

T-10359

DIST-TEMP

T-10359

Name Westland Irrigation DistBy Stacey WellsAddress PO Box 944Hermiston, OR 97838541 667-2030Change in POU

Date filed _____

Date of hearing _____

Place of hearing _____

Date of order 5-31-07 Vol. 72, page 233Date for application of water Superceding 6-22-07 v. 72 p. 464

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream umatilla R/WellTrib. of Columbia R/umatilla R County of umatillaUse IR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1955/1974/1981In name of Teel IRR Dist/Rosalie Chester Prior

_____ Adjudication, Vol. _____, page _____

App. No. 66645 Per. No. 525920 Cert. No. 76050

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4/4/07</u>	<u>299.08</u>	<u>86968</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

REC'D APR 16 2007 ^{1c} Rec'd at Region office



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

June 22, 2007

WESTLAND IRRIGATION DISTRICT
PO BOX 944
HERMISTON OR 97838

Reference: District Temporary Transfer 10359

Enclosed is a copy of the superseding final order approving your district temporary water right transfer application.

The change shall be effective at the end of the 2006 irrigation season. The use shall revert to the authorized place of use at the end of the 2007 irrigation season.

Sincerely,

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #5
Chester Prior (32327 Oregon Trail Road, Echo, OR 97826)

Enclosure

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	SUPERSEDING FINAL ORDER
T-10359, Umatilla County	)	APPROVING A DISTRICT
	)	TEMPORARY TRANSFER

Authority

ORS 540.570 establishes the process in which a district may submit a request to temporarily transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

WESTLAND IRRIGATION DISTRICT
P.O. BOX 944
HERMISTON, OR 97838

Findings of Fact

1. On April 4, 2007, Westland Irrigation District filed a district transfer application to temporarily change the place of use under Certificates 76050, 75127 and 81815. The Department assigned the application number T-10359.
2. On May 31, 2007, the Department issued a final order approving a change in place of use as proposed in Transfer Application T-10359, recorded at Special Order Volume 72, pages 233 to 237.
3. Shortly following issuance of the final order described in Finding #2, the Department recognized the need to modify Application T-10359. The application modification is needed to include Well #7 under Certificate 75127 in order to temporarily change the point of appropriation from Well #7 to Wells #4 and #8 and to allow the amount of water authorized under the certificate for Well #7 (1.8 cfs) to be used in any combination from Wells #4 and #8 at the proposed place of use.
4. The modification to Application T-10359, described in Finding #3, does not require additional public notice.

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 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

5. Pursuant to OAR 137-004-0080(5), the period in which the Department may, on its own initiative, reconsider a final order has not yet closed.
6. On June 20, 2007, the Department reconsidered the order approving Application T-10359 (Special Order Volume 72, pages 233 to 237) and concluded that the order should be superseded and reissued as described in Finding #7 below.
7. The portions of the rights to be transferred are as follows:

Certificate: 76050, issued in the name of Teel Irrigation District (perfected under Permit 25920)

Use: Irrigation (IR) of 496.3 acres

Priority Date: April 22, 1955

Rate & Duty: ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year

Source: Umatilla River, a tributary of the Columbia River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
3 N	29 E	WM	21	SW NE	WESTLAND CANAL - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 Feet from the W¼ Corner of Section 21

Certificate: 75127, issued in the name of Chester and Rosalie Prior (perfected under Permit G-6069)

Use: Supplemental Irrigation (IS) of 496.3 acres

Priority Date: September 5, 1974

Quantity: 6.21 Cubic Feet Per Second, being 1.8 cfs from Well #7, 1.8 cfs from Well #8, and 2.61 cfs from Well #4

Rate & Duty: ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein for supplemental irrigation shall be 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: Prior Wells #4, #7 and #8, within the Umatilla River Basin.

Authorized Points of Appropriation:

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
2 N	28 E	WM	1	SE NW	PRIOR WELL #4 – 2640 Feet South and 630 Feet West from the N¼ Corner of Section 1
2 N	28 E	WM	2	SE NW	PRIOR WELL #7 – 2500 Feet South and 2580 Feet East from the NW Corner of Section 2
2 N	28 E	WM	2	NE SE	PRIOR WELL #8 – 2800 Feet South and 500 Feet West from the NE Corner of Section 2

Certificate: 81815, issued in the name of Chester Prior, Eagle Ranch (perfected under Permit 48450)

Use: Supplemental Irrigation (IS) of 496.3 acres

Priority Date: August 3, 1981

Rate & Duty: ONE-FORTIETH of one cubic foot per second (or its equivalent) and 1.5 acre-feet for each acre irrigated during the period from November 15 to the last day of February of each year, provided further that the right allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed 4.5 acre-feet for each acre irrigated in any one year, provided further, that the part declared herein be for supplemental irrigation, the right allowed may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply provided the total quantity diverted from all sources of supply does not exceed the limitation allowed herein. The use of water during the period November 15 to the last day February of each year shall not establish priority of right as against future appropriations for beneficial uses or storage for such beneficial uses, other than similar rights for irrigation from November 15 to the last day of February

Source: Umatilla River, a tributary of the Columbia River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
3 N	29 E	WM	21	SW NE	WESTLAND CANAL - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 Feet from the W¼ Corner of Section 21

Authorized Places of Use:

IRRIGATION (IR) AND SUPPLEMENTAL IRRIGATION (IS)									
TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)			USER
						76050 (IR)	75127 (IS)	81815 (IS)	
2 N	28 E	WM	1	SW NW	200	25.5	25.5	25.5	CHESTER PRIOR
2 N	28 E	WM	1	NE SW	200	37.1	37.1	37.1	CHESTER PRIOR
2 N	28 E	WM	1	NW SW	200	31.0	31.0	31.0	CHESTER PRIOR
2 N	28 E	WM	1	SW SW	200	28.8	28.8	28.8	CHESTER PRIOR
2 N	28 E	WM	1	SE SW	200	31.2	31.2	31.2	CHESTER PRIOR
2 N	28 E	WM	2	NE NE	300	8.2	8.2	8.2	CHESTER PRIOR
2 N	28 E	WM	2	NW NE	300	36.7	36.7	36.7	CHESTER PRIOR
2 N	28 E	WM	2	SW NE	300	38.2	38.2	38.2	CHESTER PRIOR
2 N	28 E	WM	2	SE NE	300	29.2	29.2	29.2	CHESTER PRIOR
2 N	28 E	WM	2	NE NW	300	33.3	33.3	33.3	CHESTER PRIOR
2 N	28 E	WM	2	NW NW	300	32.2	32.2	32.2	CHESTER PRIOR
2 N	28 E	WM	2	SW NW	300	27.8	27.8	27.8	CHESTER PRIOR
2 N	28 E	WM	2	SE NW	300	30.0	30.0	30.0	CHESTER PRIOR
2 N	28 E	WM	2	NE SE	500	19.1	19.1	19.1	CHESTER PRIOR
2 N	28 E	WM	2	NW SE	500	30.0	30.0	30.0	CHESTER PRIOR
2 N	28 E	WM	2	SW SE	500	35.2	35.2	35.2	CHESTER PRIOR
2 N	28 E	WM	2	SE SE	500	22.8	22.8	22.8	CHESTER PRIOR
TOTAL:						496.3	496.3	496.3	

8. Application T-10359 proposes to TEMPORARILY change the place of use for the above described rights and diminish the lands under Certificate 76050 from primary irrigation to supplemental irrigation to:

SUPPLEMENTAL IRRIGATION (IS)									
TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)			USER
						76050 (IS)*	75127 (IS)	81815 (IS)	
3 N	28 E	WM	20	NE SE	6700	31.9	31.9	31.9	CHESTER PRIOR
3 N	28 E	WM	20	NW SE	6700	31.3	31.3	31.3	CHESTER PRIOR
3 N	28 E	WM	20	SW SE	6700	32.7	32.7	32.7	CHESTER PRIOR
3 N	28 E	WM	20	SE SE	6700	32.2	32.2	32.2	CHESTER PRIOR
3 N	28 E	WM	21	NE SE	6800	29.9	29.9	29.9	CHESTER PRIOR
3 N	28 E	WM	21	NW SE	6900	30.6	30.6	30.6	CHESTER PRIOR
3 N	28 E	WM	21	SW SE	6800	32.4	32.4	32.4	CHESTER PRIOR
3 N	28 E	WM	21	SE SE	6800	31.2	31.2	31.2	CHESTER PRIOR
3 N	28 E	WM	29	NE NE	8100	30.7	30.7	30.7	CHESTER PRIOR
3 N	28 E	WM	29	NW NE	8100	29.9	29.9	29.9	CHESTER PRIOR
3 N	28 E	WM	29	SW NE	8100	29.6	29.6	29.6	CHESTER PRIOR
3 N	28 E	WM	29	SE NE	8100	30.0	30.0	30.0	CHESTER PRIOR
3 N	28 E	WM	29	NE NW	8100	28.7	28.7	28.7	CHESTER PRIOR
3 N	28 E	WM	29	NW NW	8100	33.1	33.1	33.1	CHESTER PRIOR
3 N	28 E	WM	29	SW NW	8100	33.1	33.1	33.1	CHESTER PRIOR
3 N	28 E	WM	29	SE NW	8100	28.5	28.5	28.5	CHESTER PRIOR
3 N	28 E	WM	30	NE NE	8100	0.2	0.2	0.2	CHESTER PRIOR
3 N	28 E	WM	30	SE NE	8100	0.3	0.3	0.3	CHESTER PRIOR
TOTAL:						496.3	496.3	496.3	

* NOTE: The applicant has requested to diminish the above described Certificate 76050 (496.3 acres) at the new proposed place of use to supplemental irrigation to existing primary water right Certificates 76050, 76717, 76799 and 76051.

9. Application T-10359 also proposes to TEMPORARILY change the point of appropriation from Well #7 (1.8 cfs) to two wells located as follows:

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
2 N	28 E	WM	1	SE NW	PRIOR WELL #4 – 2640 Feet South and 630 Feet West from the N¼ Corner of Section 1
2 N	28 E	WM	2	NE SE	PRIOR WELL #8 – 2800 Feet South and 500 Feet West from the NE Corner, of Section 2

10. The use of water under Certificate 75127 for the 2007 irrigation season is subject to the order dated August 28, 2006, recorded at Special Order Volume 69, page 687, approving an allocation of groundwater within the Stage Gulch Critical Groundwater Area.

11. The diminishment and proposed use of water for supplemental irrigation under Certificate 76050 on the proposed lands together with the same existing water right Certificate 76050 on these "TO" lands is limited to an appropriation of no more than the allowable rate and duty per each acre as described within the certificate during the 2007 season.
12. The district temporary transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
13. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
14. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
15. Pumps and a pipeline system sufficient to use the full amount of water allowed under the existing rights are present.
16. The proposed changes would not result in enlargement of the rights.
17. The proposed changes would not result in injury to other water rights.

Conclusions of Law

The temporary changes in point of appropriation and place of use proposed in Application T-10359 satisfy the requirements of ORS 540.574(3) and 540.570.

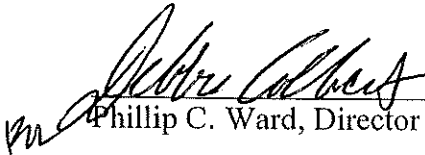
The use of water under Certificate 76050 is restricted to the limitations contained in the certificate as described in Findings of Fact #11.

