trans 3393	V28 P54	
X - - X												X X X X				48966	41512	

Columbia R. Misc. & Wells

TOWNSHIP 3N RANGE 27E W. M. SECTION 5

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES																		
10 92 41 03				41 14 41 25														
19								39 26 40 40								9981	7853	CANCELLED
40 40				34 40				Trans 3393 Sp. Or. V28 P54								G-3092	G-2823	72526
10 40				10 40												G-5145	G-4878	
10 40				10 40												G-5145	G-4878	
								10 40 40 40 40 40 40 40								50951	37150	
16° 16°				31° 31°												Trans 3393	V28 P54	

(SEE BACK OF CARD FOR PLAT OF SECTION)

COPY OF MAP OF T 3393

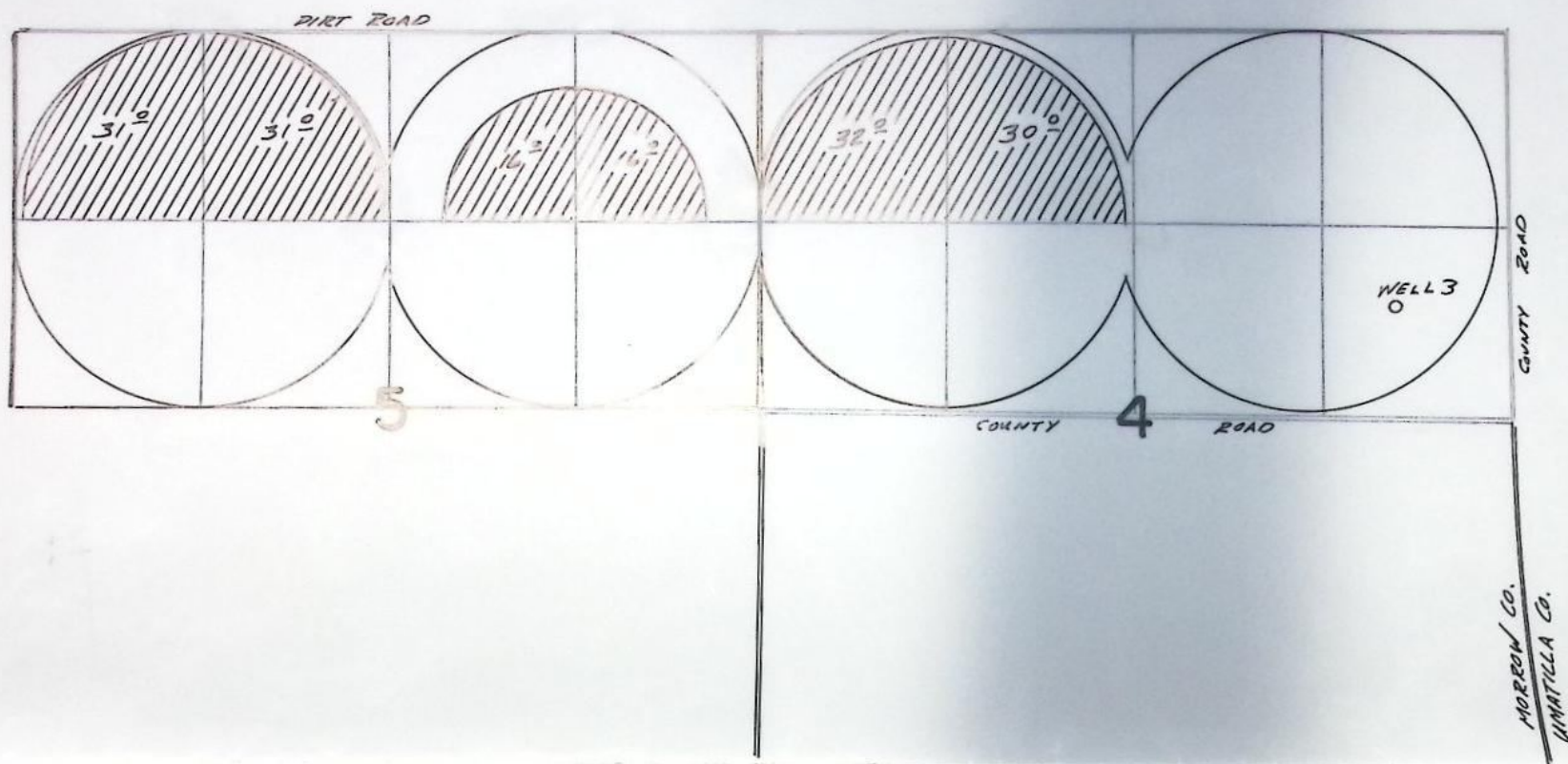
WELL 3: NEWMAN 40 HP @ 1775 RPM  
PEERLESS TURB, 6" DISCHARGE

B { RELIANCE 25 HP @ 1765 RPM  
BERKELEY RADIAL FLOW, 6" x 5"

