

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application) FINAL ORDER APPROVING A
T-12220, Umatilla County) DISTRICT PERMANENT TRANSFER
) AND PARTIAL CANCELLATION OF
) WATER RIGHTS

Authority

ORS 540.570 and 540.580 establishes the process in which a district may submit a request to transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department’s procedures and criteria for evaluating district transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

WEST EXTENSION IRRIGATION DISTRICT
PO BOX 100
IRRIGON, OR 97844

Findings of Fact

1. On December 21, 2015, West Extension Irrigation District filed a district transfer application to permanently change the place of use under Certificates 79924, 79926, 79928 79929, 87872 and 87799. The Department assigned the application number T-12220.
2. Notice of the application for transfer was published on December 29, 2015, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. The portion of the first right to be transferred is as follows:

Certificate: 79924 in the name of WEST EXTENSION IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 3 at Pages 213–215.)

Use: IRRIGATION of 15.40 ACRES

Priority Date: APRIL 14, 1893

Duty/Rate: Subject to the provisions of Paragraph 33 of Umatilla River Decree

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	28	SW SW	1100 FEET NORTH AND 520 FEET EAST FROM THE SW CORNER OF SECTION 28

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	16	SE SE	801	0.50	Sanchez	2015-2
4 N	25 E	WM	16	SE SE	804	1.00	Madrigal	2015-2
4 N	25 E	WM	16	SE SE	805	0.50	Sanchez	2015-2
5 N	26 E	WM	25	NE NE	3502	0.30	Smith	2015-2
5 N	27 E	WM	13	SW SW	1700	0.40	Picard	2015-2
5 N	27 E	WM	13	SW SW	1800	0.50	Schultz	2015-2
5 N	27 E	WM	13	SW SW	1900	0.30	Englehart	2015-2
5 N	27 E	WM	13	SW SW	2000	0.20	Coombs	2015-2
5 N	27 E	WM	13	SW SW	2100	0.30	Darden	2015-2
5 N	27 E	WM	21	SW NE	easement	0.60	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	SE NE	easement	0.80	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	NE NW	400	0.10	Slawson	2015-2
5 N	27 E	WM	21	SE NW	400	0.80	Slawson	2015-2
5 N	27 E	WM	22	NE NW	502	0.10	Hodges	2015-2
5 N	27 E	WM	22	SW NW	809	2.50	Garton	2015-2
5 N	27 E	WM	22	SW NW	810	2.25	Garton	2015-2
5 N	27 E	WM	22	SW NW	811	2.00	Garton	2015-2
5 N	27 E	WM	22	SW NW	812	2.25	Garton	2015-2
Total:						15.40		

4. Transfer Application T-12220 proposes to permanently change the place of use of the above described place of use to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	13	SE SE	100	6.85	Chowning	2015-2
4 N	24 E	WM	13	SE SE	100	2.80	Chowning	2015-2
5 N	27 E	WM	30	SW NW	2200	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2300	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2400	1.70	Moore	2015-2
5 N	27 E	WM	30	SE NW	300	0.70	Thornton	2015-2
5 N	27 E	WM	30	SE NW	1400	1.30	Nelson	2015-2
5 N	27 E	WM	30	SE NW	1600	0.45	Peine	2015-2
Total:						15.40		

5. The portion of the next right to be transferred is as follows:

Certificate: 79926, issued in the name of U.S. BUREAU OF RECLAMATION (perfected under Permit S-408)

Use: IRRIGATION OF 32.70 ACRES

Priority Date: March 28, 1909

Rate & Duty: Limited to a diversion of not to exceed 2.0 acre-feet per acre in any 30 day period and not to exceed 10.0 acre-feet per acre throughout the irrigation season.

