



Oregon Water Resources Department
 721 Summer Street NE, Suite A
 Salem, OR 97301-1271

OAR Chapter 690, Division 385
District Temporary Transfer Application
 Duration: One Irrigation Season
2008

District: Butter Creek Irrigation District

Contact Person: Bill Porfily Phone: (541) 449-1327

Mailing Address: P.O. Box 110, Hermiston, OR 97838

1st of 5 Primary Water Rights

I. Pursuant to ORS 540.570 and OAR Chapter 690, Division 385, the district proposes to change the place of use for the following water rights:

WATER RIGHT			
PERMIT NUMBER	CERTIFICATE NUMBER	DECREE (name, volume, and page)	PRIMARY (P) or SUPP (S)
	80705	Hale Brothers Farms (RN Stanfield Cert. 2692)	Primary
46499**		John Madison	Supp
G-434	81408	Hale Brothers Farm.	Supp

****Permit 46499**

The season for the use of this water right has past for the 2008 irrigation season. This water right will not be used during this temporary transfer.

II. The point(s) of diversion for the water right proposed for transfer are as follows:

POINT(S) OF DIVERSION / APPROPRIATION				
PERMIT	DECREE or CERTIFICATE	POD#	SOURCE	LOCATION - LEGAL DESCRIPTION
	80705	#1	Butter Creek	50 ft S & 350 ft W from E 1/4 Cor. Sec. 2, T2N, R27E WM
46499		#1	Butter Creek	50 ft S & 350 ft W from E 1/4 Cor. Sec. 2, T2N, R27E WM (#H on permit)
G-434	81408	#3	Ammon Well #2	100 ft S & 130 ft W from E 1/4 Cor. Sec. 2, T2N, R27E WM
G-434	81408	#4	Hansen Well #1	10 ft S & 10 ft E from NW Cor. Sec. 12 T2N, R27E, WM
G-434	81408	#5	Hale Sr. Well	1040 ft S & 440 ft W from NE Cor. Sec. 7, T2N R28E, WM

III. The district proposes to change the place of use from the authorized location listed in Table 1 to the location listed in Table 2.

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TABLE 1. – AUTHORIZED PLACE OF USE

WATER RIGHT		Primary PRIORITY DATE	USE	POD-POA #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree PRIMARY	Cert/Perm SUPP				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
80705		1896	Irr	#1	2N	27E	1	NW SW			200	4.0	Hale Brothers Farms
	P 46499	10-16-78	Supp Irr	#1	2N	27E	1	NW SW			200	4.0	Hale Brothers Farms
	P G-434 C 81408	1-21-57	Supp Irr	#3, #4, #5	2N	27E	1	NW SW			200	4.0	Hale Brothers Farms
80705		1896	Irr	#1	2N	27E	2	SE NE			200	.7	Hale Brothers Farms
	P 46499	10-16-78	Supp Irr	#1	2N	27E	2	SE NE			200	.7	Hale Brothers Farms
	P G-434 C 81408	1-21-57	Supp Irr	#3, #4, #5	2N	27E	2	SE NE			200	.7	Hale Brothers Farms
80705		1896	Irr	#1	2N	27E	2	NE SE			200	2.9	Hale Brothers Farms
	P46499	10-16-78	Supp Irr	#1	2N	27E	2	NE SE			200	2.9	Hale Brothers Farms
	P G-434 C 81408	1-21-57	Supp Irr	#3, #4, #5	2N	27E	2	NE SE			200	2.9	Hale Brothers Farms
80705		1896 5.53a 1866 0.47a	Irr	#1	2N	27E	2	NW SE			200	6.0	Hale Brothers Farms
	P46499	10-16-78	Supp Irr	#1	2N	27E	2	NW SE			200	6.0	Hale Brothers Farms
	P G-434 C 81408	1-21-57	Supp Irr	#3, #4, #5	2N	27E	2	NW SE			200	6.0	Hale Brothers Farms
											Total	13.6	

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**During this Temporary Transfer
these acres will be Supplemental to
Permit 51017 (Madison) at the
Place of use**

