



2. On October 23, or November 27, 2019, WEID sent by certified mail, notices to the same fifteen water users stating WEID's intent to confiscate the water right appurtenant to their lands due to five consecutive years of non-use, and file a petition with the Department to transfer the unused portions of the water right to other lands in the District. The notice also advised the water users of their opportunity to object in writing within a 30-day period that began October 1, 2019. All persons holding a recorded security interest in the affected lands were also notified. The contents of the notices meet the requirements of ORS 540.572(3)-(4) and OAR 690-385-5100.
3. WEID did not submit to OWRD any written objections received by the district from any water user within 30 days of the notice described in Finding of Fact #2, above.
4. On December 26, 2019, the Department received WEID's district transfer application to permanently change the place of use under Certificates 79924, 79925, 79926, 79928, 79929, and 87872. The application includes lands to be evaluated under ORS 540.572 for non-use (4.70 acres), and lands *not involved in a non-use process* (11.25 acres) to be evaluated under ORS 540.580. The Department assigned the application number T-13334.
5. On January 6, 2020, WEID sent by certified mail, notices to the water users of the district whose right of record is to be transferred and to those who are to receive the transferred right. The notice informed them that WEID filed a petition with the Department to remove water rights due to five consecutive years of non-use. Copies of the permanent transfer application (petition) and maps submitted to the Department were included in the notice. The notice also informed the water users of their opportunity to submit to the Department, a protest consistent with OAR 690-385-5700 against approval of the permanent transfer. The contents of the notice meet the requirements of ORS 540.576 and OAR 690-385-5400. No protests were received within the 60-day protest period that began January 6, 2020.
6. Notice of the District Permanent Transfer Application for 11.25 acres *not involved in a non-use process* was published on December 31, 2019, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
7. Notice of the District Permanent Transfer Application for Non-Use for 4.70 acres was published on January 14, 2020, pursuant to ORS 540.580 and OAR 690-385-5500 with a 30-day comment period. No comments were filed in response to the notice.
8. The U.S. Bureau of Reclamation was notified of the transfer application on December 31, 2019; no comments were received within 90 days of the notification.
9. On February 20, 2020, the Department received updated maps and certain places of use for T-13334. On March 9, 2020, two corrections were submitted for the transfer.
10. The portion of the first right to be transferred is as follows:  
**Certificate:** 79924 in the name of WEST EXTENSION IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County)

Use: IRRIGATION of 1.60 acres and LIVESTOCK USE

Priority Dates: APRIL 14, 1893

Limit/Duty: Subject to the provisions of Paragraph 33 of the Umatilla River Decree

Source: The UMATILLA RIVER, tributary to the COLUMBIA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	28	SW SW	1100 FEET NORTH AND 520 FEET EAST FROM THE SW CORNER OF SECTION 28

**Authorized Place of Use:**

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice	POD
5 N	27 E	WM	22	SW NW	1.60	809	GERTOR	79924	

11. Transfer Application T-13334 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice	POD
5 N	27 E	WM	22	SW NW	0.80	810	GARTON	29924	
5 N	27 E	WM	22	SW NW	0.80	812	GARTON	29924	
<b>Total:</b>					<b>1.60</b>				

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

**Certificate:** 79925 in the name of WEST EXTENSION IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County)

Use: IRRIGATION of 0.40 acres AND STOCK WATER

Priority Dates: 1906

Limit/Duty: Subject to the provisions of Paragraph 33 of the Umatilla River Decree

Source: The UMATILLA RIVER, tributary to the COLUMBIA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	28	SW SW	1100 FEET NORTH AND 520 FEET EAST FROM THE SW CORNER OF SECTION 28

**Authorized Place of Use:**

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice	POD
5 N	27 E	WM	14	SW SE	0.10	1103	LEE	79925	
5 N	27 E	WM	14	SW SE	0.10	1104	MORONEY	79925	
5 N	27 E	WM	23	NW NE	0.20	1104	MORONEY	79925	
<b>Total:</b>					<b>0.40</b>				