Now, therefore, it is ORDERED:

1. The final order entered at Special Order Volume 72, pages 233 through 237 is void and of no further force or effect.
2. The proposed changes in point of appropriation and place of use proposed in Application T-10359 are approved.
3. The appropriation of water from Wells #4 & #8 is limited to 6.21 cfs and may be used in any combination for the 2007 irrigation season.
4. The temporary transfer is effective for the 2007 irrigation season.
5. 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 76050, 75127 and 81815 and any related decree.

6. Certificate 76050 is diminished to supplemental irrigation for the 2007 irrigation season, as described in Finding of Fact #8, and, along with the other water rights for supplemental irrigation being transferred, may be used only to make up a deficiency of supply for Certificates 76050, 76051, 76799, and 76717.
7. Water for the new wells shall be acquired from the same aquifer (water source) as the original point of appropriation.
8. The use of water on the lands from which the water right is transferred and at the new temporary place of use during the same irrigation season or calendar year is prohibited and may subject the district and landowner to civil penalties.
9. The use of water under this temporary transfer may be conditioned or revoked at any time to the extent necessary to avoid injury if the Department finds the transfer causes injury to any existing water right.
10. At the end of the 2007 irrigation season all uses of water under this temporary transfer revert automatically to the terms and conditions of the original water right permit, certificate, or adjudication as evidenced by a court decree.

Dated at Salem, Oregon this 22nd day of June 2007.


Phillip C. Ward, Director

Mailing date: 6-25-07

Lisa Jaramillo

From: Ken Dowden
Sent: Thursday, June 21, 2007 9:30 AM
To: Mike Ladd
Cc: Debbie Colbert; Greg Nelson; Lisa Jaramillo; Mike Zwart
Subject: RE: Westland Irrigation T-10359 (Chet Prior)

I have completed a new (draft) Superseding Final Order and placed it in the directory named:

/shared/groups/fs/transfer/Transfer Files/10300-10399/10359

Thanks for everyone's help on this one! Call if questions.

From: Mike Ladd
Sent: Wednesday, June 20, 2007 4:13 PM
To: Ken Dowden
Cc: Debbie Colbert; Greg Nelson; Lisa Jaramillo; Mike Zwart
Subject: Westland Irrigation T-10359 (Chet Prior)

Based on some discussions I have had with Chet Prior in the last week it is apparent when they submitted the application for the above transfer they intended to include well # 7 but did not. They also would like to take the Q from well # 7 and transfer it to wells 4 and 8, based on the number of acres involved in the transfer and not to exceed a total of 6.21 cfs from any combination of wells. As the transfer is in the name of Westland, I talked to Stacey Wells, as she agrees with the proposed new changes.

Because of the changes, it is my understanding Mike Zwart will have to take a look and make sure the additional POA's requested will not cause injury. Mike has indicated he will turn that review around quickly.

The order approving T-10359 was signed May 31, 2007, therefore the department can on it's own motion reconsider the order. Therefore, I am requesting the department on its own motion, issue a superceding order implementing the changes above, provided no injury is identified from the additional changes.

Ken, will you please work up a new order proposing to implement these changes and forward it to Salem this week.

Michael F. Ladd
Regional Manager
North Central Region
Oregon Water Resources
116 SE Dorion
Pendleton, Oregon 97801
(541) 278-5456
(541) 278-0287 Fax
Michael.F.Ladd@wrd.state.or.us

Lisa Jaramillo

From: Ken Dowden
Sent: Wednesday, June 20, 2007 4:44 PM
To: Lisa Jaramillo
Subject: FW: Westland Irrigation T-10359 (Chet Prior)

Hi Lisa, I have placed an electronic copy of this superseding Final Order in the directory:

/shared/groups/fs/transfer/Transfer Files/10300-10399/10359

Call if questions. You should definitely share this with Dorothy, especially my crafting of the wording in Fof F #3, 10 & 15. Then the Conclusion of Law 1st paragraph.

Good Luck.....!

From: Mike Ladd
Sent: Wednesday, June 20, 2007 4:13 PM
To: Ken Dowden
Cc: Debbie Colbert; Greg Nelson; Lisa Jaramillo; Mike Zwart
Subject: Westland Irrigation T-10359 (Chet Prior)

Based on some discussions I have had with Chet Prior in the last week it is apparent when they submitted the application for the above transfer they intended to include well # 7 but did not. They also would like to take the Q from well # 7 and transfer it to wells 4 and 8, based on the number of acres involved in the transfer and not to exceed a total of 6.21 cfs from any combination of wells. As the transfer is in the name of Westland, I talked to Stacey Wells, as she agrees with the proposed new changes.

Because of the changes, it is my understanding Mike Zwart will have to take a look and make sure the additional POA's requested will not cause injury. Mike has indicated he will turn that review around quickly.

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Ken, will you please work up a new order proposing to implement these changes and forward it to Salem this week.

Michael F. Ladd
Regional Manager
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116 SE Dorion
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(541) 278-5456
(541) 278-0287 Fax
Michael.F.Ladd@wrdd.state.or.us

**OREGON WATER RESOURCES DEPARTMENT
INTEROFFICE MEMO**

To: Lisa Jaramillo/Greg Nelson

Date: June 21, 2007

From: Michael J. Zwart

Subject: Review of T-10359, Westland Irrigation District (District Temporary Transfer)

I reviewed the information in the file. With regard to the proposed addition of Prior Well #7 to the existing request including Well #4 and Well #8, I find that the proposed change may be made without injury to existing rights.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

June 1, 2007

WESTLAND IRRIGATION DISTRICT
PO BOX 944
HERMISTON OR 97838

Reference: District Temporary Transfer T- 10359

Enclosed is a copy of the order approving your District Temporary transfer.

Sincerely,

for Greg Nelson
District Transfer Specialist

GLN:sh

cc: Watermaster #5

Enclosure

STATE OF OREGON

) **F I N A L O R D E R**
) APPROVING A DISTRICT
) TEMPORARY TRANSFER

ORS 540.570 establishes the process in which a district may submit a request to temporarily transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

WESTLAND IRRIGATION DISTRICT
P.O. BOX 944
HERMISTON, OR 97838

Findings of Fact

1. On April 4, 2007, Westland Irrigation District filed a district transfer application to temporarily change the place of use under Certificates 76050, 75127 and 81815. The Department assigned the application number T-10359.
2. Notice of the application for transfer was published pursuant to ORS 540.570 and OAR 690-385-4400. No comments were filed in response to the notice.
3. Westland Irrigation District specified water for primary irrigation use under a portion of Certificate 76050 and supplemental use under a portion of Certificate 81815 on the "TO" lands will not be used during the course of the 2007 Irrigation Season, and is fully described in Findings of Fact #4.
4. The portion of the first right to be transferred are as follows:
Certificate: 76050, issued in the name of Teel Irrigation District
Use: Irrigation (IR) of 496.3 acres
Priority Date: April 22, 1955
Rate & Duty: ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

This is a final order in 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 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Source: Umatilla River, a tributary of the Columbia River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
3 N	29 E	WM	21	SW NE	WESTLAND CANAL - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 Feet from the W¼ Corner of Section 21

Certificate: 75127, issued in the name of Chester and Rosalie Prior (Perfected under permit G-6069

Use: Supplemental Irrigation (IS) of 496.3 acres

Priority Date: September 5, 1974

Quantity: 5.39 Cubic Feet Per Second, being 2.2 cfs from Well#8 and 3.19 cfs from Well#4

Rate & Duty: ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year., provided further that the right allowed herein for supplemental irrigation shall be 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: Prior Wells # 4 and #8, within the Umatilla River Basin.

Authorized Points of Appropriation:

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
2 N	28 E	WM	1	SE NW	PRIOR WELL #4 – 2640 Feet South and 630 Feet West from the N¼ Corner of Section 1
2 N	28 E	WM	2	NE SE	PRIOR WELL #8 – 2800 Feet South and 500 Feet West from the NE Corner of Section 2

Certificate: 81815, issued in the name of Chester Prior, Eagle Ranch

Use: Supplemental Irrigation (IS) of 496.3 acres

Priority Date: August 3, 1981

Rate & Duty: ONE-FORTIETH of one cubic foot per second (or its equivalent) and 1.5 acre-feet for each acre irrigated during the period from November 15 to the last day of February of each year, provided further that the right allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed 4.5 acre-feet for each acre irrigated in any one year, provided further, that the part declared herein be for supplemental irrigation, the right allowed may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply provided the total quantity diverted from all sources of supply does not exceed the limitation allowed herein. The use of water during the period November 15 to the last day February of each year shall not establish priority of right as against future appropriations for beneficial uses or storage for such beneficial uses, other than similar rights for irrigation from November 15 to the last day of February.

Source: Umatilla River, a tributary of the Columbia River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
3 N	29 E	WM	21	SW NE	WESTLAND CANAL - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 Feet from the W¼ Corner of Section 21

Authorized Places of Use:

IRRIGATION (IR) AND SUPPLEMENTAL IRRIGATION (IS)									
TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)			USER
						76050 (IR)	75127 (IS)	81815 (IS)	
2 N	28 E	WM	1	SW NW	200	25.5	25.5	25.5	CHESTER PRIOR
2 N	28 E	WM	1	NE SW	200	37.1	37.1	37.1	CHESTER PRIOR
2 N	28 E	WM	1	NW SW	200	31.0	31.0	31.0	CHESTER PRIOR
2 N	28 E	WM	1	SW SW	200	28.8	28.8	28.8	CHESTER PRIOR
2 N	28 E	WM	1	SE SW	200	31.2	31.2	31.2	CHESTER PRIOR
2 N	28 E	WM	2	NE NE	300	8.2	8.2	8.2	CHESTER PRIOR
2 N	28 E	WM	2	NW NE	300	36.7	36.7	36.7	CHESTER PRIOR
2 N	28 E	WM	2	SW NE	300	38.2	38.2	38.2	CHESTER PRIOR
2 N	28 E	WM	2	SE NE	300	29.2	29.2	29.2	CHESTER PRIOR
2 N	28 E	WM	2	NE NW	300	33.3	33.3	33.3	CHESTER PRIOR
2 N	28 E	WM	2	NW NW	300	32.2	32.2	32.2	CHESTER PRIOR
2 N	28 E	WM	2	SW NW	300	27.8	27.8	27.8	CHESTER PRIOR
2 N	28 E	WM	2	SE NW	300	30.0	30.0	30.0	CHESTER PRIOR
2 N	28 E	WM	2	NE SE	500	19.1	19.1	19.1	CHESTER PRIOR
2 N	28 E	WM	2	NW SE	500	30.0	30.0	30.0	CHESTER PRIOR
2 N	28 E	WM	2	SW SE	500	35.2	35.2	35.2	CHESTER PRIOR
2 N	28 E	WM	2	SE SE	500	22.8	22.8	22.8	CHESTER PRIOR
TOTAL:						496.3	496.3	496.3	

Application T-10359 proposes to TEMPORARILY diminish the lands under Certificate 76050 from primary irrigation to supplemental irrigation and change the place of use for the above described rights to:

