

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 540.580, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 9198 submitted by

WESTLAND IRRIGATION DISTRICT (Double M Ranch)
P.O. BOX 944
HERMISTON, OREGON 97838.

The rights to be modified are evidenced by portions of:

Certificate	Priority Date	Source (Primary or Supplemental)
76050	April 22, 1955	Umatilla River Primary
76051	June 27, 1958	Umatilla River Primary
79439	July 1, 1924	McKay Reservoir Supplemental

The first right to be modified, as evidenced by a portion of Certificate 76050, was perfected under Permit 25920, with a date of priority of APRIL 22, 1955. The right allows the use of water from the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 56.6 ACRES. This right is limited to 0.679 cubic foot per second, if available at the authorized point of diversion from the Umatilla River: SW¼ NE¼ OF SECTION 21, T 3 N, R

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

29 E, W.M.; NORTH 76 DEGREES 45 MINUTES 56 SECONDS EAST 2913.19 FEET FROM THE WEST ¼ CORNER OF SECTION 21, or its equivalent in case of rotation, measured at the point of diversion from the Umatilla River.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or it's equivalent) and 4½ acre-feet for each acre irrigated during the irrigation season of each year. The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

TOWNSHIP	RANGE	SECTION	GOVERNMENT LOT or DLC	1/4 1/4	TAX LOT NUMBER	ACRES
3N	28E	13		SW SE	4190	34.4
3N	28E	13		SE SE	4190	22.2
Total						56.6

The second right to be modified, as evidenced by a portion of Certificate 76051, was perfected under Permit 25924, with a date of priority of JUNE 27, 1958. The right allows the use of water from the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 14.2 ACRES. This right is limited to 0.095 cubic foot per second, if available at the authorized point of diversion from the Umatilla River: SW¼ NE¼ OF SECTION 21, T 3 N, R 29 E, W.M.; NORTH 76 DEGREES 45 MINUTES 56 SECONDS EAST 2913.19 FEET FROM THE WEST ¼ CORNER OF SECTION 21, or its equivalent in case of rotation, measured at the point of diversion from the Umatilla River.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or it's equivalent) and 4½ acre-feet for each acre irrigated during the irrigation season of each year. The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

TOWNSHIP	RANGE	SECTION	GOVERNMENT LOT or DLC	1/4 1/4	TAX LOT NUMBER	ACRES
3N	28E	13		SE SE	4190	14.2
Total						14.2

The third right to be modified, as evidenced by a portion of Certificate 79439, was perfected under a portion of Permit 7400 with a date of priority of JULY 7, 1924. The right allows the use stored water from MCKAY RESERVOIR, a tributary of the UMATILLA RIVER, for SUPPLEMENTAL IRRIGATION OF 70.8 ACRES.

This right is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated during the irrigation season of each year, if available at the authorized point of diversion: McKAY RESERVOIR - NW¼ SE¼, SECTION 34, T 2 N, R 32 E, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

TOWNSHIP	RANGE	SECTION	GOVERNMENT LOT or DLC	1/4 1/4	TAX LOT NUMBER	ACRES
3N	28E	13		SW SE	4190	34.4
3N	28E	13		SE SE	4190	36.4
Total						70.8

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The District requests to PERMANENTLY move the rights listed in the tables above to the locations listed below.

Certificates					76050	76051	79439
Priority Dates					April 22, 1955	June 27, 1958	July 1, 1924
Source					Primary	Primary	Supplemental
TWP	RNG	SEC	1/4 1/4	TL			
3N	28	13	NE SE	4190	6.60	10.30	16.90
3N	28	13	NW SE	4190	5.70		5.70
3N	28	13	SW SE	4190	14.60		14.60
3N	28	13	SE SW	4190	29.70	3.90	33.60
TOTAL ACRES:					56.60	14.20	70.80

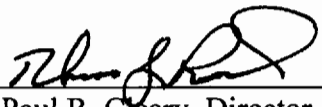
THEREFORE, THESE CHANGES TO EXISTING DISTRICT WATER RIGHTS MAY BE MADE SUBJECT TO THE FOLLOWING CONDITIONS:

1. The proposed change shall be completed on or before October 1, 2003.
2. The former place of use shall no longer be irrigated as a part of this water right.

3. Proof, to the satisfaction of the Director, that the changes approved by this order have been completed must be submitted by WESTLAND IRRIGATION DISTRICT on or before October 1, 2004.
4. Except as modified herein, all other conditions and restrictions of Certificates 76050, 76051 and Permit 7400 remain in effect.
5. When the Director determines that it is necessary, or to facilitate records keeping, new certificates will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm that portion of the right not modified by this or any other order.

When satisfactory proof of the completed changes are received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed AUG 29 2002


for Paul R. Cleary, Director