

Water Resources Department

North Central Region 116 S.E. Dorion Avenue Pendleton, OR 97801 Phone (541) 278-5456 FAX (541) 278-0287

FINAL ORDER

February 23, 1999

Westland Irrigation District P.O. Box 416 Stanfield, Oregon 97875

RE: Approval of District Temporary Transfer File T-8146 (Chester Prior)

Pursuant to ORS 540.570, Westland Irrigation District filed a request to move the place of use of certain water rights within the District for the 1999 irrigation season. The changes requested are enumerated on the attached sheet. Notice of the request was published in summary form by the Water Resources Department on January 5, 1999. Public comments were accepted for 30 days following publication. No comments were received.

Pursuant to ORS 540.570 (3) and OAR 690-21-060 (2) staff has reviewed the requested changes. This review finds that the proposed changes do not injure existing rights or result in enlargement of the subject rights. Therefore, the request as enumerated on the attached sheet and as conditioned below, is approved for the 1999 irrigation season.

- 1. Pursuant to 540.570 (2) water will not be used on the subject lands until 60 days after the district's notice was received or the start of the irrigation season, whichever is later. The notice was received December 28, 1998. Water will not be used on the subject lands until March 1, 1999.
- 2. The "FROM" lands will receive no water under the rights involved with T-8146 for the 1999 irrigation season.
- 3. The "FROM" lands will receive no water under any other rights appurtenant to these lands for the 1999 irrigation season, unless water rights are transferred to the "FROM" lands. In no case shall a temporary transfer allow the enlargement of the water right.

- 4. There is an existing water right evidenced by Certificate 75119 on portions of the land to which this application requests to move water. The water user shall not use water under the existing water right evidenced by Certificate 75119 on this land during the 1999 irrigation season.
- 5. All restrictions and limitations contained in the decree or permit of the subject rights will apply to the "TO" lands. Water use from the wells shall not exceed the limits imposed by the Butter Creek and Stage Gulch Critical Groundwater Areas.
- 6. Pursuant to 540.570 (6), the Department may further condition or revoke a temporary transfer at any time to the extent necessary to avoid injury if the department finds the transfer is causing injury to an existing water right.
- 7. Pursuant to 540.570 (7), upon expiration of the temporary transfer period, all uses of water for which a temporary transfer is allowed under this section shall revert automatically to the terms and conditions of the original water right permit, certificate or an adjudication proceeding under ORS chapter 539 as evidenced by a court decree.

Copies of the approved request and associated maps are on file at the Department's North Central Region office in Pendleton.

Sincerely,

Bernadette Williams

Field Water Rights Technician

cc: Mike Ladd, Region Manager

Tony Justus, Watermaster

Bernadette Williams

Tom Smith, Assistant Watermaster

Schroeder Law Offices; P.O. Box 772; Boardman, OR 97818

attachment

TEMPORARY TRANSFER, 1999 IRRIGATION SEASON WESTLAND IRRIGATION DISTRICT

CHESTER PRIOR

1) Umatilla River Decree; Vol. 3, Page 246 & Vol. 15, Page 438: Irrigation; Priority Date - 1903; Authorized Source - Umatilla River

Authorized Point of Diversion

SW ¼ NE¼, Section 21, Township 3 North, Range 29 East, W.M.; North 76 Degrees 45 Minutes 56 Seconds East 2913.19 Feet from the W¼ Corner, Section 21

Permit 7400: Supplemental Irrigation; Priority Date - July 1, 1924; Authorized Source
- McKay Reservoir

Authorized Point of Diversion

SW ¼ NE¼, Section 21, Township 3 North, Range 29 East, W.M.; North 76 Degrees 45 Minutes 56 Seconds East 2913.19 Feet from the W ¼ Corner, Section 21