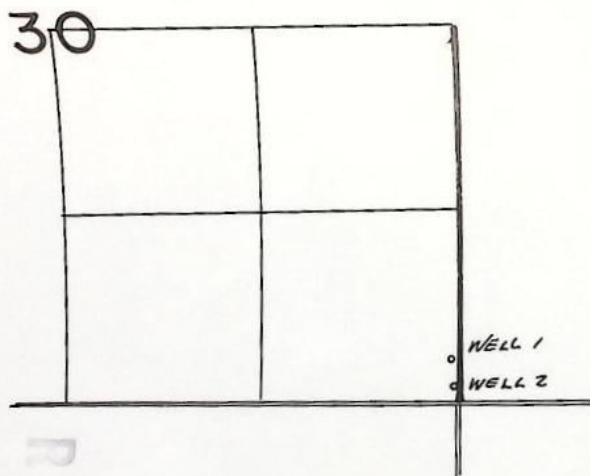
WESTINGHOUSE 200 HP @ 1773 RPM  
FLOWAY TURB, 10" DISCHARGE  
2000 GPM @ 370'

US MOTORS 200 HP @ 1775 RPM  
BYRON JOHNSON, 10" DISCHARGE  
1600 GPM @ 430'

T 3N., R. 27E., W.M.



T. 4N., R. 27E., W.M.



WELL 1 LOCATED 290' N. & 50' W. FROM SE COR. SEC. 30, T. 4N. R. 27E. W.M.  
WELL 2 LOCATED 100' N. & 40' W. FROM SE COR. SEC. 30, T. 4N. R. 27E. W.M.  
WELL 3 LOCATED 1970' S. & 790' W. FROM NE COR. SEC. 4, T. 3N. R. 27E. W.M.

## FINAL PROOF SURVEY

UNDER

TRANSFER 3393

IN NAME OF

JIM & DON KEY

SURVEYED AUGUST 4, 1978 by R. BARWIN

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED  
DEC 22 1982

Superseded  
1983

PTS-1978-P-D  
272-169  
NE-1MM-123,115

- April 27, 1965  
 May 10, 1965  
 x April 16, 1974  
 x Sept ~~5~~<sup>5</sup>, 1978  
 x March 31, 1970  
 July 2, 1971  
 April 11, 1975  
 x June 9, 1978  
 x April 14, 1976  
 Oct 15, 1976  
 Aug 4, 1978  
 Aug 8, 1978  
 Feb 1, 1980
- G-3092 Filed  
 G-2823 issued for 8 wells  
 S  $\frac{1}{2}$  N  $\frac{1}{2}$  Sec 4 & 5 320 Acres  
 Field report  
 5 wells constructed  
 manifolded, Q total for all 5 = 1000 gpm  
 Certificate 42526 issued  
 for 5 wells @ 2.23 cfs for 312.1 acres.
- G-5145 Filed  
 G-4878 issued for 2 wells  
 primary & supplemental 640 Acres N  $\frac{1}{2}$  Sec 4 & 5  
 Field report  
 2 wells constructed  
 but valued down to prevent air sucking  
 Q = 1500 gpm each  
 certificate 45788 issued  
 for 2 wells, 3.34 cfs each well  
 Primary 313.7 Ac Supplemental 312.1 Ac
- transfer 3393 Filed POU, POU  
 approved  
 from 5 wells to 3 wells  
 from wheel lines to circles (3)  
 Field report  
 3 wells 4 pivots  
 Note transfer application missing  
 certificate 48986 issued  
 3 wells 312.1 acres 2.23 cfs





RECEIVED

FEB 27 1978

WATER RESOURCES DEPT  
SALEM, OREGON

*Water Resources Department*  
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 12, 1978

Jim & Don Key  
Rt. 1 Box 1844  
Hermiston, OR 97838

RE: File No. T- 3393

Dear Mr. and Mrs. Key:

The time allowed for completion of the changes in points of diversion and place of use of water from ground water, proposed by your water right transfer application No. 3393, expired on October 1, 1977.

If the authorized changes were accomplished on or before said date, please fill out and sign the statement of completion at the bottom of this letter and send it to us.

If you were unable to fully accomplish the change within the time allowed, but were dilligently working on it and, therefore, you want to apply for an extension of the time limit, check the box at the very bottom of this letter to request the proper application form.