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TABLE 2. – PROPOSED PLACE OF USE

WATER RIGHT		Primary PRIORITY DATE	USE	POD- POA #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree PRIMARY	Cert/Perm SUPP				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
	80705	1896	Supp Irr	#1	3N	28E	32	NW SW			9000	13.6	Hale Brothers Farms
	P46499	10-16-78	Supp Irr	#1	3N	28E	32	NW SW			9000	13.6	Hale Brothers Farms
	P G-434 C 81408	1-21-57	Supp Irr	#3, #4, #5	3N	28E	32	NW SW			9000	13.6	Hale Brothers Farms

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2nd of 5 Primary Water Rights

I. Pursuant to ORS 540.570 and OAR Chapter 690, Division 385, the district proposes to change the place of use for the following water rights:

WATER RIGHT			
PERMIT NUMBER	CERTIFICATE NUMBER	DECREE (name, volume, and page)	PRIMARY (P) or SUPP (S)
G-434	81408	Hale Brothers Farm	Primary

II. The point(s) of diversion for the water right proposed for transfer are as follows:

POINT(S) OF DIVERSION / APPROPRIATION				
PERMIT	DECREE or CERTIFICATE	POD- POA#	SOURCE	LOCATION - LEGAL DESCRIPTION
G-434	81408	#3	Well	100 ft S. & 130 ft W from E1/4 Cor. Sec. 2 T2N R27E WM
G-434	81408	#4	Well	10 ft S. & 10 ft E from NW Cor. Sec. 12 T2N R27E WM
G-434	81408	#5	Well	1040 ft S. & 440 ft W from NE Cor. Sec. 7 T2N R28E WM

III. The district proposes to change the place of use from the authorized location listed in Table 1 to the location listed in Table 2.

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TABLE 1. - AUTHORIZED PLACE OF USE

WATER RIGHT		Primary	USE	POD- POA #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree PRIMARY	Cert/Perm SUPP	PRIORITY DATE			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
81408		1-21-57	Irr	#3, #4, #5	2N	27 E	1	NE NE			100	11.22	Hale Brothers Farm
81408		1-21-57	Irr	#3, #4, #5	2N	27 E	1	SW NE			100	.81	Hale Brothers Farm
81408		1-21-57	Irr	#3, #4, #5	2N	27 E	1	SE NE			100	7.39	Hale Brothers Farm
81408		1-21-57	Irr	#3, #4, #5	2N	27 E	1	NE SE			100	0.3	Hale Brothers Farm
81408		1-21-57	Irr	#3, #4, #5	2N	27 E	1	NW SE			100	17.22	Hale Brothers Farm
81408		1-21-57	Irr	#3, #4, #5	2N	27 E	2	SW NE			100	6.7	Hale Brothers Farm
81408		1-21-57	Irr	#3, #4, #5	2N	27 E	2	SE NE			100	10.5	Hale Brothers Farm
81408		1-21-57	Irr	#3, #4, #5	2N	27 E	2	NE SE			100	1.2	Hale Brothers Farm
81408		1-21-57	Irr	#3, #4, #5	2N	27 E	2	NW SE			100	17.6	Hale Brothers Farm
											Total	72.94	

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TABLE 2. – PROPOSED PLACE OF USE

WATER RIGHT		Primary	USE	POD- POA	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree	Cert/Perm	PRIORITY			TWP	RNG	SEC	QQ	DLC	GOVT LOT	TAX LOT		
PRIMARY	SUPP	DATE	#										
	81408	1-21-57	Supp Irr	#3, #4, #5	3N	28E	32	NW SW			9000	3.16	Hale Brothers Farm
	81408	1-21-57	Supp Irr	#3, #4, #5	3N	28E	32	SW SW			9000	27.5	Hale Brothers Farm
	81408	1-21-57	Supp Irr	#3, #4, #5	3N	28E	32	SE SW			9000	27.5	Hale Brothers Farm
	81408	1-21-57	Supp Irr	#3, #4, #5	3N	28E	32	SE SE			9000	14.78	Hale Brothers Farm
											Total	72.94	Hale Brothers Farm