SUPPLEMENTAL IRRIGATION (IS)									
TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)			USER
						76050 (IS)*	75127 (IS)	81815 (IS)	
3 N	28 E	WM	20	NE SE	6700	31.9	31.9	31.9	CHESTER PRIOR
3 N	28 E	WM	20	NW SE	6700	31.3	31.3	31.3	CHESTER PRIOR
3 N	28 E	WM	20	SW SE	6700	32.7	32.7	32.7	CHESTER PRIOR
3 N	28 E	WM	20	SE SE	6700	32.2	32.2	32.2	CHESTER PRIOR
3 N	28 E	WM	21	NE SE	6800	29.9	29.9	29.9	CHESTER PRIOR
3 N	28 E	WM	21	NW SE	6900	30.6	30.6	30.6	CHESTER PRIOR
3 N	28 E	WM	21	SW SE	6800	32.4	32.4	32.4	CHESTER PRIOR
3 N	28 E	WM	21	SE SE	6800	31.2	31.2	31.2	CHESTER PRIOR
3 N	28 E	WM	29	NE NE	8100	30.7	30.7	30.7	CHESTER PRIOR
3 N	28 E	WM	29	NW NE	8100	29.9	29.9	29.9	CHESTER PRIOR

SUPPLEMENTAL IRRIGATION (IS)									
TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)			USER
						76050 (IS)*	75127 (IS)	81815 (IS)	
3 N	28 E	WM	29	SW NE	8100	29.6	29.6	29.6	CHESTER PRIOR
3 N	28 E	WM	29	SE NE	8100	30.0	30.0	30.0	CHESTER PRIOR
3 N	28 E	WM	29	NE NW	8100	28.7	28.7	28.7	CHESTER PRIOR
3 N	28 E	WM	29	NW NW	8100	33.1	33.1	33.1	CHESTER PRIOR
3 N	28 E	WM	29	SW NW	8100	33.1	33.1	33.1	CHESTER PRIOR
3 N	28 E	WM	29	SE NW	8100	28.5	28.5	28.5	CHESTER PRIOR
3 N	28 E	WM	30	NE NE	8100	0.2	0.2	0.2	CHESTER PRIOR
3 N	28 E	WM	30	SE NE	8100	0.3	0.3	0.3	CHESTER PRIOR
TOTAL:						496.3	496.3	496.3	

* NOTE: The applicant has requested to diminish the above described Certificate 76050 (496.3 acres) at the new proposed place of use to supplemental irrigation to existing primary water right Certificates 76050, 76717, 76799 and 76051.

- The use of water under Certificate 75127 for the 2007 irrigation season is subject to the order dated August 28, 2006, recorded at Special Order Volume 69, page 687, approving an allocation of groundwater within the Stage Gulch Critical Groundwater Area.
- The diminishment and proposed use of water for supplemental irrigation under Certificate 76050 on the proposed lands together with the same existing water right Certificate 76050 on these "TO" lands is limited to an appropriation of no more than the allowable rate and duty per each acre as described within the certificate during the 2007 season.
- The district temporary transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
- The water rights are subject to transfer as defined in OAR 690-385-0100(17).
- The proposed change in place of use would not result in enlargement of the rights.
- The proposed changes in place of use would not result in injury to other rights.

Conclusions of Law

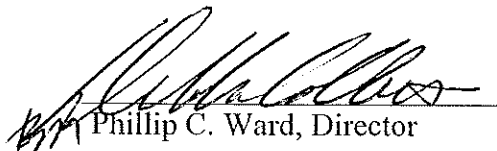
- The proposed change in place of use in Transfer Application T-10359 satisfies the requirements of ORS 540.574(3) and 540.570.
- The use of water under Certificate 76050 is restricted to the limitations contained in the certificate as described in Findings of Fact #6.

Now, therefore, it is ORDERED:

- The proposed changes to the water rights evidenced by Certificates 76050, 75127 and 81815 are approved.

2. The temporary transfer is effective for the 2007 irrigation season.
3. 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 76050, 75127 and 81815 and any related decree.
4. Certificate 75127 is diminished to supplemental irrigation for the 2007 irrigation season, as described in Findings of Fact #4 and #5, and may be used only to make up a deficiency of supply for Certificates 76050, 76051, 76799, and 76717.
5. The use of water on the lands from which the water right is transferred and at the new temporary place of use during the same irrigation season or calendar year is prohibited and may subject the district and landowner to civil penalties.
6. The use of water under this temporary transfer may be conditioned or revoked at any time to the extent necessary to avoid injury if the Department finds the transfer causes injury to any existing water right.
7. At the end of the 2007 irrigation season all uses of water under this temporary transfer revert automatically to the terms and conditions of the original water right permit, certificate, or adjudication as evidenced by a court decree.

Dated at Salem, Oregon this 31st day of May, 2007.


Phillip C. Ward, Director

JUN 04 2007
Mailing Date: _____

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TEEL IRRIGATION DISTRICT
32327 OREGON TRAIL ROAD
ECHO, OREGON 97826

confirms part of the right to use the waters of the UMATILLA RIVER a tributary of the COLUMBIA RIVER, for IRRIGATION OF 5011.5 acres.

This right was perfected under Permit 25920. The date of priority is April 22, 1955. This right is limited to 60.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 NE 1/4, SECTION 21, T 3 N, R 29 E, W.M.; WESTLAND CANAL - NORTH 76 DEGREES 45 MINUTES 56 SECONDS EAST, 2913.19 FEET FROM THE WEST 1/4 CORNER OF SECTION 21.

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), and 4.5 acre-feet for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

	ACRES
NE 1/4 NW 1/4	32.2
NW 1/4 NW 1/4	31.6
SW 1/4 NW 1/4	29.6
NE 1/4 SW 1/4	37.1
NW 1/4 SW 1/4	31.0
SW 1/4 SW 1/4	28.8
SE 1/4 SW 1/4	31.2
SECTION 1	
	221.5 Acres
NE 1/4 NE 1/4	8.2
NW 1/4 NE 1/4	36.7
SW 1/4 NE 1/4	38.2
SE 1/4 NE 1/4	29.2
NE 1/4 NW 1/4	33.3
NW 1/4 NW 1/4	32.2
SW 1/4 NW 1/4	27.8
SE 1/4 NW 1/4	30.0
NE 1/4 SE 1/4	19.1
NW 1/4 SE 1/4	30.0
SW 1/4 SE 1/4	35.2
SE 1/4 SE 1/4	22.8
SECTION 2	
	342.7 Acres

Township 2 North, Range 28 East, W.M.

T-9362 APOU/APDA (Dist Temp)

T-9061 APOU

T-9594 APOU (Dist Temp) V.57 P.972

T-8418

T-9686 APOU (Temp)
V.60 P.708

T-8403 T-8404 -8393 T-8391

T-9591 APOU V.59 P.457

T-9198 APOU

T-9844 T-9895 V.64 P.548
T-9845 V.64 P.275

T-8674 Temporary Ya 2001
T-8685 Dist Temp Ya 2001

T-8147 8146 8142 7917 7902

		IRRIGATED ACRES	
NE ¼	SE ¼	4.1	
NW ¼	SE ¼	4.4	
SW ¼	SE ¼	35.3	
SE ¼	SE ¼	29.5	
SECTION 4			73.3 Acres
NE ¼	NE ¼	31.0	
NW ¼	NE ¼	34.1	
SW ¼	NE ¼	35.2	
SE ¼	NE ¼	29.5	
NE ¼	NW ¼	30.7	
NW ¼	NW ¼	33.8	
SW ¼	NW ¼	35.9	
SE ¼	NW ¼	31.1	
NE ¼	SW ¼	28.0	
NW ¼	SW ¼	29.8	
SW ¼	SW ¼	35.9	
SE ¼	SW ¼	31.6	
NE ¼	SE ¼	31.1	
NW ¼	SE ¼	33.4	
SW ¼	SE ¼	35.3	
SE ¼	SE ¼	30.6	
SECTION 9			517.0 Acres
NE ¼	NW ¼	28.3	
NW ¼	NW ¼	33.9	
SW ¼	NW ¼	34.4	
SE ¼	NW ¼	28.8	
NE ¼	SW ¼	31.9	
NW ¼	SW ¼	32.5	
SW ¼	SW ¼	32.4	
SE ¼	SW ¼	28.4	
NW ¼	SE ¼	36.9	
SW ¼	SE ¼	3.7	
SECTION 10			291.2 Acres
SW ¼	SE ¼	34.4	
SE ¼	SE ¼	22.2	
SECTION 13			56.6 Acres
NE ¼	NW ¼	30.8	
NW ¼	NW ¼	33.3	
SW ¼	NW ¼	30.7	
SE ¼	NW ¼	28.0	
SECTION 15			122.8 Acres
NE ¼	NE ¼	31.0	
NW ¼	NE ¼	30.3	
SW ¼	NE ¼	32.7	
SE ¼	NE ¼	30.1	
NE ¼	NW ¼	29.7	
NW ¼	NW ¼	32.2	
SW ¼	NW ¼	33.5	
SE ¼	NW ¼	29.4	
NE ¼	SW ¼	29.6	
NW ¼	SW ¼	32.2	
SW ¼	SW ¼	34.0	
SE ¼	SW ¼	29.0	
NE ¼	SE ¼	31.1	
NW ¼	SE ¼	30.9	
SW ¼	SE ¼	32.2	
SE ¼	SE ¼	30.0	
SECTION 16			497.9 Acres

Township 3 North, Range 28 East, W. M.

IRRIGATED

ACRES

NE ¼ NE ¼	33.3
NW ¼ NE ¼	18.8
SW ¼ NE ¼	18.7
SE ¼ NE ¼	21.8
NE ¼ SW ¼	10.1
SE ¼ SW ¼	5.8
NE ¼ SE ¼	34.6
NW ¼ SE ¼	40.9
SW ¼ SE ¼	35.9
SE ¼ SE ¼	24.7

SECTION 17

244.6 Acres

NE ¼ NE ¼	31.8
NW ¼ NE ¼	31.4
SW ¼ NE ¼	33.9
SE ¼ NE ¼	32.8
NE ¼ SE ¼	31.9
NW ¼ SE ¼	31.3
SW ¼ SE ¼	32.7
SE ¼ SE ¼	32.2

SECTION 20

258.0 Acres

NE ¼ NE ¼	30.6
NW ¼ NE ¼	30.3
SW ¼ NE ¼	31.9
SE ¼ NE ¼	31.1
NE ¼ NW ¼	31.4
NW ¼ NW ¼	31.5
SW ¼ NW ¼	32.6
SE ¼ NW ¼	31.4
NE ¼ SW ¼	31.2
NW ¼ SW ¼	30.7
SW ¼ SW ¼	31.0
SE ¼ SW ¼	31.0
NE ¼ SE ¼	29.9
NW ¼ SE ¼	30.6
SW ¼ SE ¼	32.4
SE ¼ SE ¼	31.2

SECTION 21

498.8 Acres

NE ¼ NW ¼	30.5
NW ¼ NW ¼	31.4
SW ¼ NW ¼	31.9
SE ¼ NW ¼	30.1

SECTION 22

123.9 Acres

SE ¼ SW ¼	8.9
SW ¼ SE ¼	8.1

SECTION 25

17.0 Acres

NE ¼ NW ¼	5.4
NW ¼ NW ¼	6.0
SW ¼ NW ¼	38.8
SE ¼ NW ¼	36.6
NE ¼ SW ¼	21.5
NW ¼ SW ¼	24.7
NE ¼ SE ¼	30.0
NW ¼ SE ¼	29.8
SW ¼ SE ¼	40.0
SE ¼ SE ¼	33.6

SECTION 26

266.4 Acres

Township 3 North, Range 28 East, W. M.

