



# Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department  
North Central Region  
116 S.E. Dorion Avenue  
Pendleton, OR 97801  
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## FINAL ORDER

February 4, 2000

Westland Irrigation District  
P.O. Box 416  
Stanfield, Oregon 97875

RE: Approval of District Temporary Transfer File T-8399 (Vogt to Ontiveros)

Pursuant to ORS 540.570, Westland Irrigation District filed a request to move the place of use of certain water rights within the District for the 2000 irrigation season. The changes requested are enumerated on the attached sheet. Notice of the request was published in summary form by the Water Resources Department on January 11, 2000. Public comments were accepted for 30 days following publication. No comments were received.

Pursuant to ORS 540.570 (3) and OAR 690-21-060 (2) staff has reviewed the requested changes. This review finds that the proposed changes do not injure existing rights or result in enlargement of the subject rights. Therefore, the request as enumerated on the attached sheet and as conditioned below, is approved for the 2000 irrigation season.

1. Pursuant to 540.570 (2) water will not be used on the subject lands until 60 days after the district's notice was received or the start of the irrigation season, whichever is later. The notice was received January 3, 2000. Water will not be used on the subject lands until March 3, 2000.
2. The "FROM" lands will receive no water under the rights involved with T-8399 for the 1999 irrigation season.

**This is an order other than 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.**

3. The "FROM" lands will receive no water under any other rights appurtenant to these lands for the 2000 irrigation season, unless water rights are transferred to the "FROM" lands. In no case shall a temporary transfer allow the enlargement of the water right.
4. All restrictions and limitations contained in the decree or permit of the subject rights will apply to the "TO" lands.
5. Pursuant to 540.570 (6), the Department may further condition or revoke a temporary transfer at any time to the extent necessary to avoid injury if the department finds the transfer is causing injury to an existing water right.
6. Pursuant to 540.570 (7), upon expiration of the temporary transfer period, all uses of water for which a temporary transfer is allowed under this section shall revert automatically to the terms and conditions of the original water right permit, certificate or an adjudication proceeding under ORS chapter 539 as evidenced by a court decree.

Copies of the approved request and associated maps are on file at the Department's North Central Region office in Pendleton.

Sincerely,



Bernadette Williams  
Field Water Rights Technician

cc: Mike Ladd, Region Manager  
Tony Justus, Watermaster  
Frank Dye, Assistant Watermaster

attachment

Westland Irrigation District Temporary Transfer, 2000 Irrigation Season

TEMPORARY TRANSFER, 2000 IRRIGATION SEASON  
WESTLAND IRRIGATION DISTRICT

VOGT TO ONTIVEROS

- 1) **Umatilla River Decree - Volume 3, Page 247:** Irrigation; Priority Date - July 1907; Authorized Source - Umatilla River

Authorized Point of Diversion: SW ¼ NE ¼, Section 21, Township 3 North, Range 29 East, W.M.; North 76 Degrees 45 Minutes 56 Seconds East 2913 Feet from the Southwest Corner of the NW ¼, Section 21

- 2) **Permit 7400:** Supplemental Irrigation; Priority Date - July 7, 1924; Authorized Source - McKay Reservoir

Authorized Point of Diversion: NW ¼ SE ¼, Section 34, Township 2 North, Range 32 East, W.M.; 2231 Feet North and 3227 Feet East from the Southwest Corner, Section 34

FROM LANDS									
Name	W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
Vogt	Decree	4N	28E	7	SWNE	400	July 1907	IRRIG	1.0
Vogt	Permit 7400	4N	28E	7	SWNE	400	7/7/1924	SUPP	1.0
Vogt	Decree	4N	28E	7	SWNE	400	July 1907	IRRIG	1.0
Vogt	Permit 7400	4N	28E	7	SWNE	400	7/7/1924	SUPP	1.0
<b>IRRIG TOTAL</b>									<b>2.0</b>
<b>SUPP TOTAL</b>									<b>2.0</b>

Westland Irrigation District Temporary Transfer, 2000 Irrigation Season

TO LANDS									
Name	W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
Ontiveros	Decree	4N	28E	17	NWNW	801	July 1907	IRRIG	1.0
Ontiveros	Permit 7400	4N	28E	17	NWNW	801	7/7/1924	SUPP	1.0
Ontiveros	Decree	4N	28E	17	NWNW	801	July 1907	IRRIG	1.0
Ontiveros	Permit 7400	4N	28E	17	NWNW	801	7/7/1924	SUPP	1.0
<b>IRRIG TOTAL</b>									<b>2.0</b>
<b>SUPP TOTAL</b>									<b>2.0</b>