**During this Temporary Transfer
these acres will be Supplemental to
Permit 51017 (Madison) at the
Place of use**

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**WATER RESOURCES DEPT
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3rd of 5 Primary Water Rights

I. Pursuant to ORS 540.570 and OAR Chapter 690, Division 385, the district proposes to change the place of use for the following water rights:

WATER RIGHT			
PERMIT NUMBER	CERTIFICATE NUMBER	DECREE (name, volume, and page)	PRIMARY (P) or SUPP (S)
G-1227	81409	Hale Brothers Farms	Primary

II. The point(s) of diversion for the water right proposed for transfer are as follows:

POINT(S) OF DIVERSION / APPROPRIATION				
PERMIT	DECREE or CERTIFICATE	POD- POA#	SOURCE	LOCATION - LEGAL DESCRIPTION
G-1227	81409	#3	Ammon Well #2	100 ft S. & 130 ft W from E 1/4 Cor. Sec. 2 T2N R27E WM
G-1227	81409	#4	Hanson Well #1	10 ft S. & 10 ft E from NW Cor. Sec 12 T2N R27E WM
G-1227	81409	#5	Hale Sr. Well	1040 ft S. & 440 ft W from NE Cor. Sec. 7 T2N R28E WM

III. The district proposes to change the place of use from the authorized location listed in Table 1 to the location listed in Table 2.

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TABLE 1. – AUTHORIZED PLACE OF USE

WATER RIGHT		Primary PRIORITY DATE	USE	POD- POA #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree PRIMARY	Cert/Perm SUPP				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
81409		1-21-59	Irr	#3, #4, #5	2N	27 E	1	SE SW			404	2.5	Hale Brothers Farm
81409		1-21-59	Irr	#3, #4, #5	2N	27 E	1	SW SE			404	13.5	Hale Brothers Farm
81409		1-21-59	Irr	#3, #4, #5	2N	27 E	2	SW SE			401	10.0	Hale Brothers Farm
81409		1-21-59	Irr	#3, #4, #5	2N	27 E	12	NW NE			400	1.5	Hale Brothers Farm
81409		1-21-59	Irr	#3, #4, #5	2N	27 E	12'	NE NW			404 & 400	20.0	Hale Brothers Farm
Total											47.5		

TABLE 2. – PROPOSED PLACE OF USE

WATER RIGHT		Primary PRIORITY DATE	USE	POD- POA #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree PRIMARY	Cert/Perm SUPP				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
	81409	1-21-1959	Supp Irr	#3, #4, #5	3N	28E	32	NE SW			9000	27.5	Hale Brothers Farms
	81409	1-21-1959	Supp Irr	#3, #4, #5	3N	28E	32	NWSW			9000	10.54	Hale Brothers Farms
	81409	1-21-1959	Supp Irr	#3, #4, #5	3N	28E	32	NW SE			9000	9.46	Hale Brothers Farms
Total											47.5		

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During this Temporary Transfer
these acres will be Supplemental to
Permit 51017 (Madison) at the
Place of use

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4th of 5 Primary Water Rights

I. Pursuant to ORS 540.570 and OAR Chapter 690, Division 385, the district proposes to change the place of use for the following water rights:

WATER RIGHT			
PERMIT NUMBER	CERTIFICATE NUMBER	DECREE (name, volume, and page)	PRIMARY (P) or SUPP (S)
	63802	Hale Brothers Farms	Primary
46499**		John Madison	Supp

****Permit 46499**

The season for the use of this water right has past for the 2008 irrigation season. This water right will not be used during this temporary transfer.

II. The point(s) of diversion for the water right proposed for transfer are as follows:

POINT(S) OF DIVERSION / APPROPRIATION				
PERMIT	DECREE or CERTIFICATE	POD- POA#	SOURCE	LOCATION - LEGAL DESCRIPTION
	63802	#6	Butter Creek	1330 ft S& 270 ft E from N1/4 Cor., Sec.11, T2N, R27E WM
46499**		#6	Butter Creek	1400 ft S& 300 ft E from N1/4 Cor., Sec.11, T2N, R27E WM #J per the permit

III. The district proposes to change the place of use from the authorized location listed in Table 1 to the location listed in Table 2.