Sincerely,

*James W. Carver Jr.*  
James W. Carver, Jr.  
Engineer

JWC:lcj

STATEMENT OF COMPLETION

I hereby certify that completion of works and use of water to the extent intended within the provisions of the order of the Water Resources Director approving water right transfer application No. 3393 was accomplished by October, 1976.

Feb 9 1978  
Date

Don C Key  
Signature

☐ Please send form for application for extension of time limit.

# GROUND WATER PUMPAGE FOR YEAR 19\_\_

**RECEIVED**

FEB 27 1978

WATER RESOURCES DEPT  
SALEM, OREGON

Owner Donald Clark Key

Permit No. \_\_\_\_\_

Certificate No. \_\_\_\_\_

45 + 45A

Owners Well No. KEY 1+2

Meter Make \_\_\_\_\_

Serial No. \_\_\_\_\_

Capacity Multiple Factor \_\_\_\_\_

Month	Date	Water Meter Reading		Power Consumption	(For Office Use Only) Monthly Total		
		Beginning	Ending	(Kilowatt Hours)	AcreFeet	Cubic Feet	Gallons
Jan.							
Feb.							
Mar.							
Apr.	1/1977	0					
May				15 69.72			
Jun.				1 440.40			
Jul.				1 4101.60			
Aug.				1,384.36			
Sep.				1,320 32			
Oct.			448655	1,047.72			
Nov.							
Dec.							
Annual Total							

# GROUND WATER PUMPAGE FOR YEAR 19\_\_

**RECEIVED**

FEB 27 1978

WATER RESOURCES DEPT  
SALEM, OREGON

Owner Jim & Don Hay - Clark + Bernice Ray

Permit No. \_\_\_\_\_

23 1A

Certificate No. \_\_\_\_\_

Owners Well No. ~~45~~

Meter Make \_\_\_\_\_

Serial No. \_\_\_\_\_

Capacity Multiple Factor 100

Month	Date	Water Meter Reading		Power Consumption (Kilowatt Hours)	(For Office Use Only) Monthly Total		
		Beginning	Ending		Acre Feet	Cubic Feet	Gallons
Jan.							
Feb.							
Mar.							
Apr.	1/1977	0					
May		-		26.600			
Jun.				24,580			
Jul.				28860			
Aug.				28 <sup>3</sup> 40			
Sep.				27840			
Oct.	15/1977		<del>471860</del>	12,120			
Nov.			854480				
Dec.							
Annual Total							



## WATER RESOURCES DEPARTMENT

UMATILLA COUNTY COURTHOUSE

P.O. BOX 1427 • PENDLETON, OR • 97801 • Phone 276-7111

ROBERT W. STRAUB  
GOVERNOR

May 17, 1976

JAMES E. SEXSON  
Director

WATER POLICY REVIEW  
BOARD

EMERY N. CASTLE  
Chairman  
Corvallis

CHAPIN D. CLARK  
Vice Chairman  
Eugene

GEORGE H. PROCTOR  
Klamath Falls

ANN W. SQUIER  
Portland

RICHARD ROY  
Portland

JAMES HILL  
Arch Cape

JEAN FROST  
Portland

Wayne J. Overcash  
Water Resources Department  
1178 Chemeketa St. N. E.  
Salem. Or 97310

Subject: T-3393

Dear Wayne:

This is concerning the Watermaster report for T-3393.

To my knowledge, this transferr can be made without injury  
to existing rights.

If I can be of furthur help in this matter feel free to contact  
me.

Sincerely,

*William I. Porfily*

William I. Porfily  
Watermaster Dist #5

WIP:111

**RECEIVED**  
MAY 20 1976  
WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF FILING  
APPLICATION FOR A  
CHANGE IN POINTS OF  
DIVERSION AND PLACE OF  
USE OF WATER

Notice is given hereby that Jim and Don Key have filed an application for the approval of changes in points of diversion and place of use of ground water.

Certificate of water right issued to Don C. and Jim M. Key and recorded at Page 42526, Vol. 34, State Record of Water Right Certificates, confirms a right to the use of 2.23 cubic feet per second of water from five wells for the irrigation of 40.0 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, 38.0 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, 40.0 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, 40.0 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 4., 40.0 acres in SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, 40.0 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, 34.1 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> and 40.0 acres in SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, Sec. 5, T. 3. N., R. 27 E., W.M., with a date of priority of April 27, 1965. The

five wells are located (1) 1990 ft. S. and 30 ft. W., (2) 1920 ft. S. and 820 ft. W., (3) 1910 ft. S. and 2680 ft. W., (4) 1970 ft. S. and 3950 ft. W., and (5) 2000 ft. S. and 7890 ft. W., all from the NE corner of Sec. 4, being within the (1 & 2) SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> and (3 & 4) SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Sec. 4, and (5) SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of Sec. 5, T. 3 N., R. 27 E., W.M.