				FROM	LANDS			
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
Decree & 7400	3N	28E	14	SWNW	4400	1903 & 7/1/1924	IRRIG & SUPP	26.0
Decree & 7400	3N	28E	14	SENW	4400	1903 & 7/1/1924	IRRIG & SUPP	33.5
Decree & 7400	3N	28E	14	NESW	4490	1903 & 7/1/1924	IRRIG & SUPP	10.3
Decree & 7400	3N	28E	14	swsw	4400	1903 & 7/1/1924	IRRIG & SUPP	15.0

Westland Irrigation District Temporary Transfer, 1999 Irrigation Season

Decree & 7400	3N	28E	15	SENE	4400	1903 & 7/1/1924	IRRIG & SUPP	5.3
Decree & 7400	3N	28E	15	NWSE	4400	1903 & 7/1/1924	IRRIG & SUPP	4.5
Decree & 7400	3N	28E	15	SESE	4400	1903 & 7/1/1924	IRRIG & SUPP	1.0
IRRIG TOTAL								95.6
SUPP TOTAL								95.6

				TO L	ANDS			
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
Decree & 7400	3N	28E	10	NENW	2900	1903 & 7/1/1924	IRRIG & SUPP	28.3
Decree & 7400	3N	28E	10	NWNW	2900	1903 & 7/1/1924	IRRIG & SUPP	33.9
Decree & 7400	3N	28E	10	SWNW	2900	1903 & 7/1/1924	IRRIG & SUPP	4.6
Decree & 7400	3N	28E	10	SENW	2900	1903 & 7/1/1924	IRRIG & SUPP	28.8
IRRIG TOTAL								95.6
SUPP TOTAL								95.6

Special Order Vol. 53 Page 1540

1) Certificate 75119; Permit 25920: Irrigation; Priority Date - April 22, 1955; Authorized Source - Umatilla River

Authorized Point of Diversion

SW ¼ NE¼, Section 21, Township 3 North, Range 29 East, W.M.; North 76 Degrees 45 Minutes 56 Seconds East 2913.19 Feet from the W¼ Corner, Section 21

2) Certificate 75129; Permit G-5275: Supplemental Irrigation; Priority Date - March 26, 1974; Authorized Source - Wells #2, 3, 5 and 6

Authorized Points of Appropriation

Well #2 - NW 1/4 NE 1/4, Section 36, Township 3 North, Range 28 East, W.M.; 750 Feet South and 2620 Feet West from the Northeast Corner, Section 36

Well #3 - NW 1/4 SE 1/4, Section 36, Township 3 North, Range 28 East, W.M.; 1780 Feet North and 2600 Feet West from the Southeast Corner, Section 36

Well #5 - NW 1/4 NE 1/4, Section 35, Township 3 North, Range 28 East, W.M.; 770 Feet South and 2640 Feet East from the Northwest Corner, Section 35

Well #6 - NE¼ SW¼, Section 35, Township 3 North, Range 28 East, W.M.; 1940 Feet North and 2540 Feet East from the Southwest, Section 35

	FROM LANDS											
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES				
75119 & 75129	3N	28E	25	SESW	7402	4/22/1955 & 3/26/1974	IRRIG & SUPP	8.9				
75119 & 75129	3N	28E	25	SWSE	7402	4/22/1955 & 3/26/1974	IRRIG & SUPP	8.1				
75119 & 75129	3N	28E	35	NESE	7400	4/22/1955 & 3/26/1974	IRRIG & SUPP	29.0				