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TABLE 1. – AUTHORIZED PLACE OF USE

WATER RIGHT		Primary	USE	POD #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree	Cert/Perm	PRIORITY			TWP	RNG	SEC	QQ	DLC	GOV'T	TAX LOT		
PRIMARY	SUPP	DATE	#	TWP	RNG	SEC	QQ	DLC	LOT	TAX LOT	ACRES	USER NAME	
63802		1896*	Irr.	#6	2N	27 E	11	NE SW			1400, 1401	40.0	Hale Brothers Farm
	P46499	10-16-78	Supp Irr	#6	2N	27E	11	NE SW			1400, 1401	40.0	Hale Brothers Farms
<p>* For this Temporary Transfer we would like to claim the 1896 Priority (youngest) of the 4 Described in Certificate 63802</p>													

**During this Temporary Transfer
there acres will be Supplemental to
Permit 51017 (Madison) at the
Place of use**

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TABLE 2. – PROPOSED PLACE OF USE

WATER RIGHT		Primary PRIORITY DATE	USE	POD- POA #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree PRIMARY	Cert/Perm SUPP				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
	63802	1896	Supp Irr	#6	2N	28E	5	NE SE			9000	27.5	Hale Brothers Farms
	P46499	10-16-78	Supp Irr	#6	2N	28E	5	NE SE			9000	27.5	Hale Brothers Farms
	63802	1896	Supp Irr	#6	2N	28E	5	NW SE			9000	7.26	Hale Brothers Farms
	P46499	10-16-78	Supp Irr	#6	2N	28E	5	NW SE			9000	7.26	Hale Brothers Farms
	63802	1896	Supp Irr	#6	2N	28E	5	SE SE			9000	5.24	Hale Brothers Farms
	P46499	10-16-78	Supp Irr	#6	2N	28E	5	SE SE			9000	5.24	Hale Brothers Farms
											Total	40.0	

**During this Temporary Transfer
there acres will be Supplemental to
Permit 51017 (Madison) at the
Place of use**

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5th of 5 Primary Water Rights

I. Pursuant to ORS 540.570 and OAR Chapter 690, Division 385, the district proposes to change the place of use for the following water rights:

WATER RIGHT			
PERMIT NUMBER	CERTIFICATE NUMBER	DECREE (name, volume, and page)	PRIMARY (P) or SUPP (S)
	63802	Hale Brothers Farm	Primary
46499		John Madison	Supp
G-1227	81409	Hale Brothers Farms	Supp

****Permit 46499**

The season for the use of this water right has past for the 2008 irrigation season. This water right will not be used during this temporary transfer.

II. The point(s) of diversion for the water right proposed for transfer are as follows:

POINT(S) OF DIVERSION / APPROPRIATION				
PERMIT	DECREE or CERTIFICATE	POD#	SOURCE	LOCATION - LEGAL DESCRIPTION
	63802	#6	Butter Creek	1330 ft S & 270 ft E from N 1/4 Cor., Sec. 11, T2N, R27E WM
46499		#6	Butter Creek	1400 ft S & 300 ft E from N 1/4 Cor., Sec. 11, T2N, R27E WM (#J per the permit)
G-1227	81409	#3	Ammon Well #2	100 ft S. & 130 ft W from E1/4 Cor. Sec. 2 T2N R27E WM
G-1227	81409	#4	Hanson Well #1	10 ft S & 10 ft E from NW Cor. Sec 12 T2N R27E WM
G-1227	81409	#5	Hale Sr. Well	1040 ft S & 440 ft W from NE Cor. Sec. 7 T2N R28E WM

III. The district proposes to change the place of use from the authorized location listed in Table 1 to the location listed in Table 2.