13. Transfer Application T-13334 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice	POD
5 N	27 E	WM	22	SW NW	0.40	811	O'BRIEN	79925	

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

**Certificate:** 79926 in the name of U.S. BUREAU OF RECLAMATION (perfected under Permit S-408)

**Use:** IRRIGATION of 12.85 acres

**Priority Date:** MARCH 28, 1909

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be further limited to a diversion of not to exceed 2.0 acre-feet per acre in any 30 day period and not to exceed 10.0 acre-feet per acre throughout the irrigation season.

**Source:** UMATILLA RIVER, a tributary to the COLUMBIA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	28	SW SW	1100 FEET NORTH AND 520 FEET EAST FROM THE SW CORNER OF SECTION 28.

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
4 N	25 E	WM	14	NE SW	0.10	106	ACOSTA *
4 N	25 E	WM	14	NE SW	0.15	108	EPKEY *
4 N	25 E	WM	14	NE SW	0.30	101	GARRETT
4 N	25 E	WM	14	NE SW	0.15	102	GOMES
4 N	25 E	WM	14	NE SW	0.10	200	GUZMAN *
4 N	25 E	WM	14	NE SW	0.30	205	KEGLER
4 N	25 E	WM	14	NE SW	0.15	204	MUNOZ
4 N	25 E	WM	14	NE SW	0.15	107	RAMOS
4 N	25 E	WM	14	SE SW	0.20	106	ACOSTA *
4 N	25 E	WM	14	SE SW	0.30	104	BINGAMAN
4 N	25 E	WM	14	SE SW	1.00	ROW	FREDERICSON/WEID
4 N	25 E	WM	14	SE SW	0.20	105	JOHNSON *
4 N	25 E	WM	14	SE SW	0.30	103	O'BRIEN *
4 N	25 E	WM	14	NE SE	0.25	1921	ALLEN
4 N	25 E	WM	14	NE SE	0.05	1911	ARMENTROUT
4 N	25 E	WM	14	NE SE	0.15	1922	BASS
4 N	25 E	WM	14	NE SE	0.25	1901	BEATTY
4 N	25 E	WM	14	NE SE	0.20	1906	CAIN
4 N	25 E	WM	14	NE SE	0.20	1918	DILLEY
4 N	25 E	WM	14	NE SE	0.30	1915	JONES *
4 N	25 E	WM	14	NE SE	0.40	1916	MEENDERINCK *
4 N	25 E	WM	14	NE SE	0.35	1920	MENDOZA *
4 N	25 E	WM	14	NE SE	0.20	1905	MENDOZA

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
4 N	25 E	WM	14	NE SE	0.30	1908	MUNZON
4 N	25 E	WM	14	NE SE	0.25	1907	ROSEN
4 N	25 E	WM	14	NE SE	0.30	1904	SIMON
4 N	25 E	WM	14	NE SE	0.30	1909	SOWA *
4 N	25 E	WM	14	NE SE	0.05	1910	STEINER
4 N	25 E	WM	14	NE SE	0.20	1902	VILLEGAS
4 N	25 E	WM	14	SE SE	0.10	1911	ARMENTROUT
4 N	25 E	WM	14	SE SE	0.30	1913	BOLIN *
4 N	25 E	WM	14	SE SE	0.20	1914	MEDINA *
4 N	25 E	WM	14	SE SE	0.15	1910	STEINER
4 N	25 E	WM	14	SE SE	0.25	1912	WILLIAMS
4 N	25 E	WM	15	SW SE	0.50	1404	ANDERSON
4 N	25 E	WM	15	SW SE	0.50	1406	HAGGARD *
4 N	25 E	WM	15	SW SE	0.50	1403	PACHECO
4 N	25 E	WM	15	SW SE	0.40	1408	PACHERCO / ORTEZ
4 N	25 E	WM	15	SW SE	0.70	1405	RODELO *
4 N	25 E	WM	15	SW SE	0.40	1402	SAK
4 N	25 E	WM	15	SW SE	0.50	1401	STERNER
4 N	25 E	WM	15	SW SE	0.40	1409	VILLEGAS
4 N	25 E	WM	22	NW NW	0.10	1200	DUNCAN / TORRES
4 N	25 E	WM	22	NW NW	0.10	700	GILL
4 N	25 E	WM	22	NW NW	0.15	1100	PRAT
4 N	25 E	WM	22	NW NW	0.10	300	PRICE
4 N	25 E	WM	22	NW NW	0.15	1000	ROBBINS
4 N	25 E	WM	22	NW NW	0.20	100	SANCHEZ *
<b>Total:</b>					<b>12.85</b>		