Special Order Vol. 53 Page 1541

			·			T	T	
75119 & 75129	3N	28E	35	NWSE	7400	4/22/1955 & 3/26/1974	IRRIG & SUPP	37.6
75119 & 75129	3N	28E	35	SWSE	7400	4/22/1955 & 3/26/1974	IRRIG & SUPP	39.8
75119 & 75129	3N	28E	35	SESE	7400	4/22/1955 & 3/26/1974	IRRIG & SUPP	30.2
75119 & 75129	3N	28E	36	NWNE	7402	4/22/1955 & 3/26/1974	IRRIG & SUPP	8.5
75119 & 75129	3N	28E	36	NENW	7402	4/22/1955 & 3/26/1974	IRRIG & SUPP	8.2
75119 & 75129	3N	28E	36	NESE	7402	4/22/1955 & 3/26/1974	IRRIG & SUPP	30.6
75119 & 75129	3N	28E	36	NWSE	7402	4/22/1955 & 3/26/1974	IRRIG & SUPP	31.4
75119 & 75129	3N	28E	36	SWSE	9300	4/22/1955 & 3/26/1974	IRRIG & SUPP	30.4
75119 & 75129	3N	28E	36	SESE	9300	4/22/1955 & 3/26/1974	IRRIG & SUPP	29.4
IRRIG TOTAL					:			292.1
SUPP TOTAL								292.1

	- 11 77 7 7 7 7	<u> </u>		ТО	LANDS			
W/R #	T.	R.	SE C	Q/Q	T.L.	PRIORITY	USE	ACRES
75119 & 75129	3N	28E	9	SESW	3100	4/22/1955 & 3/26/1974	IRRIG & SUPP	16.7
75119 & 75129	3N	28E	10	swnw	2900	4/22/1955 & 3/26/1974	IRRIG & SUPP	29.8
75119 & 75129	3N	28E	10	NESW	2900	4/22/1955 & 3/26/1974	IRRIG & SUPP	28.5
75119 & 75129	3N	28E	10	NWSW	2900	4/22/1955 & 3/26/1974	IRRIG & SUPP	32.5
75119 & 75129	3N	28E	10	swsw	2900	4/22/1955 & 3/26/1974	IRRIG & SUPP	32.4
75119 & 75129	3N	28E	10	SESW	2900	4/22/1955 & 3/26/1974	IRRIG & SUPP	28.4
75119 & 75129	3N	28E	16	NWSW	3101	4/22/1955 & 3/26/1974	IRRIG & SUPP	9.7
75119 & 75129	3N	28E	16	swsw	3101	4/22/1955 & 3/26/1974	IRRIG & SUPP	34.0
75119 & 75129	3N	28E	17	NENE	4900, 5000 & 5100	4/22/1955 & 3/26/1974	IRRIG & SUPP	33.3
75119 & 75129	3N	28E	17	NWNE	5300, 5400 & 5500	4/22/1955 & 3/26/1974	IRRIG & SUPP	18.8
75119 & 75129	3N	28E	17	SWNE	4800	4/22/1955 & 3/26/1974	IRRIG & SUPP	10.1

75119 & 75129	3N	28E	17	SENE	4900	4/22/1955 & 3/26/1974	IRRIG & SUPP	17.9
IRRIG TOTAL								292.1
SUPP TOTAL								292.1

1) Certificate 75129; Permit G-5275: Irrigation; Priority Date - March 26, 1974; Authorized Source - Wells #2, 3, 5 and 6

Authorized Points of Appropriation

Well #2 - NW 1/4 NE 1/4, Section 36, Township 3 North, Range 28 East, W.M.; 750 Feet South and 2620 Feet West from the Northeast Corner, Section 36

Well #3 - NW 4 SE 4, Section 36, Township 3 North, Range 28 East, W.M.; 1780 Feet North and 2600 Feet West from the Southeast Corner, Section 36

Well #5 - NW¼ NE¼, Section 35, Township 3 North, Range 28 East, W.M.; 770 Feet South and 2640 Feet East from the Northwest Corner, Section 35

Well #6 - NE¼ SW¼, Section 35, Township 3 North, Range 28 East, W.M.; 1940 Feet North and 2540 Feet East from the Southwest Corner, Section 35

	FROM LANDS										
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES			
75129	3N	28E	36	SWNE	7402	3/26/1974	IRRIG	5.2			
75129	3N	28E	36	SENW	7402	3/26/1974	IRRIG	5.0			
75129	3N	28E	36	NESW	7402	3/26/1974	IRRIG	5.0			
75129	3N	28E	36	SESW	7402	3/26/1974	IRRIG	7.0			
75129	3N	28E	36	NWSE	7402	3/26/1974	IRRIG	5.4			
IRRIG TOTAL								27.6			

