



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  
**2010**

District: Butter Creek Irrigation District

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

Mailing Address: 73120 Highway 207, Echo, OR 97826

**1<sup>st</sup> 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 Cert/Decree PRIMARY	Cert/Perm SUPP	Primary PRIORITY DATE	USE	POD-POA #	LEGAL DESCRIPTION							ACRES	USER NAME	
					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	0.7	Hale Brothers Farms
	P 46499	10-16-78	Supp Irr	#1	2N	27E	2	SE NE				200	0.7	Hale Brothers Farms
	P G-434 C 81408	1-21-57	Supp Irr	#3, #4, #5	2N	27E	2	SE NE				200	0.7	Hale Brothers Farms
80705		1896	Irr	#1	2N	27E	2	NE SE				200	1.8	Hale Brothers Farms
	P46499	10-16-78	Supp Irr	#1	2N	27E	2	NE SE				200	1.8	Hale Brothers Farms
	P G-434 C 81408	1-21-57	Supp Irr	#3, #4, #5	2N	27E	2	NE SE				200	1.8	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	12.5	

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**TABLE 2. – PROPOSED PLACE OF USE**

WATER RIGHT Cert/Decree	Cert/Perm SUPP	Primary PRIORITY DATE	USE	POD- POA #	LEGAL DESCRIPTION						ACRES	USER NAME	
					TWP	RNG	SEC	QQ	Circle #	GOV'T LOT			TAX LOT
	80705	1896	Supp Irr	#1	2N	28E	5	NW NW	83		900	10.0	Hale Brothers Farms
	P46499	10-16-78	Supp Irr	#1	2N	28E	5	NW NW	83		900	10.0	Hale Brothers Farms
	P G-434 C 81408	1-21-57	Supp Irr	#3, #4, #5	2N	28E	5	NW NW	83		900	10.0	Hale Brothers Farms
	80705	1896	Supp Irr	#1	2N	28E	5	SW NW	83		900	2.5	Hale Brothers Farms
	P46499	10-16-78	Supp Irr	#1	2N	28E	5	SW NW	83		900	2.5	Hale Brothers Farms
	P G-434 C 81408	1-21-57	Supp Irr	#3, #4, #5	2N	28E	5	SW NW	83		900	2.5	Hale Brothers Farms

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

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2<sup>nd</sup> 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	Cert/Decree PRIMARY	Primary PRIORITY DATE	USE	POD-POA #	LEGAL DESCRIPTION							ACRES	USER NAME	
					TWP	RNG	SEC	QQ	DLC	GOVT 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	24.56	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	87.0	

**TABLE 2. - PROPOSED PLACE OF USE**

WATER RIGHT	Cert/Decree PRIMARY	Primary PRIORITY DATE	USE	POD-POA #	LEGAL DESCRIPTION							ACRES	USER NAME	
					TWP	RNG	SEC	QQ	Circle #	GOVT LOT	TAX LOT			
81408		1-21-57	Supp Irr	#3, #4, #5	2N	28E	5	NE SW	88			900	27.5	Hale Brothers Farm
81408		1-21-57	Supp Irr	#3, #4, #5	2N	28E	5	NW SW	88			900	27.5	Hale Brothers Farm
81408		1-21-57	Supp Irr	#3, #4, #5	2N	28E	5	SW SW	88			900	4.5	Hale Brothers Farm
81408		1-21-57	Supp Irr	#3, #4, #5	2N	28E	5	SE SW	88			900	27.5	Hale Brothers Farm
												Total	87.0	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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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:

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

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

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

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 Cert/Decree PRIMARY	Primary PRIORITY DATE	USE	POD- POA #	LEGAL DESCRIPTION							ACRES	USER NAME	
				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 Cert/Decree PRIMARY	Primary PRIORITY DATE	USE	POD- POA #	LEGAL DESCRIPTION							ACRES	USER NAME	
				TWP	RNG	SEC	QQ	Circle #	GOV'T LOT	TAX LOT			
81409	1-21-1959	Supp Irr	#3, #4, #5	2N	28E	5	SWNW		83		900	22.5	Hale Brothers Farms
81409	1-21-1959	Supp Irr	#3, #4, #5	2N	28E	5	SE NW		83		900	25.0	Hale Brothers Farms
											Total	47.5	

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

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**4<sup>th</sup> 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:

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

**\*\*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:

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

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 Cert/Decree PRIMARY	Primary PRIORITY DATE	USE	POD #	LEGAL DESCRIPTION						ACRES	USER NAME	
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT			TAX LOT
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
* For this Temporary Transfer we would like to claim the 1896 Priority (youngest) of the 4 Described in Certificate 63802												

**TABLE 2. -- PROPOSED PLACE OF USE**

WATER RIGHT Cert/Decree PRIMARY	Primary PRIORITY DATE	USE	POD- POA #	LEGAL DESCRIPTION						ACRES	USER NAME		
				TWP	RNG	SEC	QQ	Circle #	GOV'T LOT			TAX LOT	
63802	1896	Supp Irr	#6	2N	28E	5	NE NW	83		900	25.0	Hale Brothers Farms	
P46499	10-16-78	Supp Irr	#6	2N	28E	5	NE NW	83		900	25.0	Hale Brothers Farms	
63802	1896	Supp Irr	#6	2N	28E	5	NW NW	83		900	15.0	Hale Brothers Farms	
P46499	10-16-78	Supp Irr	#6	2N	28E	5	NW NW	83		900	15.0	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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5<sup>th</sup> 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 Cert/Decree	Primary PRIORITY DATE	USE	POD- POA #	LEGAL DESCRIPTION						ACRES	USER NAME	
				TWP	RNG	SEC	QQ	DLC	GOVT LOT			TAX LOT
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
										Total	23.0	

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

**TABLE 2. - PROPOSED PLACE OF USE**

WATER RIGHT Cert/Decree	Primary PRIORITY DATE	USE	POD- POA #	LEGAL DESCRIPTION						ACRES	USER NAME	
				TWP	RNG	SEC	QQ	Circle #	GOVT LOT			TAX LOT
63802	1896*	Supp Irr	#6	2N	28 E	5	SW SW	88		900	23.0	Hale Brothers Farm
81409	1-21-1959	Supp Irr	#3, #4, #5	2N	28 E	5	SW SW	88		900	23.0	Hale Brothers Farm
P46499	10-16-78	Supp Irr	#6	2N	28 E	5	SW SW	88		900	23.0	Hale Brothers Farm
										Total	23.0	

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

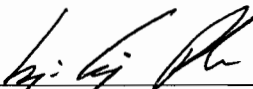
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- IV. Enclosed is a map for each proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- V. The water right proposed for transfer is a water right subject to transfer and has not been forfeited for nonuse under ORS 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.  

$$210 \text{ acres} \times \$ .50/\text{acres} = \$52.50 + 4\text{WRs} \times \$200/\text{WR} = \$800 + \$600\text{Base}$$

$$= 1452.50$$
- VIII. Enclosed is the application fee in the amount of:     \$1452.50

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

  
 Signature of District Manager  
 or Authorized Representative

03-15-10  
 Date

**Craig Reeder**  
 Typed Name of District Manager  
 or Authorized Representative

  
 Rick Hale Land Owner

\_\_\_\_\_  
 Date

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