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TABLE 1. – AUTHORIZED PLACE OF USE

WATER RIGHT		Primary	USE	POD- POA #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree	Cert/Perm	PRIORITY			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
PRIMARY	SUPP	DATE											
63802		1896*	Irr.	#6	2N	27 E	1	SW SE			404	1.76	Hale Brothers Farm
	81409	1-21-1959	Supp Irr	#3, #4, #5	2N	27 E	1	SW SE			404	1.76	Hale Brothers Farm
	P46499	10-16-78	Supp Irr	#6	2N	27 E	1	SW SE			404	1.76	Hale Brothers Farm
63802		1896*	Irr.	#6	2N	27 E	2	SW SE			401	23.0	Hale Brothers Farm
	81409	1-21-1959	Supp Irr	#3, #4, #5	2N	27 E	2	SW SE			401	23.0	Hale Brothers Farm
	P46499	10-16-78	Supp Irr	#6	2N	27 E	2	SW SE			401	23.0	Hale Brothers Farm
63802		1896*	Irr.	#6	2N	27 E	11	NW NE			401	21.0	Hale Brothers Farm
	81409	1-21-1959	Supp Irr	#3, #4, #5	2N	27 E	11	NW NE			401	21.0	Hale Brothers Farm
	P46499	10-16-78	Supp Irr	#6	2N	27 E	11	NW NE			401	21.0	Hale Brothers Farm
											Total	45.76	

* For this Temporary Transfer we would like to claim the 1896 Priority (youngest) of the 4 Described in the Certificate

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During this Temporary Transfer
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Permit 51017 (Madison) at the
Place of use

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TABLE 2. – PROPOSED PLACE OF USE

WATER RIGHT		Primary	USE	POD- POA #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree	Cert/Perm	PRIORITY			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
PRIMARY	SUPP	DATE											
	63802	1896*	Supp Irr	#6	2N	28 E	5	NW SE			9000	10.78	Hale Brothers Farm
	81409	1-21-1959	Supp Irr	#3, #4, #5	2N	28 E	5	NW SE			9000	10.78	Hale Brothers Farm
	P46499	10-16-78	Supp Irr	#6	2N	28 E	5	NW SE			9000	10.78	Hale Brothers Farm
	63802	1896*	Supp Irr	#6	2N	28 E	5	SW SE			9000	27.5	Hale Brothers Farm
	81409	1-21-1959	Supp Irr	#3, #4, #5	2N	28 E	5	SW SE			9000	27.5	Hale Brothers Farm
	P46499	10-16-78	Supp Irr	#6	2N	28 E	5	SW SE			9000	27.5	Hale Brothers Farm
	63802	1896*	Supp Irr	#6	2N	28 E	5	SE SE			9000	7.48	Hale Brothers Farm
	81409	1-21-1959	Supp Irr	#3, #4, #5	2N	28 E	5	SE SE			9000	7.48	Hale Brothers Farm
	P46499	10-16-78	Supp Irr	#6	2N	28 E	5	SE SE			9000	7.48	Hale Brothers Farm
											Total	45.76	

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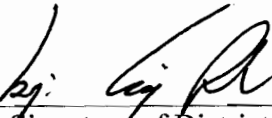
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**During this Temporary Transfer
there acres will be Supplemental to
Permit 51017 (Madison) at the
Place of use**

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- IV. Enclosed is a map for each proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- V. The water right proposed for transfer is a water right subject to transfer and has not been forfeited for nonuse under ORS 540.610.
- VI. Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- VII. The district has notified each affected user that the Department may condition or reject the transfer at any time to the extent necessary to avoid injury to an existing water right, and that the use of water on lands from which the water right is transferred (authorized place of use) and at the proposed place of use during the same irrigation season or calendar year may subject both the user and district to civil penalties.
- VIII. Enclosed is the application fee in the amount of: \$505.00

I certify that the information contained in this district permanent transfer application is true and accurate.



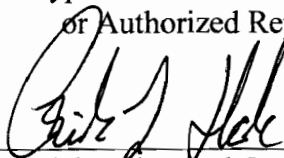
Signature of District Manager
or Authorized Representative

03-27-08

Date

Craig Reeder

Typed Name of District Manager
or Authorized Representative



Rick Hale Land Owner

3/27/08

Date

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