\*Lands totaling 4.30 acres involved in transfer due to non-use

15. Transfer Application T-13334 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
4 N	25 E	WM	14	NE SE	0.70	1908	MUNOZ
4 N	25 E	WM	14	NE SE	0.25	1907	ROSEN
5 N	26 E	WM	26	SE SW	4.30	400	McNAMEE *
5 N	26 E	WM	26	SE SW	3.60	400	McNAMEE
5 N	26 E	WM	26	SW SE	4.00	400	McNAMEE
<b>Total:</b>					<b>12.85</b>		

\*Lands totaling 4.30 acres involved in transfer due to non-use

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

**Certificate:** 79928 in the name of WEST EXTENSION IRRIGATION DISTRICT (perfected under Permit S-33883)

**Use:** IRRIGATION of 1.10 acres

**Priority Dates:** SEPTEMBER 12, 1968

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second, or the equivalent for each acre irrigated and shall

be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** UMATILLA RIVER, a tributary to the COLUMBIA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	28	SW SW	1100 FEET NORTH AND 520 FEET EAST FROM THE SW CORNER OF SECTION 28

**Authorized Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
5 N	27 E	WM	14	SW SE	0.30	1100	BURKETT
5 N	27 E	WM	14	SW SE	0.40	1102	RODARTE *
5 N	27 E	WM	14	SW NE	0.40	1101	SNODGRASS
<b>Total:</b>					<b>1.10</b>		

\*Lands totaling 0.40 acres involved in transfer due to non-use

17. Transfer Application T-13334 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
5 N	27 E	WM	22	SW NW	0.40	811	O'BRIEN *
5 N	27 E	WM	22	SW NW	0.70	811	O'BRIEN
<b>Total:</b>					<b>1.10</b>		