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
5 N	28 E	WM	28	SW SW	1100 FEET NORTH AND 520 FEET EAST FROM THE SW CORNER OF SECTION 28

Authorized place of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	14	SE NW	1200/1204-1216	8.70	Swaggart	2015-3
4 N	25 E	WM	14	NE SW	ROW	2.60	Hamilton	2015-3
4 N	25 E	WM	14	SE SW	ROW	0.20	Hamilton	2015-3
4 N	25 E	WM	14	NE SE	ROW	5.30	Sunrise	2015-3
4 N	25 E	WM	14	SE SE	ROW	0.70	Sunrise	2015-3
4 N	25 E	WM	15	NE SE	1200	4.40	Barnes	2015-3
4 N	25 E	WM	15	NE SE	1201	4.50	Barnes	2015-3
4 N	25 E	WM	17	NW SW	701	0.40	Madrigal	2015-3
4 N	25 E	WM	21	NW NW	200	1.20	WEID ROW	2015-3
4 N	25 E	WM	21	NW NW	201	0.30	WEID ROW	2015-3
4 N	26 E	WM	3	NW NW	500	4.40	Cleaver	2015-3
Total:						32.70		

6. Transfer Application T-12220 proposes to permanently transfer the place of use for the above described right to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	24 E	WM	14	NW SE	100	14.40	Krebs	2015-3
4 N	24 E	WM	14	SW SE	202	3.30	Krebs	2015-3
4 N	25 E	WM	13	SE SE	100	6.30	Chowning	2015-3
5 N	26 E	WM	26	SE SW	400	8.70	McNamee	2015-3
Total:						32.70		

7. The portion of the third right to be transferred are as follows:

Certificate: 79928, issued in the name of WEST EXTENSION IRRIGATION DISTRICT (perfected under Permit S-33883)

Use: IRRIGATION of 9.40 ACRES

Priority Date: September 12, 1968

Rate & Duty: limited to ONE-FORTIETH of one cfs and 4.5 acre-feet for each acre irrigated during the irrigation season of each year

Source: UMATILLA RIVER, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	28	SW SW	1100 FEET NORTH AND 520 FEET EAST FROM THE SW CORNER OF SECTION 28

Authorized Place of Use

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	21	NE NE	101	0.50	WEID ROW	2015-4
4 N	25 E	WM	21	NW NE	101	0.20	WEID ROW	2015-4
4 N	25 E	WM	21	SW NE	101	1.30	WEID ROW	2015-4
4 N	25 E	WM	21	NE NW	101	0.80	WEID ROW	2015-4
4 N	25 E	WM	21	SE NW	101	1.00	WEID ROW	2015-4
4 N	26 E	WM	3	NW SW	500	3.10	Cleaver	2015-4
5 N	26 E	WM	35	SW SW	901	2.50	Campos	2015-4
Total:						9.40		

8. Transfer Application T-12220 proposes to permanently change the place of use of the above described rights to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	13	SE SE	100	3.80	Chowning	2015-4
4 N	25 E	WM	21	SW NW	300	5.60	Aylett	2015-4
Total:						9.40		

9. The portion of the next right to be transferred is as follows:

Certificate: 79929 in the name of WEST EXTENSION IRRIGATION DISTRICT (perfected under Permit S-33883)

Use: SUPPLEMENTAL IRRIGATION of 57.50 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate/Duty: limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE- FEET per acre for each acre irrigated during the irrigation season of each year