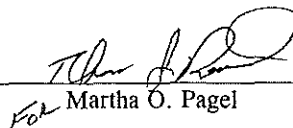
		IRRIGATED ACRES	
SW ¼ NE ¼		16.7	
SE ¼ NE ¼		14.3	
NE ¼ NW ¼		28.4	
NW ¼ NW ¼		30.4	
SW ¼ NW ¼		30.4	
SE ¼ NW ¼		31.2	
NE ¼ SW ¼		32.0	
NW ¼ SW ¼		31.0	
SW ¼ SW ¼		32.0	
SE ¼ SW ¼		28.9	
NE ¼ SE ¼		38.8	
NW ¼ SE ¼		40.0	
SW ¼ SE ¼		17.0	
SE ¼ SE ¼		13.6	
SECTION 27			384.7 Acres
NE ¼ NE ¼		0.2	
NW ¼ NE ¼		0.2	
SECTION 29			0.4 Acres
NE ¼ NE ¼		30.5	
NW ¼ NE ¼		40.0	
SW ¼ NE ¼		36.4	
SE ¼ NE ¼		34.4	
NE ¼ NW ¼		31.3	
NW ¼ NW ¼		31.2	
SW ¼ NW ¼		32.8	
SE ¼ NW ¼		38.1	
NE ¼ SW ¼		36.3	
NW ¼ SW ¼		33.2	
SW ¼ SW ¼		31.8	
SE ¼ SW ¼		28.1	
NE ¼ SE ¼		29.0	
NW ¼ SE ¼		37.6	
SW ¼ SE ¼		39.8	
SE ¼ SE ¼		30.2	
SECTION 35			540.7 Acres
NE ¼ NE ¼		31.8	
NW ¼ NE ¼		40.0	
SW ¼ NE ¼		31.8	
SE ¼ NE ¼		31.5	
NE ¼ NW ¼		40.0	
NW ¼ NW ¼		31.1	
SW ¼ NW ¼		31.6	
SE ¼ NW ¼		31.5	
NE ¼ SW ¼		31.1	
NW ¼ SW ¼		30.1	
SW ¼ SW ¼		31.5	
SE ¼ SW ¼		31.2	
NE ¼ SE ¼		31.7	
NW ¼ SE ¼		31.4	
SW ¼ SE ¼		32.0	
SE ¼ SE ¼		31.2	
SECTION 36			519.5 Acres
Township 3 North, Range 28 East, W. M.			
SW ¼ SE ¼		3.5	
SE ¼ SE ¼		2.5	
SECTION 17			6.0 Acres
NE ¼ NE ¼		10.5	
NW ¼ NE ¼		18.0	
SECTION 20			28.5 Acres
Township 3 North, Range 29 East, W. M.			
TOTAL			5011.5 Acres

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to correctly describe the point of diversion, and supersedes Certificate 75119, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed May 25, 1999.



For Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 76050.

CHANGES DONE ON CERTIFICATE 76050

Transfer # or Lease #	Type	Volume	Page	Change
T-7902				
7917				
8142				
8146				
8147				
8391	DIST	54	127	
8393				
8394	DIST. (TEMP.)			2000 yr.
8400				
8403				
8418				
8637	DIST. (TEMP.)			2001 (TEMPORARY)
8674	DIST. (TEMP.)			2001 (TEMPORARY)
8685	"			" "
9061				P.O.U
9198	DIST.	50	936	
9362	DIST. (TEMP.)			POU/APOA
9394	DIST. (TEMP.)			Δ POU
9591				
9686	DIST. (TEMP.)	60	708	POU (TEMPORARY)
9844				
9845				
9895				
10157				
T-10251				

T-10359

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHESTER AND ROSALIE PRIOR
32327 OREGON TRAIL ROAD
ECHO, OREGON 97826

confirms the right to use the waters of PRIOR WELLS NO. 4, 7, AND 8 in the UMATILLA RIVER BASIN, for PRIMARY IRRIGATION OF 42.6 ACRES AND SUPPLEMENTAL IRRIGATION OF 564.2 ACRES.

This right was perfected under Permit G-6069. The date of priority is SEPTEMBER 5, 1974. This right is limited to not more than 7.59 CUBIC FEET PER SECOND; BEING 2.2 CFS FROM EACH OF WELLS 7 & 8 AND 3.19 CFS FROM WELL 4, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

WELL 4 - SE 1/4 NW 1/4, SECTION 1, T 2 N, R 28 E, W.M.;
2640 FEET SOUTH AND 630 FEET WEST FROM N 1/4 CORNER, SECTION 1;
WELL 7 - SE 1/4 NW 1/4, SECTION 2, T 2 N, R 28 E, W.M.;
2500 FEET SOUTH AND 2580 FEET EAST FROM NW CORNER SECTION 2;
WELL 8 - NE 1/4 SE 1/4, SECTION 2, T 2 N, R 28 E, W.M.;
2800 FEET SOUTH AND 500 FEET WEST FROM NE CORNER SECTION 2.

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-EIGHTIETH of one cubic foot per second (or its equivalent) and 3 acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein for supplemental irrigation shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

	SUPPLEMENTAL ACRES	PRIMARY ACRES
LOT 3 (NE 1/4 NW 1/4)	32.2	
LOT 4 (NW 1/4 NW 1/4)	31.6	
SW 1/4 NW 1/4	29.6	
SE 1/4 NW 1/4		20.7

SUPPLEMENTAL	
	ACRES
LOT 3 (NE 1/4 NW 1/4)	33.3
LOT 4 (NW 1/4 NW 1/4)	32.2
SW 1/4 NW 1/4	27.8
SE 1/4 NW 1/4	30.0
NE 1/4 SE 1/4	19.1
NW 1/4 SE 1/4	30.0
SW 1/4 SE 1/4	35.2
SE 1/4 SE 1/4	22.8

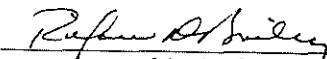
SECTION 2
TOWNSHIP 2 NORTH, RANGE 28 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a diminution from primary irrigation to supplemental irrigation approved by an order of the Water Resources Director entered September 3 ,1997, and supersedes Certificate 61532, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed September 3 , 1997.


Martha O. Pagel

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHESTER PRIOR, EAGLE RANCH
32327 OREGON TRAIL ROAD
ECHO, OREGON 97826

confirms part of the right to use the waters of the UMATILLA RIVER a tributary of the COLUMBIA RIVER, for PRIMARY IRRIGATION OF 72.60 ACRES and SUPPLEMENTAL IRRIGATION OF 2814.50 ACRES.

This right was perfected under Permit 48450. The date of priority is AUGUST 3, 1981. This right is limited to 72.18 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source. The use allowed herein may be made anytime between November 15 and June 15 of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.

The point of diversion is located as follows:

TWP	RNG	MER	SEC	LOT	1/4 1/4	LOCATION
3 N	29 E	W.M.	21		SW NE	WESTLAND CANAL - NORTH 76 DEGREES 45 MINUTES 56 SECONDS EAST 2913.19 FEET FROM THE WEST 1/4 CORNER OF SECTION 21.

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), and 1.5 acre-feet for each acre irrigated during the period from November 15 to the last day of February of each year, provided further that the right allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed 4.5 acre-feet for each acre irrigated in any one year, provided further, that the part declared herein be for supplemental irrigation, the right allowed may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply provided the total quantity diverted from all sources of supply does not exceed the limitation allowed herein. The use of water during the period from November 15 to the last day of February of each year shall not establish priority of right as against future appropriations for beneficial uses or storage for such beneficial uses, other than similar rights for irrigation from November 15 to the last day of February.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

T-10359

IRRIGATION							
TWP	RNG	MER	SEC	1/4 1/4	DLC	LOT	ACRES
2 N	28 E	W.M.	1	SE NW			40.00
2 N	28 E	W.M.	1	NE SW			2.30
3 N	28 E	W.M.	36	SW NE			5.30
3 N	28 E	W.M.	36	SE NW			5.30
3 N	28 E	W.M.	36	NE SW			5.40
3 N	28 E	W.M.	36	SE SW			9.10
3 N	28 E	W.M.	36	NW SE			5.20
TOTAL:							72.60

SUPPLEMENTAL IRRIGATION							
TWP	RNG	MER	SEC	1/4 1/4	DLC	LOT	ACRES
2 N	28 E	W.M.	1	NE NW			32.20
2 N	28 E	W.M.	1	NW NW			31.60
2 N	28 E	W.M.	1	SW NW			29.60
2 N	28 E	W.M.	1	NE SW			37.10
2 N	28 E	W.M.	1	NW SW			31.00
2 N	28 E	W.M.	1	SW SW			28.80
2 N	28 E	W.M.	1	SE SW			31.20
2 N	28 E	W.M.	2	NE NE			8.20
2 N	28 E	W.M.	2	NW NE			36.70
2 N	28 E	W.M.	2	SW NE			38.20
2 N	28 E	W.M.	2	SE NE			29.20
2 N	28 E	W.M.	2	NE NW			33.30
2 N	28 E	W.M.	2	NW NW			32.20
2 N	28 E	W.M.	2	SW NW			27.80
2 N	28 E	W.M.	2	SE NW			30.00
2 N	28 E	W.M.	2	NE SE			19.10
2 N	28 E	W.M.	2	NW SE			30.00
2 N	28 E	W.M.	2	SW SE			35.20
2 N	28 E	W.M.	2	SE SE			22.80
3 N	28 E	W.M.	20	NE NE			31.80
3 N	28 E	W.M.	20	NW NE			31.40
3 N	28 E	W.M.	20	SW NE			33.90
3 N	28 E	W.M.	20	SE NE			32.80
3 N	28 E	W.M.	20	NE SE			31.90
3 N	28 E	W.M.	20	NW SE			31.30
3 N	28 E	W.M.	20	SW SE			32.70
3 N	28 E	W.M.	20	SE SE			32.20
3 N	28 E	W.M.	25	NE NE			30.00
3 N	28 E	W.M.	25	NW NE			30.40
3 N	28 E	W.M.	25	SW NE			38.40
3 N	28 E	W.M.	25	SE NE			32.40
3 N	28 E	W.M.	25	NE NW			32.00
3 N	28 E	W.M.	25	NW NW			30.40
3 N	28 E	W.M.	25	SW NW			34.00
3 N	28 E	W.M.	25	SE NW			38.40
3 N	28 E	W.M.	25	NE SW			36.50