\*Lands totaling 0.40 acres involved in transfer due to non-use

18. The portion of the fifth right to be transferred is as follows:

**Certificate:** 79929 in the name of WEST EXTENSION IRRIGATION DISTRICT (perfected under Permit S-33883)

**Use:** SUPPLEMENTAL IRRIGATION of 15.95 acres

**Priority Dates:** SEPTEMBER 12, 1968

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

**Source:** COLUMBIA RIVER, a tributary of the PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	28 E	WM	17	NW SW	1900 FEET NORTH AND 150 FEET EAST FROM THE SW CORNER OF SECTION 17
5 N	28 E	WM	10	NW SE	2150 FEET NORTH AND 3500 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
4 N	25 E	WM	14	NE SW	0.10	106	ACOSTA
4 N	25 E	WM	14	NE SW	0.15	108	EPKEY
4 N	25 E	WM	14	NE SW	0.30	101	GARRETT
4 N	25 E	WM	14	NE SW	0.15	102	GOMES
4 N	25 E	WM	14	NE SW	0.10	200	GUZMAN
4 N	25 E	WM	14	NE SW	0.30	205	KEGLER
4 N	25 E	WM	14	NE SW	0.15	204	MUNOZ
4 N	25 E	WM	14	NE SW	0.15	107	RAMOS
4 N	25 E	WM	14	SE SW	0.20	106	ACOSTA
4 N	25 E	WM	14	SE SW	0.30	104	BINGAMAN
4 N	25 E	WM	14	SE SW	1.00	ROW	FREDERICSON/WEID
4 N	25 E	WM	14	SE SW	0.20	105	JOHNSON
4 N	25 E	WM	14	SE SW	0.30	103	O'BRIEN
4 N	25 E	WM	14	NE SE	0.25	1921	ALLEN
4 N	25 E	WM	14	NE SE	0.05	1911	ARMENTROUT
4 N	25 E	WM	14	NE SE	0.15	1922	BASS
4 N	25 E	WM	14	NE SE	0.25	1901	BEATTY
4 N	25 E	WM	14	NE SE	0.20	1906	CAIN
4 N	25 E	WM	14	NE SE	0.20	1918	DILLEY
4 N	25 E	WM	14	NE SE	0.30	1915	JONES
4 N	25 E	WM	14	NE SE	0.40	1916	MEENDERINCK
4 N	25 E	WM	14	NE SE	0.35	1920	MENDOZA
4 N	25 E	WM	14	NE SE	0.20	1905	MENDOZA
4 N	25 E	WM	14	NE SE	0.30	1908	MUNZON
4 N	25 E	WM	14	NE SE	0.25	1907	ROSEN
4 N	25 E	WM	14	NE SE	0.30	1904	SIMON
4 N	25 E	WM	14	NE SE	0.30	1909	SOWA
4 N	25 E	WM	14	NE SE	0.05	1910	STEINER
4 N	25 E	WM	14	NE SE	0.20	1902	VILLEGAS
4 N	25 E	WM	14	SE SE	0.10	1911	ARMENTROUT
4 N	25 E	WM	14	SE SE	0.30	1913	BOLIN
4 N	25 E	WM	14	SE SE	0.20	1914	MEDINA
4 N	25 E	WM	14	SE SE	0.15	1910	STEINER
4 N	25 E	WM	14	SE SE	0.25	1912	WILLIAMS
4 N	25 E	WM	15	SW SE	0.50	1404	ANDERSON
4 N	25 E	WM	15	SW SE	0.50	1406	HAGGARD
4 N	25 E	WM	15	SW SE	0.50	1403	PACHECO
4 N	25 E	WM	15	SW SE	0.40	1408	PACHERCO / ORTEZ
4 N	25 E	WM	15	SW SE	0.70	1405	RODELO
4 N	25 E	WM	15	SW SE	0.40	1402	SAK
4 N	25 E	WM	15	SW SE	0.50	1401	STERNER
4 N	25 E	WM	15	SW SE	0.40	1409	VILLEGAS
4 N	25 E	WM	22	NW NW	0.10	1200	DUNCAN / TORRES
4 N	25 E	WM	22	NW NW	0.10	700	GILL
4 N	25 E	WM	22	NW NW	0.15	1100	PRAT
4 N	25 E	WM	22	NW NW	0.10	300	PRICE
4 N	25 E	WM	22	NW NW	0.15	1000	ROBBINS
4 N	25 E	WM	22	NW NW	0.20	100	SANCHEZ
5 N	27 E	WM	14	SW SE	0.10	1103	LEE

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
5 N	27 E	WM	14	SW SE	0.10	1104	MORONEY
5 N	27 E	WM	14	SW SE	0.30	1100	BURKETT
5 N	27 E	WM	14	SW SE	0.40	1102	RODARTE
5 N	27 E	WM	14	SW SE	0.40	1101	SNODGRASS
5 N	27 E	WM	22	SW NW	1.60	809	GERTOR
5 N	27 E	WM	23	NW NE	0.20	1104	MORONEY
<b>Total</b>					<b>15.95</b>		

