

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF )  
ROBERT EMERT (WESTLAND IRRIGATION )  
DISTRICT) FOR APPROVAL OF A CHANGE )  
IN PLACE OF USE OF WATER )

ORDER APPROVING  
TRANSFER 5494

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On June 21, 1984, an application was filed in the office of the Water Resources Director by Robert Emert 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 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 was tabulated at page 429, Volume 15, in the name of J.F. Murray, for irrigation of, among other lands, a certain 12.0 acres in SE 1/4 NW 1/4, Section 7, Township 3 North, Range 29 East, with a date of priority of 1900.

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 right therefrom to a certain 12.0 acres in SW 1/4 NW 1/4, Section 11, Township 3 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.

Larry H. Nunn, 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, 1986.

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 12th day of September, 1984.

*William H. Young*  
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.