SUPPLEMENTAL IRRIGATION							
TWP	RNG	MER	SEC	1/4 1/4	DLC	LOT	ACRES
3 N	28 E	W.M.	25	NW SW			29.60
3 N	28 E	W.M.	25	SW SW			32.80
3 N	28 E	W.M.	25	SE SW			31.60
3 N	28 E	W.M.	25	NE SE			30.10
3 N	28 E	W.M.	25	NW SE			35.20
3 N	28 E	W.M.	25	SW SE			32.40
3 N	28 E	W.M.	25	SE SE			32.80
3 N	28 E	W.M.	26	SW SW			0.20
3 N	28 E	W.M.	26	SE SW			26.30
3 N	28 E	W.M.	26	NE SE			30.00
3 N	28 E	W.M.	26	NW SE			29.80
3 N	28 E	W.M.	26	SW SE			40.00
3 N	28 E	W.M.	26	SE SE			33.60
3 N	28 E	W.M.	29	NE NE			30.70
3 N	28 E	W.M.	29	NW NE			29.70
3 N	28 E	W.M.	29	SW NE			29.60
3 N	28 E	W.M.	29	SE NE			30.00
3 N	28 E	W.M.	29	NE NW			28.70
3 N	28 E	W.M.	29	NW NW			33.10
3 N	28 E	W.M.	29	SW NW			33.10
3 N	28 E	W.M.	29	SE NW			28.50
3 N	28 E	W.M.	30	NE NE			0.20
3 N	28 E	W.M.	30	SE NE			0.30
3 N	28 E	W.M.	35	NE NE			30.50
3 N	28 E	W.M.	35	NW NE			40.00
3 N	28 E	W.M.	35	SW NE			36.40
3 N	28 E	W.M.	35	SE NE			34.40
3 N	28 E	W.M.	35	NE NW			32.60
3 N	28 E	W.M.	35	NW NW			31.20
3 N	28 E	W.M.	35	SW NW			32.80
3 N	28 E	W.M.	35	SE NW			38.10
3 N	28 E	W.M.	35	NE SW			36.30
3 N	28 E	W.M.	35	NW SW			33.20
3 N	28 E	W.M.	35	SW SW			31.80
3 N	28 E	W.M.	35	SE SW			28.10
3 N	28 E	W.M.	35	NE SE			29.00
3 N	28 E	W.M.	35	NW SE			37.60
3 N	28 E	W.M.	35	SW SE			39.80
3 N	28 E	W.M.	35	SE SE			30.20
3 N	28 E	W.M.	36	NE NE			31.80
3 N	28 E	W.M.	36	NW NE			40.00
3 N	28 E	W.M.	36	SW NE			31.80
3 N	28 E	W.M.	36	SE NE			31.50
3 N	28 E	W.M.	36	NE NW			40.00
3 N	28 E	W.M.	36	NW NW			31.10
3 N	28 E	W.M.	36	SW NW			31.60
3 N	28 E	W.M.	36	SE NW			31.50
3 N	28 E	W.M.	36	NE SW			31.10

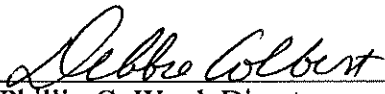
SUPPLEMENTAL IRRIGATION								
TWP	RNG	MER	SEC	1/4 1/4		DLC	LOT	ACRES
3 N	28 E	W.M.	36	NW	SW			30.10
3 N	28 E	W.M.	36	SW	SW			31.50
3 N	28 E	W.M.	36	SE	SW			31.20
3 N	28 E	W.M.	36	NE	SE			31.70
3 N	28 E	W.M.	36	NW	SE			31.40
3 N	28 E	W.M.	36	SW	SE			32.00
3 N	28 E	W.M.	36	SE	SE			31.20
TOTAL:								2814.50

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate describes that portion of the water right confirmed by Certificate 81599, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered February 10, 2006, and recorded in Special Order Volume 67, Page 802, canceling a portion of the water right. This certificate supersedes Certificate 81599.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

Issued: February 10, 2006


 For Phillip C. Ward, Director
 Water Resources Department

2006

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	F I N A L O R D E R
T-10157, Umatilla County	)	APPROVING A DISTRICT
	)	TEMPORARY TRANSFER

ORS 540.570 establishes the process in which a district may submit a request to temporarily transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

Westland Irrigation District
P.O. Box 944
Hermiston, OR 97838

Findings of Fact

1. On April 27, 2006, Westland Irrigation District filed a district transfer application to temporarily change the place of use under Certificates 76050, 75127, 80652 and 81599.
2. Notice of the application for transfer was published pursuant to ORS 540.580 and OAR 690-385-3400. No comments were filed in response to the notice.
3. Pursuant to OAR 690-385-3130 the applicant applied to temporarily change the subject water rights to supplemental irrigation at the proposed place of use during the 2006 irrigation season. Certificates 76050, 76051, 76717, 76715, 76799 and 76723 are the authorized irrigation water rights at the proposed place of use of the subject water rights.
4. The portion of the FIRST right to be transferred is as follows:

Certificate: 76050 issued in the name of Teel Irrigation District

Use: Primary irrigation of 735.9 acres

Priority Date: April 22, 1955

Rate & Duty: One-fortieth of one cubic foot per second and 4.5 acre-feet for each acre irrigated during the irrigation season of each year

Source: Umatilla River, tributary to Columbia River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	¼ ¼	LOCATION
3 N	29 E	WM	21	SW NE	Westland I.D. Canal - North 76 Degrees 45 minutes 56 seconds East 2913.19 ft. from W¼ corner of Section 21

This is a final order in 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 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Certificate: 75127, issued in the name of Chester and Rosalie Prior

Use: Supplemental Irrigation of 564.2 acres

Priority Date: September 5, 1974

Rate & Duty: 1/80 cfs per acre and 3.0 acre-feet for each acre irrigated during the irrigation season of each year, limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

Source: Prior Wells 4, 7, and 8, within the Umatilla River Basin

Authorized Points of Appropriation:

TWP	RNG	MER	SEC	¼ ¼	LOCATION
2 N	28 E	WM	1	SE NW	Well 4 - 2640 ft. South & 630 ft. West from N¼ corner of section 1.
2 N	28 E	WM	2	SE NW	Well 7 - 2500 ft. South & 2580 ft. East from NW corner of section 2.
2 N	28 E	WM	2	NE SE	Well 8 - 2800 ft. South & 500 ft. West from NE corner of section 2.

Certificate: 80652, issued in the name of Chester and Rosalie Prior

Use: Supplemental Irrigation of 171.7 acres

Priority Date: March 26, 1974

Rate & Duty: 1/80 cfs per acre and 3.0 acre-feet for each acre irrigated during the irrigation season of each year, limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein. The right confirmed herein shall not authorize appropriation from the aquifer supplying these wells within the Butter Creek Water areas as finally determined.

Source: Prior Wells 2, 3, 5 and 6, within the Umatilla River Basin

Authorized Points of Appropriation:

TWP	RNG	MER	SEC	¼ ¼	LOCATION
3 N	28 E	WM	36	NW NE	Well 2 - 750 ft. South & 2620 ft. West from NE corner section 36.
3 N	28 E	WM	36	NW SE	Well 3 - 1780 ft. North & 2600 ft. West from SE corner section 36.
3 N	28 E	WM	35	NW NE	Well 5 - 770 ft. South & 2640 ft. East from NW corner section 35.
3 N	28 E	WM	35	NE SW	Well 6 - 1940 ft. North & 2540 ft. East from SW corner section 35.

Certificate: 81599, issued in the name of Chester Prior, Eagle Ranch

Use: Supplemental Irrigation of 747.2 acres

Priority Date: August 3, 1981

Rate & Duty: 1/80 cfs per acre irrigated (out of season – November 15 to June 15 of each year)

Source: Umatilla River, tributary to Columbia River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	¼ ¼	LOCATION
3 N	29 E	WM	21	SW NE	Westland I.D. Canal - North 76 Degrees 45 minutes 56 seconds East 2913.19 ft. from W¼ corner of Section 21

Authorized Places of Use:

PRIMARY & SUPPL. IRRIGATION – CERTIFICATES 76050, 75127 and 80652										
TWP	RNG	MER	SEC	1/4 - 1/4	TL	CERTIFICATE (ACRES)				USER
						Primary Irr.		Suppl. Irr.		
						76050	75127	75127	80652	
2 N	28 E	WM	1	NE NW	200	32.2	--	32.2	--	EAGLE RANCH
2 N	28 E	WM	1	NW NW	200	31.6	--	31.6	--	EAGLE RANCH
2 N	28 E	WM	1	SW NW	200	29.6	--	29.6	--	EAGLE RANCH
2 N	28 E	WM	1	SE NW	200	--	11.3	--	--	EAGLE RANCH
2 N	28 E	WM	1	NE SW	200	37.1	--	37.1	--	EAGLE RANCH
2 N	28 E	WM	1	NW SW	200	31.0	--	31.0	--	EAGLE RANCH
2 N	28 E	WM	1	SW SW	200	28.8	--	28.8	--	EAGLE RANCH
2 N	28 E	WM	1	SE SW	200	31.2	--	31.2	--	EAGLE RANCH
2 N	28 E	WM	2	NE NE	300	8.2	--	8.2	--	EAGLE RANCH
2 N	28 E	WM	2	NW NE	300	36.7	--	36.7	--	EAGLE RANCH
2 N	28 E	WM	2	SW NE	300	38.2	--	38.2	--	EAGLE RANCH
2 N	28 E	WM	2	SE NE	300	29.2	--	29.2	--	EAGLE RANCH
2 N	28 E	WM	2	NE NW	300	33.3	--	33.3	--	EAGLE RANCH
2 N	28 E	WM	2	NW NW	300	32.2	--	32.2	--	EAGLE RANCH
2 N	28 E	WM	2	SW NW	300	27.8	--	27.8	--	EAGLE RANCH
2 N	28 E	WM	2	SE NW	300	30.0	--	30.0	--	EAGLE RANCH
2 N	28 E	WM	2	NE SE	500	19.1	--	19.1	--	EAGLE RANCH
2 N	28 E	WM	2	NW SE	500	30.0	--	30.0	--	EAGLE RANCH
2 N	28 E	WM	2	SW SE	500	35.2	--	35.2	--	EAGLE RANCH
2 N	28 E	WM	2	SE SE	500	22.8	--	22.8	--	EAGLE RANCH
3 N	28 E	WM	25	SE SW	7402	8.9	--	--	8.9	EAGLE RANCH
3 N	28 E	WM	25	SW SE	7402	8.1	--	--	8.1	EAGLE RANCH
3 N	28 E	WM	35	NW NE	7400	9.0	--	--	9.0	EAGLE RANCH
3 N	28 E	WM	35	SW NE	7400	5.8	--	--	5.8	EAGLE RANCH
3 N	28 E	WM	35	SE NW	7400	6.0	--	--	6.0	EAGLE RANCH
3 N	28 E	WM	35	NE SW	7400	6.0	--	--	6.0	EAGLE RANCH
3 N	28 E	WM	35	NE SE	7400	29.0	--	--	29.0	EAGLE RANCH
3 N	28 E	WM	35	NW SE	7400	37.6	--	--	37.6	EAGLE RANCH
3 N	28 E	WM	35	SW SE	7400	33.8	--	--	33.8	EAGLE RANCH
3 N	28 E	WM	35	SW SW	7400	11.2	--	--	11.2	EAGLE RANCH
3 N	28 E	WM	36	NW NE	7402	8.1	--	--	8.1	EAGLE RANCH
3 N	28 E	WM	36	NE NW	7402	8.2	--	--	8.2	EAGLE RANCH
TOTAL:						735.9	11.3	564.2	171.7	