	TO LANDS												
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES					
75129	2N	28E	3	NENW	700	3/26/1974	IRRIG	27.6					
IRRIG TOTAL							-	27.6					

1) Certificate 75127; Permit G-6069: Irrigation; Priority Date - September 5, 1974; Authorized Source - Wells #4, 7 and 8

Authorized Points of Appropriation

Well #4 - SE¼ NW¼, Section 1, Township 2 North, Range 28 East, W.M.; 2640 Feet South and 630 Feet West from the N¼ Corner, Section 1

Well #7 - SE¼ NW¼, Section 2, Township 2 North, Range 28 East, W.M.; 2500 Feet South and 2580 Feet East from the Northwest Corner, Section 2

Well #8 - NE¼ SE¼, Section 2, Township 2 North, Range 28 East, W.M.; 2800 Feet South and 500 Feet West from the Northeast Corner, Section 2

	FROM LANDS											
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES				
75127	2N	28E	1	SENW	200	9/5/1974	IRRIG	39.7				
IRRIG TOTAL								39.7				

	TO LANDS											
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES				
75127	2N	28E	3	NENE	700	9/5/1974	IRRIG	29.0				
75127	2N	28E	3	NWNE	700	9/5/1974	IRRIG	10.7				
IRRIG TOTAL								39.7				

1) Certificate 75119; Permit 25920: Irrigation; Priority Date - April 22, 1955; Authorized Source - Umatilla River

Authorized Point of Diversion

SW ¼ NE¼, Section 21, Township 3 North, Range 29 East, W.M.; North 76 Degrees 45 Minutes 56 Seconds East 2913.19 Feet from the W¼ Corner, Section 21

2) Certificate 75127; Permit G-6069: Supplemental Irrigation; Priority Date - September 5, 1974; Authorized Source - Wells #4, 7 and 8

Authorized Points of Appropriation

Well #4 - SE¼ NW¼, Section 1, Township 2 North, Range 28 East, W.M.; 2640 Feet South and 630 Feet West from the N¼ Corner, Section 1

Well #7 - SE¼ NW¼, Section 2, Township 2 North, Range 28 East, W.M.; 2500 Feet South and 2580 Feet East from the Northwest Corner, Section 2

Well #8 - NE 1/4 SE 1/4, Section 2, Township 2 North, Range 28 East, W.M.; 2800 Feet South and 500 Feet West from the Northeast Corner, Section 2

	FROM LANDS										
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES			
75119 & 75127	2N	28E	1	NENW	200	4/22/1955 & 9/5/1974	IRRIG & SUPP	32.2			

Special Order Vol. 53 Page 1546

75119 & 75127	2N	28E	1	NWNW	200	4/22/1955 & 9/5/1974	IRRIG & SUPP	31.6
75119 & 75127	2N	28E	1	swnw	200	4/22/1955 & 9/5/1974	IRRIG & SUPP	29.6
75119 & 75127	2N	28E	1	NESW	200	4/22/1955 & 9/5/1974	IRRIG & SUPP	37.1
75119 & 75127	2N	28E	1	NWSW	200	4/22/1955 & 9/5/1974	IRRIG & SUPP	31.0
75119 & 75127	2N	28E	1	swsw	200	4/22/1955 & 9/5/1974	IRRIG & SUPP	28.8
75119 & 75127	2N	28E	1	SESW	200	4/22/1955 & 9/5/1974	IRRIG & SUPP	31.2
75119 & 75127	2N	28E	2	NENE	300	4/22/1955 & 9/5/1974	IRRIG & SUPP	8.2
75119 & 75127	2N	28E	2	NWNE	300	4/22/1955 & 9/5/1974	IRRIG & SUPP	36.7
75119 & 75127	2N	28E	2	SWNE	300	4/22/1955 & 9/5/1974	IRRIG & SUPP	38.2
75119 & 75127	2N	28E	2	SENE	300	4/22/1955 & 9/5/1974	IRRIG & SUPP	29.2
75119 & 75127	2N	28E	2	NESE	500	4/22/1955 & 9/5/1974	IRRIG & SUPP	19.1
75119 & 75127	2N	28E	2	NWSE	500	4/22/1955 & 9/5/1974	IRRIG & SUPP	30.0

