

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
3 N	29 E	WM	21	SW NE	POD #1 – Westland Canal - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 feet from West ¼ Corner of Section 21.

Authorized Place of Use:

AUTHORIZED PLACE OF USE - CERTIFICATE 76717 (IR)								
TWP	RNG	MER	SEC	Q-Q	TL	ACRES	USER	NOT#
4 N	28 E	WM	8	SW NE	6700	1.0	DUQUETTE	2006-01
4 N	28 E	WM	8	SW NE	6700	5.3	DUQUETTE	2006-01
4 N	28 E	WM	17	NE NE	2200	0.86	DESBRISAY / SEAVERT	2006-02
4 N	28 E	WM	17	NE NE	2300	0.44	DESBRISAY / SEAVERT	2006-02
TOTAL:						7.60		

Application T-10261 proposes to change the place of use for the above described rights to:

PROPOSED PLACE OF USE - CERTIFICATE 76717 (IR)								
TWP	RNG	MER	SEC	Q-Q	TL	ACRES	USER	NOT#
4 N	28 E	WM	8	SW NE	6700	2.0	DUQUETTE	2006-01
4 N	28 E	WM	17	SW NE	3700	4.3	QUICK	2006-01
4 N	28 E	WM	20	NW SW	300	1.30	DESBRISAY / SEAVERT	2006-02
TOTAL:						7.60		

4. The portion of the second right to be transferred is as follows:

Certificate: 76799, issued in the name of Westland Irrigation District (Perfected under Permit 27583)

Use: Irrigation (IR) of 1.35 acres

Priority Date: April 12, 1961

Rate & Duty: ONE-FORTIETH of one cubic foot per second (or its equivalent) from direct flow, and 4.5 ACRE-FEET for each acre irrigated during the irrigation season of each year.

Source: Umatilla River and McKay Reservoir (constructed under Per. R-584), tributaries of the Columbia River

Authorized Points of Diversion:

TWP	RNG	MER	SEC	Q-Q	Lot	SURVEY COORDINATES
2 N	32 E	WM	34	NW SE	--	McKay Dam
3 N	29 E	WM	21	SW NE	4	Westland Canal - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 feet from the W3 Corner of Section 21.

Authorized Place of Use:

AUTHORIZED PLACE OF USE – CERTIFICATE 76799 (IR)								
TWP	RNG	MER	SEC	Q-Q	TL	ACRES	USER	NOT#
4 N	28 E	WM	8	SW NE	6700	1.35	DUQUETTE	2006-01

Application T-10261 proposes to change the place of use for the above described rights to:

PROPOSED PLACE OF USE – CERTIFICATE 76799 (IR)								
TWP	RNG	MER	SEC	Q-Q	TL	ACRES	USER	NOT#
4 N	28 E	WM	17	SW NE	3700	1.35	QUICK	2006-01

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

Certificate: 79439, issued in the name of U.S. Bureau of Reclamation (Perfected under Permit 7400)

Use: Supplemental Irrigation (IS) of 7.6 acres

Priority Date: July 1, 1924

Rate & Duty: ONE-EIGHTIETH of one cubic foot per second, provided further that the right allowed herein for supplemental irrigation shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed therein.

Source: McKay Reservoir, a tributary of McKay Creek. Water is released into the channels of McKay Creek and the Umatilla River and is re-diverted at Westland Irrigation District Canal.

Authorized Points of Diversion:

TWP	RNG	MER	SEC	Q-Q	Lot	SURVEY COORDINATES
2 N	32 E	WM	34	NW SE	--	McKay Dam
3 N	30 E	WM	31	SW SW	4	Westland Canal - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 feet from the W3 Corner, Section 21.

Authorized Place of Use:

AUTHORIZED PLACE OF USE – CERTIFICATE 79439 (IS)								
TWP	RNG	MER	SEC	Q-Q	TL	ACRES	USER	NOT#
4 N	28 E	WM	8	SW NE	6700	1.00	DUQUETTE	2006-01
4 N	28 E	WM	8	SW NE	6700	5.30	DUQUETTE	2006-01
4 N	28 E	WM	17	NE NE	2200	0.86	DESBRISAY / SEAVERT	2006-02
4 N	28 E	WM	17	NE NE	2300	0.44	DESBRISAY / SEAVERT	2006-02
TOTAL:						7.60		

Application T-10261 proposes to change the place of use for the above described rights to:

PROPOSED PLACE OF USE – CERTIFICATE 79439 (IS)								
TWP	RNG	MER	SEC	Q-Q	TL	ACRES	USER	NOT#
4 N	28 E	WM	20	NW SW	300	1.30	DESBRISAY / SEAVERT	2006-02
4 N	28 E	WM	8	SW NE	6700	2.0	DUQUETTE	2006-01
4 N	28 E	WM	17	SW NE	3700	4.3	QUICK	2006-01
TOTAL:						7.60		