5. Application T-10157 proposes to TEMPORARILY change the place of use of the rights to:

ALL SUPPLEMENTAL IRRIGATION – CERTIFICATES 76050, 75127 and 80652									
TWP	RNG	MER	SEC	1/4 - 1/4	TL	CERTIFICATE (ACRES)			RECIPIENT
						Supplemental Irrigation			
						76050	75127	80652	
3 N	28 E	WM	9	NE SW	3000	28.0	28.0	--	EAGLE RANCH
3 N	28 E	WM	9	NW SW	2900	29.8	29.8	--	EAGLE RANCH
3 N	28 E	WM	9	SW SW	3100	35.9	35.9	--	EAGLE RANCH
3 N	28 E	WM	9	SE SW	3100	31.6	31.6	--	EAGLE RANCH
3 N	28 E	WM	9	NE SE	2900	31.1	31.1	--	EAGLE RANCH
3 N	28 E	WM	9	NW SE	3000	33.4	33.4	--	EAGLE RANCH
3 N	28 E	WM	9	SW SE	2900	35.3	35.3	--	EAGLE RANCH
3 N	28 E	WM	9	SE SE	2900	30.6	30.6	--	EAGLE RANCH
3 N	28 E	WM	10	NE SW	2900	29.1	29.1	--	EAGLE RANCH
3 N	28 E	WM	10	NW SW	2900	32.5	32.5	--	EAGLE RANCH
3 N	28 E	WM	10	SW SW	2900	32.4	32.4	--	EAGLE RANCH
3 N	28 E	WM	10	SE SW	2900	28.4	28.4	--	EAGLE RANCH
3 N	28 E	WM	15	NE SW	4501	31.2	31.2	--	EAGLE RANCH
3 N	28 E	WM	15	NW SW	4501	32.4	32.4	--	EAGLE RANCH
3 N	28 E	WM	15	SW SW	4501	30.6	30.6	--	EAGLE RANCH
3 N	28 E	WM	15	SE SW	4501	31.2	31.2	--	EAGLE RANCH
3 N	28 E	WM	29	NE NE	8100	30.5	30.5	--	EAGLE RANCH
3 N	28 E	WM	29	NW NE	8100	29.7	29.7	--	EAGLE RANCH
3 N	28 E	WM	29	SW NE	8100	29.6	0.5	29.1	EAGLE RANCH
3 N	28 E	WM	29	SE NE	8100	18.7	11.3	18.7	EAGLE RANCH
3 N	28 E	WM	29	NE NW	8100	28.7	--	28.7	EAGLE RANCH
3 N	28 E	WM	29	NW NW	8100	33.1	--	33.1	EAGLE RANCH
3 N	28 E	WM	29	SW NW	8100	33.1	--	33.1	EAGLE RANCH
3 N	28 E	WM	29	SE NW	8100	28.5	--	28.5	EAGLE RANCH
3 N	28 E	WM	30	NE NE	8100	0.2	--	0.2	EAGLE RANCH
3 N	28 E	WM	30	SE NE	8100	0.3	--	0.3	EAGLE RANCH
TOTAL:						735.9	575.5	171.7	

*NOTE: The applicant has requested to diminish the above described water right Certificates 76050 (735.9 acres) and 75127 (11.3 acres) at the new proposed place of use to supplemental irrigation to existing primary Certificates 76050, 76051, 76717, 76715, 76799 and 76723 during the 2006 irrigation season.

6. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
7. The season of use for Certificate 81599 has passed for this 2006 irrigation season and will not be used on the "FROM" lands.

8. The proposed changes in place of use would not result in enlargement of the rights.
9. The proposed changes would not result in injury to other water rights.

Conclusions of Law

The proposed changes in application T-10157 satisfy the requirements of ORS 540.574(3) and 540.570.

Now, therefore, it is ORDERED:

1. The proposed changes to the water rights evidenced by Certificates 76050, 75127 and 80652 are approved.
2. The temporary transfer is effective for the 2006 irrigation season.
3. 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 76050, 75127 and 80652 and any related decree.
4. Pursuant to OAR 690-385-3130, the use of water as a supplemental irrigation right under Certificates 76050 and 76127 is restricted to the total rate and duty described by the existing primary irrigation water rights, Certificates 76050, 76051, 76717, 76715, 76799 and 76723, and may be used only to the extent of any supply deficiency for the primary water right at the proposed place of use. The use of water on the lands from which the water right is transferred and at the new temporary place of use during the same irrigation season or calendar year is prohibited and may subject the district and landowner to civil penalties.
5. The use of water under this temporary transfer may be conditioned or revoked at any time to the extent necessary to avoid injury if the Department finds the transfer causes injury to any existing water right.
6. At the end of the 2006 irrigation season all uses of water under this temporary transfer revert automatically to the terms and conditions of the original water right permit, certificate, or adjudication as evidenced by a court decree.

Dated at Salem, Oregon this _____ day of _____, 2006.

Phillip C. Ward, Director

2005

BEFORE THE WATER RESOURCES DEPARTMENT
OF
STATE OF OREGON
COUNTY OF UMATILLA

In the Matter of a Proposed Change) ORDER
In Place of Use of Water Within an) APPROVING A TEMPORARY
Irrigation District — TRANSFER 9895) DISTRICT TRANSFER

FINDINGS OF FACT

1. Pursuant to ORS 540.570, WESTLAND IRRIGATION DISTRICT, PO Box 944, Hermiston, OR, 97838, petitioned the Oregon Water Resources Department to temporarily change the place of use of water within the boundaries of the irrigation district. The petition was originally received on March 18, 2005, and included the required fees.
2. The Department assigned the petition transfer application number T-9895.
3. The Department published notice of receipt of the petition in the Department's Weekly Notice dated March 29, 2005. The petition was noticed as a temporary transfer within irrigation district boundaries.
4. No comments or timely protests were received in response to the published notice.
5. The following rights are proposed to be modified:
 - a) PRIMARY IRRIGATION
Certificate 76050: issued in the name of Teel Irrigation District
Use: Irrigation (Primary)
Priority Date: April 22, 1955
Rate & Duty: 1/40 cfs and 4.5 AF per acre irrigated
Source: Umatilla River, tributary to the Columbia River
Point of Diversion: SW¼ NE¼, Section 21, T 3 N, R 29 E, W.M.; WESTLAND CANAL - North 76 Degrees 45 Minutes 56 Seconds East, 2913.19 Feet from the West ¼ Corner of Section 21.

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.

b) **SUPPLEMENTAL IRRIGATION**

Certificate 75127: issued in the name of Chester & Rosalie Prior

Use: Irrigation (Supplemental)

Priority Date: September 5, 1974

Rate & Duty: 1/80 cfs and 3.0 AF per acre irrigated

Source: Prior Wells 4 & 8

Point of Appropriation: Prior Well # 4 - SE¼ NW¼, Section 1, T 2 N, R 28 E, W.M.;
2640 feet South and 630 feet West from the N¼ Corner of Section 1.

Prior Well # 8 - NE¼ SE¼, Section 2, T 2 N, R 28 E, W.M.; 2800 feet South and 500
feet West from the NE Corner of Section 2.

Permit 48450: issued in the name of Chester J. Prior

Use: Irrigation (Supplemental)

Priority Date: August 3, 1981

Rate & Duty: 1/40 cfs and 1.5 acre-feet during the period November 15 to end of
February, not to exceed 4.5 acre-feet in any one year

Source: Umatilla River

Point of Diversion: SW¼ NE¼, Section 21, T 3 N, R 29 E, W.M.; South 55 Degrees 48
Minutes West, 3237.3 Feet from the NE Corner of Section 21.

6. Westland Irrigation District petitioned to temporarily change the place of use from the locations identified in Table 1 to the locations listed in Table 2.

TABLE 1 - "FROM" LANDS							
					Water Right Certificates		
					Primary (acres)	Supplemental Irrigation (acres)	
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	75127	Per 48450
2N	28E	1	SW NW	200	27.8	27.8	27.8
2N	28E	1	NE SW	200	37.1	37.1	37.1
2N	28E	1	NW SW	200	31.0	31.0	31.0
2N	28E	1	SW SW	200	28.8	28.8	28.8
2N	28E	1	SE SW	200	31.2	31.2	31.2
2N	28E	2	NE NE	300	8.2	8.2	8.2
2N	28E	2	NW NE	300	36.7	36.7	36.7
2N	28E	2	SW NE	300	38.2	38.2	38.2
2N	28E	2	SE NE	300	29.2	29.2	29.2
2N	28E	2	NE NW	300	33.3	33.3	33.3
2N	28E	2	NW NW	300	32.2	32.2	32.2
2N	28E	2	SW NW	300	27.8	27.8	27.8
2N	28E	2	SE NW	300	30.0	30.0	30.0
2N	28E	2	NE SE	500	19.1	19.1	19.1
2N	28E	2	NW SE	500	30.0	30.0	30.0
2N	28E	2	SW SE	500	35.2	35.2	35.2
2N	28E	2	SE SE	500	22.8	22.8	22.8
TOTALS					498.6	498.6	498.6

The right to use water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations described by permit or certificate. The use also shall conform to any reasonable rotation system ordered by the proper state officer.

TABLE 2 - "TO" LANDS							
					Water Right Certificates		
					Primary (acres)	Supplemental Irrigation (acres)	
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	75127	Per 48450
3N	28E	9	NE SW	3000	28.0	28.0	28.0
3N	28E	9	NW SW	2900	29.8	29.8	29.8
3N	28E	9	SW SW	3100	35.9	35.9	35.9
3N	28E	9	SE SW	3100	31.6	31.6	31.6
3N	28E	16	NE SW	3100	29.6	29.6	29.6
3N	28E	16	NW SW	3100	32.2	32.2	32.2
3N	28E	16	SW SW	3100	34.0	34.0	34.0
3N	28E	16	SE SW	3100	29.0	29.0	29.0
3N	28E	16	NE SE	4600	31.1	31.1	31.1
3N	28E	16	NW SE	4700	30.9	30.9	30.9
3N	28E	16	SW SE	4700	32.2	32.2	32.2
3N	28E	16	SE SE	4600	30.0	30.0	30.0
3N	28E	17	SE SE	4800	0.2	0.2	0.2
3N	28E	21	NE SE	6800	29.9	29.9	29.9
3N	28E	21	NW SE	6900	30.6	30.6	30.6
3N	28E	21	SW SE	6800	32.4	32.4	32.4
3N	28E	21	SE SE	6800	31.2	31.2	31.2
TOTALS					498.6	498.6	498.6

7. Pursuant to ORS 540.574 and ORS 540.570, in reviewing the petition submitted by Westland Irrigation District, the Department has determined the following: see pg 4 of 5 (l.c)
- The petition contains the information required under ORS 540.574(3).
 - The petition meets the requirements of ORS 540.570.
 - The petition contains maps which are satisfactory to the Department and which the District certified as being accurate.
 - The application includes the required statement from the District that it has on file, and available for review, written authorization from each landowner affected by the transfer.
 - The rate, duty, and total number of acres proposed for transfer do not exceed that of the water right subject to transfer.
 - The use authorized by the water right subject to transfer will not change; and
 - The proposed change in place of use will not result in injury to other water rights.
8. The applicant has made the statement that certain rights existing on the "TO" lands during the 2005 Irrigation season will become supplemental to the incoming District rights proposed

in this transfer. They are described as Certificate 76050, District right for primary irrigation from the Umatilla River, and Certificate 79439 for supplemental irrigation from McKay Reservoir.

CONCLUSIONS OF LAW

1. The petition submitted by Westland Irrigation District proposing temporary changes in place of use within district boundaries includes the information, and satisfies the criteria, required by ORS 540.574(3).
2. The proposed transfer complies with the requirements of ORS 540.570.
3. The Director should approve the transfer because the petition satisfies the criteria and requirements of ORS 540.574(3) and ORS 540.570 resulting in no injury to other water rights.

ORDER

It is hereby ORDERED :

1. The proposed temporary changes to the water rights evidenced by Water Right Certificates 76050, 75127, 79439 and Permit 48450 may be made for the 2005 irrigation season provided the following conditions are met by the water user:
 - a) The FROM lands shall receive no water under the rights involved with this transfer for the 2005 irrigation season.
 - b) The use of water under the rights involved with this transfer on both the TO and FROM lands during the 2005 irrigation season or calendar year is prohibited and may subject both the district and landowner to civil penalties.
 - c) Certificate 76050, District right for primary irrigation from the Umatilla River, and Certificate 79439 for supplemental irrigation from McKay Reservoir, both existing on the TO lands described in Table 2, will become supplemental to the incoming District rights proposed in this transfer for the 2005 irrigation season.
 - d) All restrictions and limitations contained in the subject rights shall apply to the TO lands.
 - e) Pursuant to 540.570 (5), the Department may further condition or revoke this temporary transfer, to the extent necessary to avoid injury, at any time the department finds the transfer is causing injury to an existing water right.