75119 & 75127	2N	28E	2	SWSE	600	4/22/1955 & 9/5/1974	IRRIG & SUPP	35.2
75119 & 75127	2N	28E	2	SESE	600	4/22/1955 & 9/5/1974	IRRIG & SUPP	22.8
IRRIG TOTAL								440.9
SUPP TOTAL								440.9

				TO L	ANDS			***************************************
W/R #	Т.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
75119 & 75127	2N	28E	3	NWNE	700	4/22/1955 & 9/5/1974	IRRIG & SUPP	19.3
75119 & 75127	2N	28E	3	SWNE	700	4/22/1955 & 9/5/1974	IRRIG & SUPP	30.0
75119 & 75127	2N	28E	3	SENE	700	4/22/1955 & 9/5/1974	IRRIG & SUPP	30.0
75119 & 75127	2N	28E	3	NENW	700	4/22/1955 & 9/5/1974	IRRIG & SUPP	1.5
75119 & 75127	2N	28E	3	NWNW	700	4/22/1955 & 9/5/1974	IRRIG & SUPP	29.1
75119 & 75127	2N	28E	3	SWNW	700	4/22/1955 & 9/5/1974	IRRIG & SUPP	29.1
75119 & 75127	2N	28E	3	SENW	700	4/22/1955 & 9/5/1974	IRRIG & SUPP	29.0

Westland Irrigation District Temporary Transfer, 1999 Irrigation Season

						· · · · · · · · · · · · · · · · · · ·		
75119 & 75127	3N	28E	9	NESW	3000	4/22/1955 & 9/5/1974	IRRIG & SUPP	28.0
75119 & 75127	3N	28E	9	NWSW	2900	4/22/1955 & 9/5/1974	IRRIG & SUPP	29.8
75119 & 75127	3N	28E	9	SWSW	3100	4/22/1955 & 9/5/1974	IRRIG & SUPP	35.9
75119 & 75127	3N	28E	9	SESW	3100	4/22/1955 & 9/5/1974	IRRIG & SUPP	14.9
75119 & 75127	3N	28E	17	SWNE	4800	4/22/1955 & 9/5/1974	IRRIG & SUPP	8.6
75119 & 75127	3N	28E	17	SENE	4900	4/22/1955 & 9/5/1974	IRRIG & SUPP	3.9
75119 & 75127	3N	28E	17	NESW	5800	4/22/1955 & 9/5/1974	IRRIG & SUPP	10.1
75119 & 75127	3N	28E	17	SESW	5800	4/22/1955 & 9/5/1974	IRRIG & SUPP	5.8
75119 & 75127	3N	28E	17	NESE	4800	4/22/1955 & 9/5/1974	IRRIG & SUPP	34.6
75119 & 75127	3N	28E	17	NWSE	4800	4/22/1955 & 9/5/1974	IRRIG & SUPP	40.9
75119 & 75127	3N	28E	17	SWSE	4800	4/22/1955 & 9/5/1974	IRRIG & SUPP	35.9
75119 & 75127	3N	28E	17	SESE	4800	4/22/1955 & 9/5/1974	IRRIG & SUPP	24.5

IRRIG TOTAL				440.9
SUPP TOTAL				440.9

1) Certificate 75120; Permit 25924: Irrigation; Priority Date - June 27, 1958; Authorized Source - Umatilla River

Authorized Point of Diversion

SW ¼ NE ¼, Section 21, Township 3 North, Range 29 East, W.M.; North 76 Degrees 45 Minutes 56 Seconds East 2913.19 Feet from the W ¼ Corner, Section 21

