

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF)
HOWARD S. GASS (WESTLAND IRRIGATION) ORDER APPROVING
DISTRICT) FOR APPROVAL OF A CHANGE) TRANSFER 5766
IN PLACE OF USE OF WATER)

On March 17, 1986, an application was filed in the office of the Water Resources Director by Howard S. Gass for approval of a change in place of use of water from Umatilla River under an existing right of record, pursuant to the provisions of ORS 540.510 to 540.530.

Pursuant to the provisions of ORS 540.530, proof has been made to the satisfaction of the Water Resources Director that a water right transfer has been completed by Howard S. Gass under the terms of Transfer Application 4425 for the use of water from Umatilla River for irrigation of 16.2 acres in SW 1/4 NE 1/4, 25.6 acres in SE 1/4 NE 1/4, 2.5 acres in NE 1/4 NE 1/4, 0.6 acre in NE 1/4 SE 1/4 and 0.09 acre in NW 1/4 SE 1/4 of Section 19, Township 4 North, Range 28 East, WM, with a date of priority of July, 1907.

Pursuant to said provisions, proof has been made to the satisfaction of the Water Resources Director that a water right transfer has been completed by Howard S. Gass under the terms of Transfer Application 4655 for the use of water from Umatilla River for irrigation of 1.5 acres in SW 1/4 NE 1/4, 21.8 acres in NE 1/4 SE 1/4 and 27.2 acres in NW 1/4 SE 1/4, Section 19, Township 4 North, Range 28 East, WM, with a date of priority of July, 1907.

These lands also have a supplemental right under Permit 7400 to the use of water stored in McKay Reservoir with a date of priority of July 1, 1924.

The applicant herein, owner of the lands above described, proposes to transfer the water from 2.5 acres in NE 1/4 NE 1/4, 16.2 acres in SW 1/4 NE 1/4, 25.6 acres in SE 1/4 NE 1/4, 0.6 acre in NE 1/4 SE 1/4 and 0.09 acre in NW 1/4 SE 1/4, being all the lands involved in Transfer 4425; and from 1.5 acres in SW 1/4 NE 1/4, 21.8 acres in NE 1/4 SE 1/4 and 11.71 acres in NW 1/4 SE 1/4, being a portion of the lands involved in Transfer 4655, all within Section 19, Township 4 North, Range 28 East, WM.

The said applicant proposes to transfer the water right therefrom to a certain 33.0 acres in SW 1/4 NW 1/4, 29.0 acres in SE 1/4 NW 1/4 and 18.0 acres in NW 1/4 SW 1/4, Section 17, Township 4 North, Range 28 East, WM.

The lands involved herein are within the boundaries of the Westland Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting.

Michael F. Ladd, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

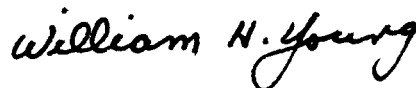
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved, without loss of priority.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1987.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, the change in place of use shall be considered perfected, and at a later date a certificate of water right shall be issued to Westland Irrigation District confirming this and other changes within the District, at the time certificates are issued confirming rights allowed in the Umatilla River Adjudication proceedings.

Dated at Salem, Oregon, this 7th day of May, 1986.



WILLIAM H. YOUNG
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

A party may file objections and exceptions to the Proposed Order with the Water Resources Commission. Such objections and exceptions must be filed within 45 days from the date of service (date of mailing) of the Proposed Order on the party. The Commission will provide opportunity for oral argument in support of written objections and exceptions. If no objections and exceptions are filed within the time allowed, the Proposed Order will automatically become the Final Order of the Commission.

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