19. Transfer Application T-13334 proposes to change the place of use to:

**Proposed Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
4 N	25 E	WM	14	NE SE	0.70	1908	MUNOZ
4 N	25 E	WM	14	NE SE	0.25	1907	ROSEN
5 N	26 E	WM	26	SE SW	7.90	400	McNAMEE
5 N	26 E	WM	26	SW SE	4.00	400	McNAMEE
5 N	27 E	WM	22	SW NW	0.80	810	GARTON
5 N	27 E	WM	22	SW NW	0.80	812	GARTON
5 N	27 E	WM	22	SW NW	1.50	811	O'BRIEN
<b>Total:</b>					<b>15.95</b>		

20. The portion of the sixth right to be transferred is as follows:

**Certificate:** 87872 in the name of U.S. BUREAU OF RECLAMATION (perfected under Permit S-7400)

**Use:** SUPPLEMENTAL IRRIGATION of 14.85 acres

**Priority Date:** JULY 1, 1924

**Limit/Duty:** The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is 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:** RETURN FLOW FROM THE IRRIGATION SYSTEMS ALONG THE UMATILLA RIVER USING WATER STORED IN MCKAY RESERVOIR, TRIBUTARY TO THE COLUMBIA RIVER

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	32 E	WM	34	NW SE	MCKAY RESERVOIR DAM
5 N	28 E	WM	28	SW SW	RE-DIVERSION POINT – THREE MILE FALLS DIVERSION LOCATED 1100 FEET NORTH AND 520 FEET EAST FROM THE SW CORNER OF SECTION 28

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
4 N	25 E	WM	14	NE SW	0.10	106	ACOSTA
4 N	25 E	WM	14	NE SW	0.15	108	EPKEY
4 N	25 E	WM	14	NE SW	0.30	101	GARRETT
4 N	25 E	WM	14	NE SW	0.15	102	GOMES
4 N	25 E	WM	14	NE SW	0.10	200	GUZMAN
4 N	25 E	WM	14	NE SW	0.30	205	KEGLER
4 N	25 E	WM	14	NE SW	0.15	204	MUNOZ
4 N	25 E	WM	14	NE SW	0.15	107	RAMOS
4 N	25 E	WM	14	SE SW	0.20	106	ACOSTA
4 N	25 E	WM	14	SE SW	0.30	104	BINGAMAN
4 N	25 E	WM	14	SE SW	1.00	ROW	FREDERICSON/WEID
4 N	25 E	WM	14	SE SW	0.20	105	JOHNSON
4 N	25 E	WM	14	SE SW	0.30	103	O'BRIEN
4 N	25 E	WM	14	NE SE	0.25	1921	ALLEN
4 N	25 E	WM	14	NE SE	0.05	1911	ARMENTROUT
4 N	25 E	WM	14	NE SE	0.15	1922	BASS
4 N	25 E	WM	14	NE SE	0.25	1901	BEATTY
4 N	25 E	WM	14	NE SE	0.20	1906	CAIN
4 N	25 E	WM	14	NE SE	0.20	1918	DILLEY
4 N	25 E	WM	14	NE SE	0.30	1915	JONES
4 N	25 E	WM	14	NE SE	0.40	1916	MEENDERINCK
4 N	25 E	WM	14	NE SE	0.35	1920	MENDOZA
4 N	25 E	WM	14	NE SE	0.20	1905	MENDOZA
4 N	25 E	WM	14	NE SE	0.30	1908	MUNZON
4 N	25 E	WM	14	NE SE	0.25	1907	ROSEN
4 N	25 E	WM	14	NE SE	0.30	1904	SIMON
4 N	25 E	WM	14	NE SE	0.30	1909	SOWA
4 N	25 E	WM	14	NE SE	0.05	1910	STEINER
4 N	25 E	WM	14	NE SE	0.20	1902	VILLEGAS
4 N	25 E	WM	14	SE SE	0.10	1911	ARMENTROUT
4 N	25 E	WM	14	SE SE	0.30	1913	BOLIN
4 N	25 E	WM	14	SE SE	0.20	1914	MEDINA
4 N	25 E	WM	14	SE SE	0.15	1910	STEINER
4 N	25 E	WM	14	SE SE	0.25	1912	WILLIAMS
4 N	25 E	WM	15	SW SE	0.50	1404	ANDERSON
4 N	25 E	WM	15	SW SE	0.50	1406	HAGGARD
4 N	25 E	WM	15	SW SE	0.50	1403	PACHECO
4 N	25 E	WM	15	SW SE	0.40	1408	PACHERCO / ORTEZ
4 N	25 E	WM	15	SW SE	0.70	1405	RODELO
4 N	25 E	WM	15	SW SE	0.40	1402	SAK
4 N	25 E	WM	15	SW SE	0.50	1401	STERNER
4 N	25 E	WM	15	SW SE	0.40	1409	VILLEGAS
4 N	25 E	WM	22	NW NW	0.10	1200	DUNCAN / TORRES
4 N	25 E	WM	22	NW NW	0.10	700	GILL
4 N	25 E	WM	22	NW NW	0.15	1100	PRAT
4 N	25 E	WM	22	NW NW	0.10	300	PRICE
4 N	25 E	WM	22	NW NW	0.15	1000	ROBBINS
4 N	25 E	WM	22	NW NW	0.20	100	SANCHEZ
5 N	27 E	WM	14	SW SE	0.10	1103	LEE