The applicants herein, owners of the lands above described, propose to change the place of use of water to the irrigation of 124.0 acres within a circle in the NW<sup>1</sup>/<sub>4</sub> of Sec. 4, 64.1 acres within a circle in the NE<sup>1</sup>/<sub>4</sub> and 124.0 acres within a circle in the NW<sup>1</sup>/<sub>4</sub> of Sec. 5, T. 3 N., R. 27 E., W.M., and to irrigate these lands by means of one of the wells above described as being located 1920 ft. S. and 820 ft. W. from the NE corner of Sec. 4, being within the SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of Sec. 4, T. 3. N., R. 27 E., W.M., and by means of two other wells located (1) 100 ft. N. and 40 ft. W. and (2) 400 ft. N. and 40 ft. W., both from the NW corner of Sec. 32, both being within the SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Sec. 30, T. 4 N., R. 27 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Heppner, Oregon, on July 15, 1976 at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Jim and Don Key, Rt. 1, Box 1844, Hermiston, Oregon 97838, and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. If no objection is filed, the application may be approved by the Water Resources Director without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 11th day of May, 1976.

JAMES E. SEXSON  
Director

Published May 20, 27,  
June 3, 1976

AFFIDAVIT OF PUBLICATION

STATE OF OREGON }  
County of Morrow } ss:

I, ..... Wil Phinney.....

being first duly sworn, depose and say that I am the ..... editor..... of the HEPPNER GAZETTE-TIMES, a newspaper of general circulation, as defined by O.R.S. 193.010 and 193.020; printed and published at Heppner, Oregon: that the Notice of Filing..... Application For a Change in Points..... of Diversion and Place of Use of..... Water.....

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for ..... three..... successive and consecutive weeks in the following issues: May 20, 27,..... June 3, 1976.....

*W. C. Phinney*

Subscribed and sworn before me this ..... 29..... day of ..... June....., 1976.....

*Milton Ray Boyce*

Notary Public for Oregon

My Commission Expires: 3-22-79  
(SEAL)

UNITED STATES DEPARTMENT OF AGRICULTURE  
FARMERS HOME ADMINISTRATION  
1229 SE Third  
Pendleton, OR 97801

April 28, 1976

Wayne J. Overcash, Water Rights Engineer  
Water Resources Department  
1178 Chemeketa Street NE  
Salem, OR 97310

Re: Transfer Number 3393

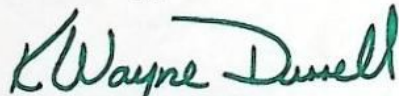
Dear Mr. Overcash:

Donald C. Key furnished Farmers Home Administration a copy of your letter to him dated April 19, 1976.

As mortgagee of a tract of land owned by Donald C. Key located in Section 4, Township 3 North, Range 27 East of the Willamette Meridian, we concur with Mr. Key's request to transfer the point of Diversion and place of use of ground water as described in Transfer number 3393.

If additional information is needed, please contact us.