6. The portion of the fourth right to be transferred is as follows:

Certificate: 38390, issued in the name of David C. Ralston (Perfected under Permit G-3745)

Use: Supplemental Irrigation (IS) of 1.0 acre

Priority Date: July 13, 1967

Quantity: 0.013 cubic foot per second

Rate & Duty: ONE-EIGHTIETH of one cubic foot per second per each acre irrigated and limited to a diversion of not to exceed 3.0 acre-feet per acre irrigated

Source: A WELL, within the Umatilla River Basin

Authorized Point of Appropriation:

TWP	RNG	MER	SEC	Q-Q	Lot	SURVEY COORDINATES
4 N	28 E	WM	8	SW NE	--	450 Feet North and 240 feet East from Center of Section 8

Authorized Place of Use:

AUTHORIZED PLACE OF USE – CERTIFICATE 38390 (IS)								
TWP	RNG	MER	SEC	Q-Q	TL	ACRES	USER	NOT#
4 N	28 E	WM	8	SW NE	6700	1.00	DUQUETTE	2006-01

Application T-10261 proposes to change the place of use for the above described rights to a different location within the same quarter-quarter located:

PROPOSED PLACE OF USE – CERTIFICATE 38390 (IS)								
TWP	RNG	MER	SEC	Q-Q	TL	ACRES	USER	NOT#
4 N	28 E	WM	8	SW NE	6700	1.00	DUQUETTE	2006-01

7. Westland Irrigation District identified an irrigation water right evidenced by Certificate 80450 existing on the proposed place of use lands located within Section 17, T 4 N, R 28 E, W.M., under NOTICE# 2006-01. Norma Quick, the landowner, submitted an affidavit to diminish the existing irrigation water right to supplemental irrigation.
8. Pursuant to OAR 690-017-0010(2), the Department has determined that Norma Quick is the record owner, as established by county deed records, of property to which a portion of the water right evidenced by Certificate 80450 is appurtenant.
9. The portion of the water right to be diminished from irrigation to supplemental irrigation is as follows:

Certificate: 80450 in the name of Norma Quick (perfected under Permit 44614)
Use: IRRIGATION of 5.65 ACRES
Priority Date: August 23, 1979
Rate/Duty: ONE-FORTIETH of one cubic foot per second per acre, further limited to 4.5 acre-feet per acre for each acre irrigated during the irrigation season
Source: UMATILLA RIVER, a tributary of the Columbia River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q-Q	Lot	SURVEY COORDINATES
4 N	28 E	WM	16	SW SW	--	660 feet North and 10 feet East from SW Corner of Section 16

Authorized Place of Use:

IRRIGATION WATER RIGHT UNDER CERTIFICATE 80450 DIMINISHED TO SUPPLEMENTAL IRRIGATION									
TWP	RNG	MER	SEC	Q-Q	TL	ACRES	USER	NOT#	
4 N	28 E	WM	17	SW NE	3700	5.65	QUICK	2006-02	

10. On January 2, 2007, the Water Resources Department issued an order approving Transfer Application T-10261. The order was recorded in Special Order Volume 70, at Page 775.
11. The order contained several scrivener errors in Findings of Fact #3 and #5 summarizing the acres subject to transfer and describing the changes proposed by the transfer.
12. This order is issued to correct the scrivener errors and supersede the previous order recorded at Special Order Volume 70, Pages 775 to 780.
13. 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.
14. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
15. The proposed changes in place of use would not result in enlargement of the rights.
16. The proposed change in place of use would not result in injury to other rights.

Conclusions of Law

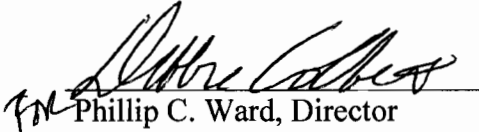
The proposed change in place of use in Transfer Application T-10261 satisfies the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed changes to the water rights evidenced by Certificates 76717, 76799, 79439 and 38390 are approved.
2. The portion of Certificate 80450 described in Finding of Fact #9 is diminished from irrigation to supplemental irrigation.

3. Certificates 76717, 76799 and 79439 are modified. The Department will issue superseding certificates describing the rights when it determines that is necessary for record keeping.
4. Certificates 38390 and 80450 are cancelled. New certificates will be issued to describe the remaining portions of the rights NOT modified by the transfer.
5. 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 and limitations contained in the District's water rights, related decree, and the Final Order approving T-10261.
6. The former places of use shall no longer be irrigated as part of these water rights.
7. The proposed changes shall be completed on or before October 1, 2008.
8. A Claim of Beneficial Use and Final Proof Map shall be submitted by Westland Irrigation District to the Department by October 1, 2009.

Dated at Salem, Oregon this 2nd day of March, 2007.


Phillip C. Ward, Director

MAR 13 2007
Mailing Date: _____