

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Umatilla County

IN THE MATTER OF THE APPLICATION }
OF FRED C. FREDRICKSON FOR APPROVAL }
OF A CHANGE IN PLACE OF USE OF WATER }
FROM UMATILLA RIVER }

ORDER APPROVING
TRANSFER NO. 3597

On March 22, 1977, Fred C. Fredrickson filed an application in the office of the Water Resources Director for approval of a change in place of use under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The decree of the court in the matter of the determination of the relative rights to the use of the waters of the Umatilla River and its tributaries allowed a right in the name of Oregon Land and Water Co. (West Extension Irrigation District) which includes the use of not to exceed 0.24 cubic foot per second of water from the Umatilla River for irrigation of 3.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20; 3.18 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 10.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.01 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21; and 1.64 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 5 North, Range 27 East, W.M., with a date of priority of April 14, 1893.

The certificate recorded at Page 10142, Volume 9, State Record of Water Right Certificates, in the name of United States Reclamation Service, describes a right which includes the use of water from the Umatilla River for irrigation of 1.97 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, Township 5 North, Range 27 East, W.M., with a date of priority of March 28, 1909.

Water for the said right is diverted through the West Diversion Irrigation Canal from a point located 1000 feet North and 500 feet East from the Southwest corner of Section 28, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, Township 5 North, Range 28 East, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and without loss of priority to irrigate in lieu thereof a certain 19.03 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, Township 5 North, Range 27 East, W.M., with a date of priority of April 14, 1893; and a certain 1.97 acres in the said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, with a date of priority of March 28, 1909.

The lands involved herein are within the boundaries of the West Extension Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting held March 10, 1977.

No objection having been filed and it appearing that the proposed change in place of use 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 from the Umatilla River described herein, without loss of priority, is approved.

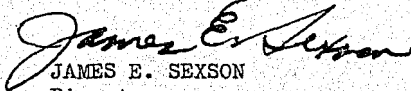
It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of completion of the change in place of use of water allowed herein confirmation of the change shall be included in the certificate at such time as it is issued to describe the right allowed by decree of the court in the name of Oregon Land & Water Company (West Extension Irrigation District).

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, the certificate of water

right heretofore issued to United States Reclamation Service and recorded at Page 10142, Volume 9, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right shall be issued.

Dated at Salem, Oregon, this 12th day of April, 1977.


JAMES E. SEXSON
Director