2) Certificate 75129; Permit G-5275: Supplemental Irrigation; Priority Date - March 26, 1974; Authorized Source - Wells #2, 3, 5 and 6

Authorized Points of Appropriation

Well #2 - NW 1/4 NE 1/4, Section 36, Township 3 North, Range 28 East, W.M.; 750 Feet South and 2620 Feet West from the Northeast Corner, Section 36

Well #3 - NW 4 SE 4, Section 36, Township 3 North, Range 28 East, W.M.; 1780 Feet North and 2600 Feet West from the Southeast Corner, Section 36

Well #5 - NW 1/4 NE 1/4, Section 35, Township 3 North, Range 28 East, W.M.; 770 Feet South and 2640 Feet East from the Northwest Corner, Section 35

Well #6 - NE 1/4 SW 1/4, Section 35, Township 3 North, Range 28 East, W.M.; 1940 Feet North and 2540 Feet East from the Southwest, Section 35

	FROM LANDS											
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES				
75120 & 75129	3N	28E	25	NESW	7402	6/27/1958 & 3/26/1974	IRRIG & SUPP	31.1				
75120 & 75129	3N	28E	25	NWSW	7402	6/27/1958 & 3/26/1974	IRRIG & SUPP	18.4				

75120 & 75129	3N	28E	25	SESW	7402	6/27/1958 & 3/26/1974	IRRIG & SUPP	31.6
IRRIG TOTAL		-						81.1
SUPP TOTAL							-	81.1

				TO L	ANDS			
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
75120 & 75129	3N	28E	16	NESW	3101	6/27/1958 & 3/26/1974	IRRIG & SUPP	29.6
75120 & 75129	3 N	28E	16	NWSW	3101	6/27/1958 & 3/26/1974	IRRIG & SUPP	22.5
75120 & 75129	3N	28E	16	SESW	3101	6/27/1958 & 3/26/1974	IRRIG & SUPP	29.0
IRRIG TOTAL								81.1
SUPP TOTAL								81.1

1) Certificate 75119; Permit 25920: Irrigation; Priority Date - April 22, 1955; Authorized Source - Umatilla River

Authorized Point of Diversion

SW ¼ NE¼, Section 21, Township 3 North, Range 29 East, W.M.; North 76 Degrees 45 Minutes 56 Seconds East 2913.19 Feet from the W¼ Corner, Section 21

	FROM LANDS									
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES		

Westland Irrigation District Temporary Transfer, 1999 Irrigation Season

IRRIG TOTAL								202.9
75119	3N	28E	16	SESW	3101	4/22/1955	IRRIG	29.0
75119	3N	28E	16	NWSW	3101	4/22/1955	IRRIG	22.5
75119	3N	28E	16	NESW	3101	4/22/1955	IRRIG	29.6
75119	3N	28E	10	SESW	2900	4/22/1955	IRRIG	28.4
75119	3N	28E	10	swsw	2900	4/22/1955	IRRIG	32.4
75119	3N	28E	10	NWSW	2900	4/22/1955	IRRIG	32.5
75119	3N	28E	10	NESW	2900	4/22/1955	IRRIG	28.5

	TO LANDS											
W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES				
75119	3N	28E	25	NESW	7402	4/22/1955	IRRIG	31.1				
75119	3N	28E	25	NWSW	7402	4/22/1955	IRRIG	18.4				
75119	3N	28E	25	SESW	7402	4/22/1955	IRRIG	31.6				
75119	3N	28E	36	NESE	7402	4/22/1955	IRRIG	30.6				
75119	3N	28E	36	NWSE	7402	4/22/1955	IRRIG	31.4				
75119	3N	28E	36	SWSE	9300	4/22/1955	IRRIG	30.4				
75119	3N	28E	36	SESE	9300	4/22/1955	IRRIG	29.4				
IRRIG TOTAL								202.9				