Sincerely,



K. Wayne Durrell  
County Supervisor

cc: Don Key, District Director 1, State Director

KWD/dh

RECEIVED

APR 29 1976

WATER RESOURCES DEPT  
SALEM, OREGON

T-3393

8-7-78

Transfer application missing

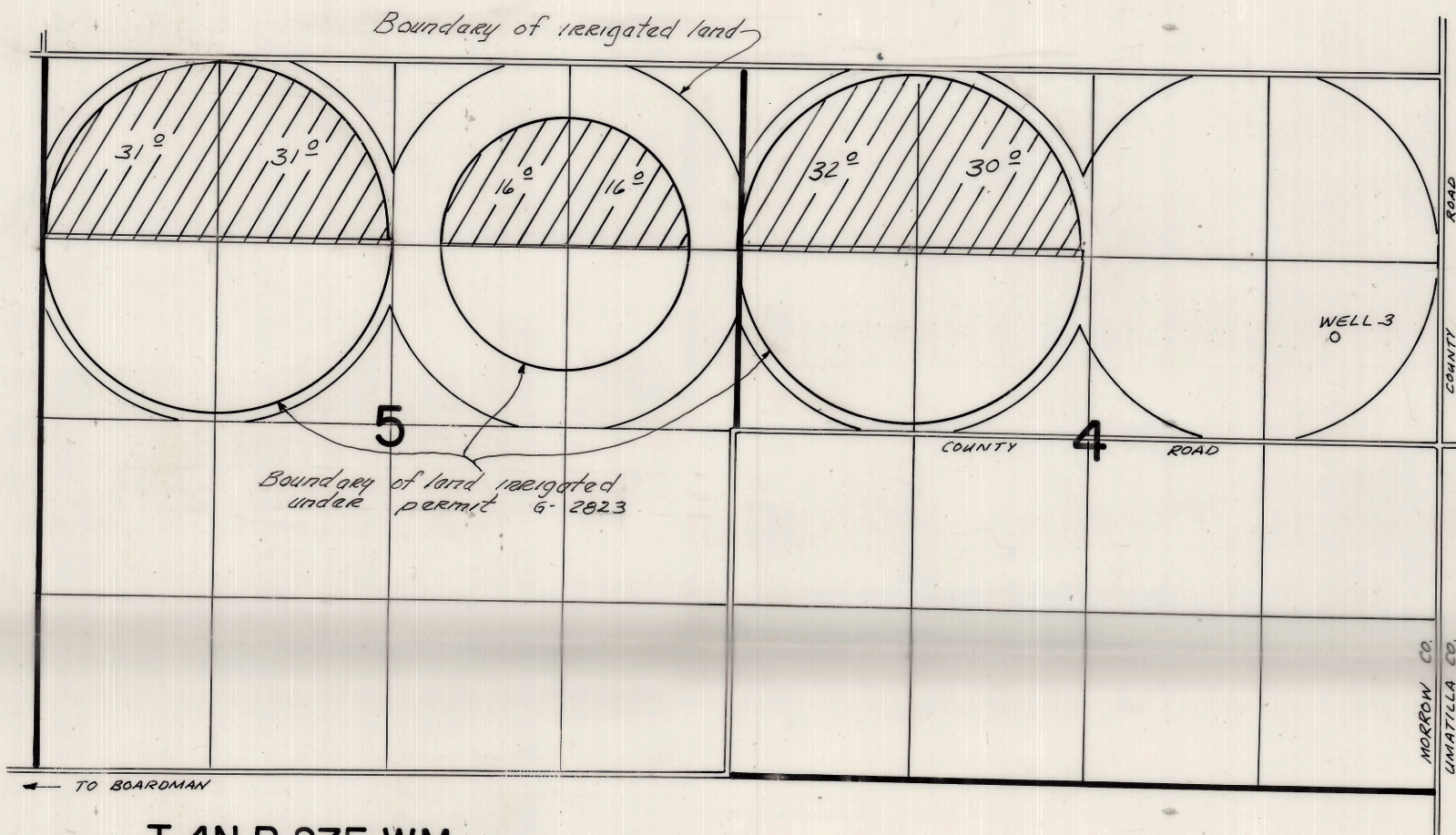
W. Shook

10-2-81

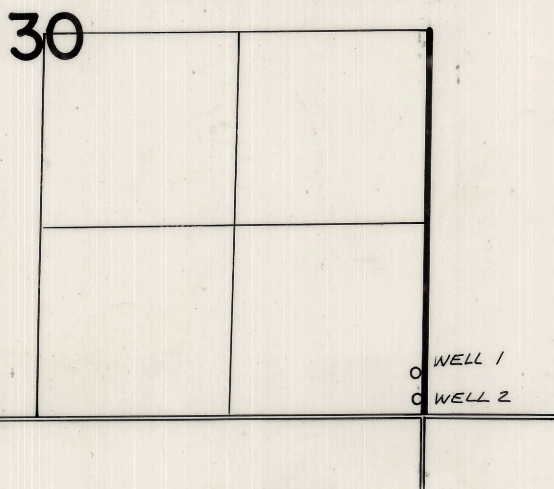
still missing

AD

T. 3N. R. 27E. W.M.



T. 4N. R. 27E. W.M.



WELL 1 LOCATED 290' N. & 50' W. FROM SE COR SEC 30, T. 4N. R. 27E. W.M.  
WELL 2 LOCATED 100' N. & 40' W. FROM SE COR SEC 30, T. 4N. R. 27E. W.M.  
WELL 3 LOCATED 1970' S. & 790' W. FROM NE COR SEC 4, T. 3N. R. 27E. W.M.

FINAL PROOF SURVEY

UNDER

TRANSFER 3393

IN NAME OF

JIM & DON KEY

SURVEYED AUGUST 4, 1978 by R. BARWIN

*Supervised*  
1983

WATER RESOURCES DEPT.

DEC 22 1982

RECEIVED

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272-169  
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