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

Tw	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	17	NW SW	1900 FEET NORTH AND 150 FEET EAST FROM THE SW CORNER OF SECTION 17
5 N	28 E	WM	10	NW SE	2150 FEET NORTH AND 3500 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Places of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	14	SE NW	1200/1204-2016	8.7	Swaggart	2015-3
4 N	25 E	WM	14	NE SW	ROW	2.6	Hamilton	2015-3
4 N	25 E	WM	14	SE SW	ROW	0.20	Hamilton	2015-3
4 N	25 E	WM	14	NE SE	ROW	5.30	Sunrise	2015-3
4 N	25 E	WM	14	SE SE	ROW	0.70	Sunrise	2015-3
4 N	25 E	WM	15	NE SE	1200	4.40	Barnes	2015-3
4 N	25 E	WM	15	NE SE	1201	4.50	Barnes	2015-3
4 N	25 E	WM	17	NW SW	701	0.40	Madrigal	2015-3
4 N	25 E	WM	21	NW NW	200-ROW	1.20	WEID ROW	2015-3
4 N	25 E	WM	21	NW NW	201-ROW	0.30	WEID ROW	2015-3
4 N	26 E	WM	3	NW SW	500	4.40	Cleaver	2015-3
4 N	25 E	WM	16	SE SE	801	0.50	Sanchez	1215-2
4 N	25 E	WM	16	SE SE	804	1.00	Madrigal	2015-2
4 N	25 E	WM	16	SE SE	805	0.50	Sanchez	2015-2
5 N	26 E	WM	25	NE NE	3502	0.30	Smith	2015-2
5 N	27 E	WM	13	SW SW	1700	0.40	Picard	2015-2
5 N	27 E	WM	13	SW SW	1800	0.50	Schultz	2015-2
5 N	27 E	WM	13	SW SW	1900	0.30	Englehart	2015-2
5 N	27 E	WM	13	SW SW	2000	0.20	Coombs	2015-2
5 N	27 E	WM	13	SW SW	2100	0.30	Darden	2015-2
5 N	27 E	WM	21	SW NE	EASEMENT	0.60	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	SE NE	EASEMENT	0.80	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	NE NW	400	0.10	Slawson	2015-2
5 N	27 E	WM	21	SE NW	400	0.80	Slawson	2015-2
5 N	27 E	WM	22	NE NW	502	0.10	Hodges	2015-2
5 N	27 E	WM	22	SW NW	809	2.50	Garton	2015-2
5 N	27 E	WM	22	SW NW	810	2.25	Garton	2015-2

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
5 N	27 E	WM	22	SW NW	811	2.00	Garton	2015-2
5 N	27 E	WM	22	SW NW	812	2.25	Garton	2015-2
4 N	25 E	WM	21	NE NE	101	0.50	WEID ROW	2015-4
4 N	25 E	WM	21	NW NE	101	0.20	WEID ROW	2015-4
4 N	25 E	WM	21	SW NE	101	1.30	WEID ROW	2015-4
4 N	25 E	WM	21	NE NW	101	0.80	WEID ROW	2015-4
4 N	25 E	WM	21	SE NW	101	1.00	WEID ROW	2015-4
4 N	26 E	WM	3	NW SW	500	3.10	Cleaver	2015-4
5 N	26 E	WM	35	SW SW	901	2.50	Campos	2015-4
Total:						57.50		

10. Transfer Application T-12220 proposes to permanently change the place of use of the above described place of use to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	13	SE SE	100	6.85	Chowning	2015-2
4 N	24 E	WM	13	SE SE	100	2.80	Chowning	2015-2
5 N	27 E	WM	30	SW NW	2200	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2300	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2400	1.70	Moore	2015-2
5 N	27 E	WM	30	SE NW	300	0.70	Thornton	2015-2
5 N	27 E	WM	30	SE NW	1400	1.30	Nelson	2015-2
5 N	27 E	WM	30	SE NW	1600	0.45	Peine	2015-2
4 N	24 E	WM	14	NW SE	100	14.40	Krebs	2015-3
4 N	24 E	WM	14	SW SE	202	3.30	Krebs	2015-3
4 N	25 E	WM	13	SE SE	100	6.30	Chowning	2015-3
5 N	26 E	WM	26	SE SW	400	8.70	McNamee	2015-3
4 N	25 E	WM	13	SE SE	100	3.80	Chowning	2015-4
4 N	25 E	WM	21	SW NW	300	5.60	Aylett	2015-4
Total:						57.50		

11. The portion of the next right to be transferred is as follows:

Certificate: 87799 in the name of WEST EXTENSION IRRIGATION DISTRICT
(perfected under Permit S-45999)

Use: IRRIGATION of 5.30 ACRES

Priority Date: JUNE 15, 1981

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	26 E	WM	23	SE NE	800 FEET NORTH AND 200 FEET WEST FROM THE E1/4 CORNER OF SECTION 23

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
5 N	26 E	WM	23	NW NW	400	1.00	Dick	2015-1
5 N	26 E	WM	23	NW NW	401	1.00	O. Buchanan	2015-1