- f) The Department requires the water user to install and maintain an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water discharged into Westland Canal. The type and plans of the measuring device must be approved by the Department **prior** to beginning construction and shall be installed under the general supervision of the Department.
2. Pursuant to 540.570 (6), upon expiration of the 2005 irrigation season, 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 adjudication proceeding under ORS chapter 539 as evidenced by a court decree.

WITNESS the signature of the Water Resources Director affixed _____.

Phillip C. Ward, Director

2004

**BEFORE THE WATER RESOURCES DEPARTMENT
OF
STATE OF OREGON

COUNTY OF UMATILLA**

In the Matter of a Proposed Change	)	ORDER
In Place of Use of Water Within an	)	APPROVING A TEMPORARY
Irrigation District — TRANSFER 9686	)	DISTRICT TRANSFER

FINDINGS OF FACT

1. Pursuant to ORS 540.570, WESTLAND IRRIGATION DISTRICT, PO Box 944, Hermiston, OR, 97838, petitioned the Oregon Water Resources Department to temporarily change the place of use of water within the boundaries of the irrigation district. The petition was originally received on April 1, 2004, and included the required fees.
2. The Department assigned the petition transfer application number T-9686.
3. The Department published notice of receipt of the petition in the Department's Weekly Notice dated April 20, 2004. The petition was noticed as a temporary transfer within irrigation district boundaries.
4. No comments or timely protests were received in response to the published notice.
5. The following rights are proposed to be modified:
 - a) PRIMARY IRRIGATION
Certificate 76050: issued in the name of Teel Irrigation District
Use: Irrigation (Primary)
Priority Date: April 22, 1955
Rate & Duty: 1/40 cfs and 4.5 AF per acre irrigated
Source: Umatilla River, tributary to the Columbia River

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 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.

Point of Diversion: SW¼ NE¼, Section 21, T 3 N, R 29 E, W.M.; WESTLAND CANAL - North 76 Degrees 45 Minutes 56 Seconds East, 2913.19 Feet from the West ¼ Corner of Section 21.

b) SUPPLEMENTAL IRRIGATION

Certificate 75129: issued in the name of Chester & Rosalie Prior

Use: Irrigation (Supplemental)

Priority Date: March 26, 1974

Rate & Duty: 1/80 cfs and 3.0 AF per acre irrigated

Source: Prior Wells 2, 3, 5 & 6

Point of Appropriation: Prior Well # 2 - NW¼ NE¼, Section 36, T 3 N, R 28 E, W.M.; 750 feet South and 2620 feet West from the NE Corner of Section 36.

Prior Well # 3 - NW¼ SE¼, Section 36, T 3 N, R 28 E, W.M.; 1780 feet North and 2600 feet West from the SE Corner of Section 36.

Prior Well # 5 - NW¼ NE¼, Section 35, T 3 N, R 28 E, W.M.; 770 feet South and 2640 feet East from the NW Corner of Section 35.

Prior Well # 6 - NE¼ SW¼, Section 35, T 3 N, R 28 E, W.M.; 1940 feet North and 2540 feet East from the SW Corner of Section 35.

Permit 48450: issued in the name of Chester J. Prior

Use: Irrigation (Supplemental)

Priority Date: August 3, 1981

Rate & Duty: 1/40 cfs and 1.5 acre-feet during the period November 15 to end of February, not to exceed 4.5 acre-feet in any one year

Source: Umatilla River

Point of Diversion: SW¼ NE¼, Section 21, T 3 N, R 29 E, W.M.; South 55 Degrees 48 Minutes West, 3237.3 Feet from the NE Corner of Section 21.

6. Westland Irrigation District petitioned to temporarily change the place of use from the locations identified in Table 1 to the locations listed in Table 2.

TABLE 1 - "FROM" LANDS							
					Water Right Certificates		
					Primary (acres)	Supplemental Irrigation (acres)	
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	75129	Per 48450
3N	28E	35	NW NE	7400	9.00	9.00	9.00
3N	28E	35	SW NE	7400	5.80	5.80	5.80
3N	28E	35	SE NW	7400	2.40	2.40	2.40
3N	28E	35	NE SW	7400	6.00	6.00	6.00

TWP					Water Right Certificates		
					Primary (acres)	Supplemental Irrigation (acres)	
					76050	75129	Per 48450
RNG	SEC	¼ ¼	Tax Lot				
3N	28E	35	NE SE	7400	29.00	29.00	29.00
3N	28E	35	NW SE	7400	37.60	37.60	37.60
3N	28E	35	SW SE	7400	33.80	33.80	33.80
3N	28E	35	SE SE	7400	11.20	11.20	11.20
3N	28E	36	NE NE	7402	30.30	30.30	30.30
3N	28E	36	NW NE	7402	39.30	39.30	39.30
3N	28E	36	SW NE	7402	31.80	31.80	31.80
3N	28E	36	SE NE	7402	31.20	31.20	31.20
3N	28E	36	NE NW	7402	40.00	40.00	40.00
3N	28E	36	NW NW	7402	29.20	29.20	29.20
3N	28E	36	SW NW	7402	31.60	31.60	31.60
3N	28E	36	SE NW	7402	31.50	31.50	31.50
3N	28E	36	NE SW	7402	31.10	31.10	31.10
3N	28E	36	NW SW	7402	28.80	28.80	28.80
3N	28E	36	SW SW	7402	28.60	28.60	28.60
3N	28E	36	SE SW	7402	31.20	31.20	31.20
TOTALS					519.40	519.40	519.40

The right to use water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations described by permit or certificate. The use also shall conform to any reasonable rotation system ordered by the proper state officer.

TABLE 2 - "TO" LANDS							
TWP					Water Right Certificates		
					Primary (acres)	Supplemental Irrigation (acres)	
					76050	75129	Per 48450
RNG	SEC	¼ ¼	Tax Lot				
3N	28E	15	NE NW	4501	30.80	30.80	30.80
3N	28E	15	SE NW	4501	5.50	5.50	5.50
3N	28E	15	NE SW	4501	31.20	31.20	31.20
3N	28E	15	NW SW	4501	32.40	32.40	32.40
3N	28E	15	SW SW	4501	30.60	30.60	30.60
3N	28E	15	SE SW	4501	14.20	14.20	14.20
3N	28E	21	NE NE	6800	30.60	30.60	30.60
3N	28E	21	NW NE	6800	30.30	30.30	30.30

					Water Right Certificates		
					Primary (acres)	Supplemental Irrigation (acres)	
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	75129	Per 48450
3N	28E	21	SW NE	6900	31.90	31.90	31.90
3N	28E	21	SE NE	6800	31.10	31.10	31.10
3N	28E	21	NE NW	6800	31.40	31.40	31.40
3N	28E	21	NW NW	6800	31.50	31.50	31.50
3N	28E	21	SW NW	6800	32.60	32.60	32.60
3N	28E	21	SE NW	6800	31.40	31.40	31.40
3N	28E	21	NE SW	6900	31.20	31.20	31.20
3N	28E	21	NW SW	6800	30.70	30.70	30.70
3N	28E	21	SW SW	6800	31.00	31.00	31.00
3N	28E	21	SE SW	6900	31.00	31.00	31.00
TOTALS					519.40	519.40	519.40

7. The District also proposes to modify the following rights:

a) PRIMARY IRRIGATION

Certificate 76050: issued in the name of Teel Irrigation District

Use: Irrigation (Primary)

Priority Date: April 22, 1955

Rate & Duty: 1/40 cfs and 4.5 AF per acre irrigated

Source: Umatilla River

Point of Diversion: SW¼ NE¼, Section 21, T 3 N, R 29 E, W.M.; WESTLAND CANAL - North 76 Degrees 45 Minutes 56 Seconds East, 2913.19 Feet from the West ¼ Corner of Section 21.

b) SUPPLEMENTAL IRRIGATION

Certificate 75127: issued in the name of Chester & Rosalie Prior

Use: Irrigation (Supplemental)

Priority Date: September 5, 1974

Rate & Duty: 1/80 cfs and 3.0 AF per acre irrigated

Source: Prior Wells 4, 7 & 8

Point of Appropriation: Prior Well # 4 - SE¼ NW¼, Section 1, T 2 N, R 28 E, W.M.; 2640 feet South and 630 feet West from the N¼ Corner of Section 1.

Prior Well # 7 - SE¼ NW¼, Section 2, T 2 N, R 28 E, W.M.; 2500 feet South and 2580 feet East from the NW Corner of Section 2.

Prior Well # 8 - NE¼ SE¼, Section 2, T 2 N, R 28 E, W.M.; 2800 feet South and 500 feet West from the NE Corner of Section 2.

Permit 48450: issued in the name of Chester J. Prior

Use: Irrigation (Supplemental)

Priority Date: August 3, 1981

Rate & Duty: 1/40 cfs and 1.5 acre-feet during the period November 15 to end of February, not to exceed 4.5 acre-feet in any one year

Source: Umatilla River

Point of Diversion: SW¼ NE¼, Section 21, T 3 N, R 29 E, W.M.; South 55 Degrees 48 Minutes West, 3237.3 Feet from the NE Corner of Section 21.

8. Westland Irrigation District petitioned to temporarily change the place of use from the locations identified in Table 3 to the locations listed in Table 4.

TABLE 3 - "FROM" LANDS							
					Water Right Certificates		
					Primary (acres)	Supplemental Irrigation (acres)	
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	75127	Per 48450
2N	28E	1	NE NW	200	32.20	32.20	32.20
2N	28E	1	NW NW	200	31.60	31.60	31.60
2N	28E	1	SW NW	200	29.60	29.60	29.60
2N	28E	1	NE SW	200	36.50	36.50	36.50
2N	28E	1	NW SW	200	31.00	31.00	31.00
2N	28E	1	SW SW	200	28.80	28.80	28.80
2N	28E	1	SE SW	200	31.20	31.20	31.20
2N	28E	2	NE NE	300	8.20	8.20	8.20
2N	28E	2	NW NE	300	36.70	36.70	36.70
2N	28E	2	SW NE	300	38.20	38.20	38.20
2N	28E	2	SE NE	300	29.20	29.20	29.20
2N	28E	2	NE NW	300	33.30	33.30	33.30
2N	28E	2	NW NW	300	32.20	32.20	32.20
2N	28E	2	SW NW	300	27.80	27.80	27.80
2N	28E	2	SE NW	300	30.00	30.00	30.00
2N	28E	2	NE SE	500	19.10	19.10	19.10
2N	28E	2	NW SE	500	30.00	30.00	30.00
2N	28E	2	SW SE	600	35.20	35.20	35.20
2N	28E	2	SE SE	600	22.80	22.80	22.80
TOTALS					563.60	563.60	563.60

The right to use water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations described by permit or certificate. The use also shall conform to any reasonable rotation system ordered by the proper state officer.

