

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF )  
MERVIN LEONARD (WESTLAND IRRIGATION )  
DISTRICT) FOR APPROVAL OF A CHANGE )  
IN PLACE OF USE OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 4205

On April 19, 1979, an application was filed in the office of the Water Resources Director by Mervin Leonard 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.

By Decree of the Circuit Court for Umatilla County, entered September 9, 1916, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Umatilla River and Its Tributaries, a water right, tabulated at page 248, Volume 3, was allowed in the name of Western Land & Irrigation Co. (now Westland Irrigation District), for irrigation of, among other lands, a certain 30.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 40.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 20.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  and 30.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 33, Township 5 North, Range 28 East, W.M.; and 13.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 12, Township 4 North, Range 27 East, W.M., with a date of priority of July, 1907.

By a Supplemental Decree of the Circuit Court for Umatilla County, entered September 1, 1961, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Umatilla River and Its Tributaries, a water right, tabulated at pages 440 and 441, Volume 15, was allowed in the name of Westland Irrigation District, for the irrigation of, among other lands, a certain 11.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 15.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 33, Township 5 North, Range 28 East, W.M.; and 4.9 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  and 30.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 7, Township 4 North, Range 28 East, W.M., with a date of priority of July, 1907.

These lands also have a supplemental right under permit No. 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 right therefrom, without loss of priority, to a certain 27.3 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 16.6 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 15.2 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 8.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 33.2 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 33.2 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 28.8 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 28.8 acres in SE $\frac{1}{4}$

NW $\frac{1}{4}$  of Section 27; and 2.8 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 26, Township 3 North, Range 2S East, W.M.

The lands involved herein are within the boundaries of the Westland and Teel Irrigation Districts and the Boards of Directors of said Districts approved the proposed change in place of use of water.

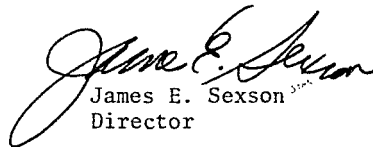
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to Westland Irrigation District, or their successor in interest, at the time certificates are issued confirming rights allowed in the Umatilla River Adjudication proceedings.

Dated at Salem, Oregon this 8th day of June, 1979.

  
James E. Sexson  
Director