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
5 N	27 E	WM	14	SW SE	0.10	1104	MORONEY
5 N	27 E	WM	22	SW NW	1.60	809	GERTOR
5 N	27 E	WM	23	NW NE	0.20	1104	MORONEY
<b>Total</b>					<b>14.85</b>		

21. Transfer Application T-13334 proposes to change the place of use to:

**Proposed Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
4 N	25 E	WM	14	NE SE	0.70	1908	MUNOZ
4 N	25 E	WM	14	NE SE	0.25	1907	ROSEN
5 N	26 E	WM	26	SE SW	7.90	400	McNAMEE
5 N	26 E	WM	26	SW SE	4.00	400	McNAMEE
5 N	27 E	WM	22	SW NW	0.80	810	GARTON
5 N	27 E	WM	22	SW NW	0.80	812	GARTON
5 N	27 E	WM	22	SW NW	0.40	811	O'BRIEN
<b>Total</b>					<b>14.85</b>		

***Transfer Review Criteria for Lands Subject to Non-Use (4.70 acres) Transferred under ORS 540.572-540.580; OAR 690-358-5000 through 690-385-5800***

22. WEID is managed by a full-time manager. *ORS 540.572(1)(a) and OAR 690-385-5000(1).*
23. WEID is implementing an approved water conservation plan. *ORS 540.572(1)(b) and OAR 690-385-5000(2).*
24. Transfer T-13334 involves the use of water on lands located within the boundaries of WEID. *ORS 540.572(1) and OAR 690-385-5000(3).*
25. WEID determined the users had not made beneficial use of water for four successive years as shown in Findings of Facts #1. *OAR 690-385-5000(4).*
26. Based on the evidence contained in the letters and required notices, water was not put to beneficial use during the 2015, 2016, 2017, 2018, and 2019 irrigation seasons on the authorized lands designated in Finding of Facts #13 and #15, above, as lands involved in the transfer due to non-use. *OAR 690-385-5000(4).* These authorized places of use are "no longer irrigated" as defined in ORS 540.572(7).
27. The district provided notice to the users of their intent to transfer and provided opportunity to resolve the matter in the manner described by ORS 540.272 and OAR 690-385-5400 and 690-385-5600. *OAR 690-385-5000(5).* [See Findings of Facts 1-5.]
28. WEID filed Transfer Application T-13334 prior to the end of the fifth year of non-use as required by OAR 690-385-5600(5).