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
5 N	26 E	WM	23	NW NW	500	1.00	B. Bucananan	2015-1
5 N	26 E	WM	23	NW NW	601	1.00	B. Bucananan	2015-1
5 N	26 E	WM	24	SE SW	ROW	0.60	Jewell Court	2015-1
5 N	26 E	WM	24	SE SW	101	0.20	Bergo	2015-1
5 N	26 E	WM	24	SE SW	106	0.30	Sorensen	2015-1
5 N	26 E	WM	24	SE SW	800	0.20	McCall	2015-1
Total:						5.30		

11. Transfer Application T-12220 proposes to permanently change the place of use of the above described rights to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
5 N	26 E	WM	23	SW SE	1900	0.50	Cobian	2015-1
5 N	26 E	WM	24	SW SW	900	0.60	Cole	2015-1
5 N	26 E	WM	25	NW NE	604	0.20	Power	2015-1
5 N	26 E	WM	25	NW NE	1400	2.00	Marler	2015-1
5 N	26 E	WM	25	SE NW	1601	2.00	Harris	2015-1
Total:						5.30		

12. The portion of the next right to be transferred is as follows:

Certificate: 87872 in the name of the U.S. Bureau of Reclamation
(perfected under Permit S-7400)

Use: SUPPLEMENTAL IRRIGATION of 48.10 Acres

Priority Date: JULY 1, 1924

Rate/Duty: limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	17	NW SW	1900 FEET NORTH AND 150 FEET EAST FROM THE SW CORNER OF SECTION 17
5 N	28 E	WM	10	NW SE	2150 FEET NORTH AND 3500 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Places of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	DINN
4 N	25 E	WM	14	SE NW	1200/1204-2016	8.7	Swaggart	2015-3
4 N	25 E	WM	14	NE SW	ROW	2.6	Hamilton	2015-3
4 N	25 E	WM	14	SE SW	ROW	0.20	Hamilton	2015-3
4 N	25 E	WM	14	NE SE	ROW	5.30	Sunrise	2015-3
4 N	25 E	WM	14	SE SE	ROW	0.70	Sunrise	2015-3
4 N	25 E	WM	15	NE SE	1200	4.40	Barnes	2015-3
4 N	25 E	WM	15	NE SE	1201	4.50	Barnes	2015-3
4 N	25 E	WM	17	NW SW	701	0.40	Madrigal	2015-3
4 N	25 E	WM	21	NW NW	200-ROW	1.20	WEID ROW	2015-3
4 N	25 E	WM	21	NW NW	201-ROW	0.30	WEID ROW	2015-3
4 N	26 E	WM	3	NW SW	500	4.40	Cleaver	2015-3
4 N	25 E	WM	16	SE SE	801	0.50	Sanchez	2015-2
4 N	25 E	WM	16	SE SE	804	1.00	Madrigal	2015-2
4 N	25 E	WM	16	SE SE	805	0.50	Sanchez	2015-2

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	DINN
5 N	26 E	WM	25	NE NE	3502	0.30	H. Smith	2015-2
5 N	27 E	WM	13	SW SW	1700	0.40	Picard	2015-2
5 N	27 E	WM	13	SW SW	1800	0.50	Schultz	2015-2
5 N	27 E	WM	13	SW SW	1900	0.30	Englehart	2015-2
5 N	27 E	WM	13	SW SW	2000	0.20	Coombs	2015-2
5 N	27 E	WM	13	SW SW	2100	0.30	Darden	2015-2
5 N	27 E	WM	21	SW NE	EASEMENT	0.60	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	SE NE	EASEMENT	0.80	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	NE NW	400	0.10	Slawson	2015-2
5 N	27 E	WM	21	SE NW	400	0.80	Slawson	2015-2
5 N	27 E	WM	22	NE NW	502	0.10	Hodges	2015-2
5 N	27 E	WM	22	SW NW	809	2.50	Garton	2015-2
5 N	27 E	WM	22	SW NW	810	2.25	Garton	2015-2
5 N	27 E	WM	22	SW NW	811	2.00	Garton	2015-2
5 N	27 E	WM	22	SW NW	812	2.25	Garton	2015-2
Total:						48.10		