29. Transfer application T-13334 meets the application standards of ORS 540.574 and OAR 690-385-5200.
30. The maps meet the standards of ORS 540.574(1) and OAR 690-385-5300.
31. The water rights are subject to transfer as defined in OAR 690-385-0100(17). *OAR 690-385-5600(1)*.
32. The proposed change in place of use will not result in enlargement of the rights as defined in OAR 690-385-0100(4). *OAR 690-385-5600(2)*.
33. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6). *OAR 690-385-5600(3)*.

***Transfer Review Criteria for Lands (11.25 acres) Transferred under ORS 540.580 and OAR 690-385-4000.***

34. The Department finds that the portion of the district permanent transfer application submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.
35. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
36. The proposed change in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
37. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
38. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

**Affidavits of Non-Use on Layered Lands**

Portions of water right Certificates 91286 and 91287 for supplemental irrigation are appurtenant to certain authorized lands. The supplemental irrigation is not being transferred with the primary irrigation.

39. On December 17, 2021, the Department of Water Resources received three affidavits asserting non-use of the portion of water right Certificate 91286 that is layered with authorized lands under this transfer. The portion of the right described in the affidavits is as follows:

**Certificate:** 91286 in the name of CRAIG PRITCHARD (perfected under Permit S-49571)  
**Use:** SUPPLEMENTAL IRRIGATION of 6.0 ACRES  
**Priority Date:** AUGUST 9, 1985  
**Rate:** 0.13 CUBIC FEET PER SECOND

**Limit/Duty:** 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 its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** UNNAMED DRAINAGEWAY, tributary to the COLUMBIA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	13	NW SW	50 FEET SOUTH AND 700 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 13

**Place of Use to be Cancelled:**

Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	14	NE SE	5.30
4 N	25 E	WM	14	SE SE	0.70
<b>Total:</b>					<b>6.00</b>

40. On December 17, 2021, the Department of Water Resources received three affidavits asserting non-use of the portion of water right Certificate 91287 that is layered with authorized lands under this transfer. The portion of the right described in the affidavits is as follows:

**Certificate:** 91287 in the name of GRIEB FARMS INC. (perfected under Permit S-41308)

**Use:** SUPPLEMENTAL IRRIGATION of 6.0 ACRES

**Priority Date:** APRIL 19, 1976

**Rate:** 0.09 CUBIC FOOT PER SECOND

**Limit/Duty:** 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 its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** UNNAMED DRAINAGEWAY, tributary to the COLUMBIA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	13	NW SW	50 FEET SOUTH AND 700 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 13

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	14	NE SE	5.30
4 N	25 E	WM	14	SE SE	0.70
<b>Total:</b>					<b>6.00</b>

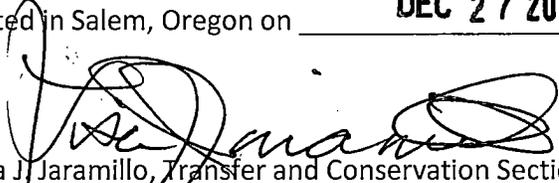
**Conclusions of Law**

The proposed changes in place of use as proposed in Transfer Application T-13334 satisfy the requirements of ORS 540.572 to 540.580, OAR 690-385-4500, OAR 693-385-5000, and 690-385-5600.

**Now, therefore, it is ORDERED:**

1. The proposed changes in place of use to the water rights evidenced by Certificates 79924, 79925, 79926, 79928, 79929, and 87872 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 79924, 79925, 79926, 79928, 79929, and 87872, and any related decree.
3. The place of use from which the water right is removed by T-13334 shall no longer be irrigated under the transferred right.
4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. A Claim of Beneficial Use shall be submitted by WEID to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. Water right certificates 79924, 79925, 79926, 79928, 79929, and 87872 are modified. After satisfactory proof of completion has been determined by the Department, superseding confirming-remaining water right certificates will be issued when the Department determines it is necessary for record keeping.

Dated in Salem, Oregon on DEC 27 2021

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: DEC 28 2021