13. Transfer Application T-12220 proposes to permanently change the place of use of the above described rights to:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	DINN
4 N	24 E	WM	14	NW SE	100	14.40	Krebs	2015-3
4 N	24 E	WM	14	SW SE	202	3.30	Krebs	2015-3
4 N	25 E	WM	13	SE SE	100	6.30	Chowning	2015-3
4 N	25 E	WM	13	SE SE	100	6.85	Chowning	2015-2
4 N	25 E	WM	13	SE SE	100	2.80	Chowning	2015-2
5 N	26 E	WM	26	SE SW	400	8.70	McNamee	2015-3
5 N	27 E	WM	30	SW NW	2200	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2300	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2400	1.70	Moore	2015-2
5 N	27 E	WM	30	SE NW	300	0.70	Thornton	2015-2
5 N	27 E	WM	30	SE NW	1400	1.30	Nelson	2015-2
5 N	27 E	WM	30	SE NW	1600	0.45	Peine	2015-2
Total						48.10		

14. The District permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
15. Water has been used within the last five years according to the terms and conditions of the rights and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
16. Diversion structures, pumps, canals, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
17. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
18. The proposed change in place of use would not result in enlargement of the rights.
19. The proposed change in place of use will not result in injury to other water rights.

Partial Cancellation of a Water Right

20. On February 11, 2016, an affidavit certifying that a portion of water right Certificate 86492 has been abandoned and requesting cancellation of the right was received from Morrow County. The portion of the right to be cancelled is as follows:

Certificate: 86492 in the name of CRAIG PRITCHARD (perfected under Permit S-49571)
Use: SUPPLEMENTAL IRRIGATION of 6.0 ACRES
Priority Date: AUGUST 9, 1985
Rate: 0.13 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: UNNAMED DRAINAGEWAY, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	13	NW SW	50 FEET SOUTH AND 700 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 13

Place of Use to be Cancelled:

Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	14	NE SE	5.30
4 N	25 E	WM	14	SE SE	0.70
Total:					6.00

21. On February 11, 2016, an affidavit certifying that a portion of water right Certificate 86491 has been abandoned and requesting cancellation of the right was received from Morrow County. The portion of the right to be cancelled is as follows:

Certificate: 86491 in the name of GRIEB FARMS INC. (perfected under Permit S-41308)
Use: SUPPLEMENTAL IRRIGATION of 6.0 ACRES
Priority Date: APRIL 19, 1976
Rate: 0.09 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: UNNAMED DRAINAGEWAY, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	13	NW SW	50 FEET SOUTH AND 700 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 13

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	14	NE SE	5.30
4 N	25 E	WM	14	SE SE	0.70
Total:					6.00

Conclusions of Law

The change in place of use proposed in Transfer Application T-12220 satisfies the requirements of ORS 540.574(3) and 540.580 and the abandoned portion of water rights cited above should be cancelled.

Now, therefore, it is ORDERED:

1. The proposed change to the water right evidenced by Certificates 79924, 79926, 79928, 79929, 87872, and 87799 are approved.
2. The right to the use of water is restricted to beneficial use at the place of use described and is subject to all other conditions, limitations contained in water right certificates 79924, 79926, 79928, 79929, 87872, 87799 and any related decree, and the final order approving T-12220.
3. The former places of use shall no longer be irrigated as part of these water rights.
4. The portion of Certificate 86492 described in Finding of Fact #20 is cancelled. A new right describing the portion of the right not modified (remaining portion) shall be issued.
5. The portion of Certificate 86491 described in Finding of Fact #21 is cancelled. A new right describing the portion of the right not modified (remaining portion) shall be issued.
6. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2017. A Claim of Beneficial Use shall be submitted by the district to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
8. Water right certificates 79924, 79926, 79928, 79929, 87872, and 87799 are modified. The Department will issue superseding certificates describing the district's rights when it determines that is necessary for record keeping.

Dated at Salem, Oregon this 2 day of March, 2016


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

Mailing Date: APR 01 2016