TABLE 4 - "TO" LANDS							
					Water Right Certificates		
					Primary (acres)	Supplemental Irrigation (acres)	
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	75127	Per 48450
3N	28E	9	NE NW	2900	30.70	30.70	30.70
3N	28E	9	NW NW	2900	33.80	33.80	33.80
3N	28E	9	SW NW	2900	35.90	35.90	35.90
3N	28E	9	SE NW	3000	31.10	31.10	31.10
3N	28E	10	NE NW	2900	28.30	28.30	28.30
3N	28E	10	NW NW	2900	33.90	33.90	33.90
3N	28E	10	SW NW	2900	34.40	34.40	34.40
3N	28E	10	SE NW	2900	28.80	28.80	28.80
3N	28E	15	NW NN	4501	33.30	33.30	33.30
3N	28E	15	SW NW	4501	19.40	19.40	19.40
3N	28E	16	NE NE	2903	31.00	31.00	31.00
3N	28E	16	NW NE	2903	30.30	30.30	30.30
3N	28E	16	SW NE	2903	32.70	32.70	32.70
3N	28E	16	SE NE	2903	30.10	30.10	30.10
3N	28E	20	NE NE	6700	31.80	31.80	31.80
3N	28E	20	NW NE	6700	31.40	31.40	31.40
3N	28E	20	SW NE	6700	33.90	33.90	33.90
3N	28E	20	SE NE	6700	32.80	32.80	32.80
TOTALS					563.60	563.60	563.60

9. The District also proposes to modify the following rights:

a) PRIMARY IRRIGATION

Certificate 76050: issued in the name of Teel Irrigation District

Use: Irrigation (Primary)

Priority Date: April 22, 1955

Rate & Duty: 1/40 cfs and 4.5 AF per acre irrigated

Source: Umatilla River

Point of Diversion: SW¼ NE¼, Section 21, T 3 N, R 29 E, W.M.; WESTLAND
CANAL - North 76 Degrees 45 Minutes 56 Seconds East, 2913.19 Feet from the
West ¼ Corner of Section 21.

b) SUPPLEMENTAL IRRIGATION

Certificate 79439: issued in the name Bureau of Reclamation

Use: Irrigation (Supplemental)

Priority Date: July 1, 1924

Rate & Duty: 1/80 cfs and 3.0 AF per acre irrigated

Source: McKay Reservoir

Point of Appropriation: NW¼ SE¼, Section 34, T 2 N, R 32 E, W.M..

10. Westland Irrigation District petitioned to temporarily change the place of use from the locations identified in Table 5 to the locations listed in Table 6.

TABLE 5 - "FROM" LANDS						
					Water Right Certificates	
					Primary (acres)	Supplemental Irr. (acres)
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	79439
3N	28E	9	NE NW	2900	30.70	30.70
3N	28E	9	NW NW	2900	33.80	33.80
3N	28E	9	SW NW	2900	35.90	35.90
3N	28E	9	SE NW	3000	31.10	31.10
3N	28E	10	NE NW	2900	28.30	28.30
3N	28E	10	NW NW	2900	33.90	33.90
3N	28E	10	SW NW	2900	34.40	34.40
3N	28E	10	SE NW	2900	28.80	28.80
3N	28E	15	NE NW	4501	30.80	30.80
3N	28E	15	NW NW	4501	33.30	33.30
3N	28E	15	SW NW	4501	19.40	19.40
3N	28E	15	SE NW	4501	5.50	5.50
3N	28E	16	NE NE	2903	31.00	31.00
3N	28E	16	NW NE	2903	30.30	30.30
3N	28E	16	SW NE	2903	32.70	32.70
3N	28E	16	SE NE	2903	30.10	30.10
3N	28E	21	NE NE	6800	30.60	30.60
3N	28E	21	NW NE	6800	30.30	30.30
3N	28E	21	SW NE	6900	31.90	31.90
3N	28E	21	SE NE	6800	31.10	31.10
3N	28E	21	NE NW	6800	31.40	31.40
3N	28E	21	NW NW	6800	31.50	31.50

					Water Right Certificates	
					Primary (acres)	Supplemental Irr. (acres)
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	79439
3N	28E	21	SW NW	6800	32.60	32.60
3N	28E	21	SE NW	6800	31.40	31.40
3N	28E	21	NE SW	6900	31.20	31.20
3N	28E	21	NW SW	6800	30.70	30.70
3N	28E	21	SW SW	6800	31.00	31.00
3N	28E	21	SE SW	6900	31.00	31.00
TOTALS					844.70	844.70

The right to use water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations described by permit or certificate. The use also shall conform to any reasonable rotation system ordered by the proper state officer.

TABLE 6 - "TO" LANDS						
					Water Right Certificates	
					Primary (acres)	Supplemental (acres)
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	79439
3N	28E	35	NE SE	7400	29.00	29.00
3N	28E	35	NW SE	7400	37.60	37.60
3N	28E	36	NE NE	7402	30.30	30.30
3N	28E	36	NW NE	7402	39.30	39.30
3N	28E	36	SW NE	7402	31.80	31.80
3N	28E	36	SE NE	7402	31.20	31.20
3N	28E	36	NE NW	7402	40.00	40.00
3N	28E	36	NW NW	7402	29.20	29.20
3N	28E	36	SW NW	7402	31.60	31.60
3N	28E	36	SE NW	7402	31.50	31.50
3N	28E	36	NE SW	7402	31.10	31.10
3N	28E	36	NW SW	7402	28.80	28.80
3N	28E	36	SW SW	7402	28.60	28.60
3N	28E	36	SE SW	7402	31.20	31.20
2N	28E	1	NE NW	200	32.20	32.20
2N	28E	1	NW NW	200	31.60	31.60
2N	28E	1	SW NW	200	29.60	29.60
2N	28E	2	NE NE	300	8.20	8.20
2N	28E	2	NW NE	300	36.70	36.70

					Water Right Certificates	
					Primary (acres)	Supplemental (acres)
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	79439
2N	28E	2	SW NE	300	38.20	38.20
2N	28E	2	SE NE	300	29.20	29.20
2N	28E	2	NE NW	300	33.30	33.30
2N	28E	2	NW NW	300	32.20	32.20
2N	28E	2	SW NW	300	27.80	27.80
2N	28E	2	SE NW	300	30.00	30.00
2N	28E	2	NE SE	500	1.80	1.80
2N	28E	2	NW SE	500	4.70	4.70
2N	28E	2	SW SE	600	35.20	35.20
2N	28E	2	SE SE	600	22.80	22.80
TOTALS					844.70	844.70

11. The District also proposes to modify the following right:

PRIMARY IRRIGATION

Certificate 75127: issued in the name of Chester and Rosalie Prior

Use: Irrigation (Primary)

Priority Date: September 5, 1974

Rate & Duty: 1/80 cfs and 3.0 AF per acre irrigated

Source: Wells 4, 7 & 8, within the Umatilla River Basin

Points of Appropriation: Well #4 - SE¼ NW¼, Section 1, T 2 N, R 28 E, W.M.; 2640 Feet South and 630 Feet West from the N¼ of Section 1; Well #7 - SE¼ NW¼, Section 2, T 2 N, R 28 E, W.M.; 2500 Feet South and 2580 Feet East from the NW Corner of Section 2; Well #8 - NE¼ SE¼, Section 2, T 2 N, R 28 E, W.M.; 2800 Feet South and 500 Feet West from the NE Corner of Section 2.

12. Westland Irrigation District petitioned to temporarily change the place of use and character of use (from primary irrigation to supplemental irrigation) from the locations identified in Table 7 to the locations listed in Table 8.

TABLE 7 - "FROM" LANDS					
					Certificate 75127
TWP	RNG	SEC	¼ ¼	Tax Lot	Primary Irrigation (acres)
2N	28E	1	SE NW	200	34.60
TOTAL					34.60

The right to use water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations described by permit or certificate. The use also shall conform to any reasonable rotation system ordered by the proper state officer.

TABLE 8 - "TO" LANDS					
					Certificate 75127
TWP	RNG	SEC	¼ ¼	Tax Lot	Change to Supplemental Irrigation (acres)
3N	28E	15	SW NW	4501	11.30
3N	28E	15	SE NW	4501	23.30
TOTAL					34.60

13. The District also proposes to modify the following right:

a) PRIMARY IRRIGATION

Certificate 76050: issued in the name of Teel Irrigation District

Use: Irrigation (Primary)

Priority Date: April 22, 1955

Rate & Duty: 1/40 cfs and 4.5 AF per acre irrigated

Source: Umatilla River

Point of Diversion: SW¼ NE¼, Section 21, T 3 N, R 29 E, W.M.; WESTLAND CANAL - North 76 Degrees 45 Minutes 56 Seconds East, 2913.19 Feet from the West ¼ Corner of Section 21.

b) SUPPLEMENTAL IRRIGATION

Certificate 75129: issued in the name of Chester & Rosalie Prior

Use: Irrigation (Supplemental)

Priority Date: March 26, 1974

Rate & Duty: 1/80 cfs and 3.0 AF per acre irrigated

Source: Prior Wells 2, 3, 5 & 6

Point of Appropriation: Prior Well # 2 - NW¼ NE¼, Section 36, T 3 N, R 28 E, W.M.; 750 feet South and 2620 feet West from the NE Corner of Section 36.

Prior Well # 3 - NW¼ SE¼, Section 36, T 3 N, R 28 E, W.M.; 1780 feet North and 2600 feet West from the SE Corner of Section 36.

Prior Well # 5 - NW¼ NE¼, Section 35, T 3 N, R 28 E, W.M.; 770 feet South and 2640 feet East from the NW Corner of Section 35.

Prior Well # 6 - NE¼ SW¼, Section 35, T 3 N, R 28 E, W.M.; 1940 feet North and 2540 feet East from the SW Corner of Section 35.

14. Westland Irrigation District petitioned to temporarily change the place of use from the locations identified in Table 9 to the locations listed in Table 10.

TABLE 9 - "FROM" LANDS						
					Water Right Certificates	
					Primary (acres)	Supplemental Irr. (acres)
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	75129
3N	28E	25	SE SW	7402	8.90	8.90
3N	28E	25	SW SE	7402	8.10	8.10
TOTALS					17.00	17.00

The right to use water for the above purposes is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations described by permit or certificate. The use also shall conform to any reasonable rotation system ordered by the proper state officer.

TABLE 10 - "TO" LANDS						
					Water Right Certificates	
					Primary (acres)	Supplemental Irr. (acres)
TWP	RNG	SEC	¼ ¼	Tax Lot	76050	75129
3N	28E	15	SE SW	4501	17.00	17.00
TOTALS					17.00	17.00

15. Pursuant to ORS 540.574 and ORS 540.570, in reviewing the petition submitted by Westland Irrigation District, the Department has determined the following:

- The petition contains the information required under ORS 540.574(3).
- The petition meets the requirements of ORS 540.570.
- The petition contains maps which are satisfactory to the Department and which the District certified as being accurate.
- The petition includes the required statement from the District that it has on file, and

- available for review, written authorization from each landowner affected by the transfer.
- e) The rate, duty, and total number of acres proposed for transfer do not exceed that of the water right subject to transfer.
 - f) The use authorized by the water right subject to transfer will not change; and
 - g) The proposed change in place of use will not result in injury to other water rights.
16. The applicant has made the statement that certain rights will not be used during the 2004 Irrigation season to make way for the place of use changes described above, both the "FROM" and "TO" lands. They are described as follows:
- ▶ Permit 48450 will not be used on Circles E1 and E23
 - ▶ Certificate 76717 and 79439 on Circle E18 within the NE¼
 - ▶ Certificates 76799, 76723, 76717, 76715 and 79439 for Circle E15
17. The applicant has secured a Limited License under the Bureau of Reclamations Temporary Service Contract (LL# 812) for the use of McKay Reservoir supplemental water on the lands described in this transfer and will finish the irrigation season with groundwater authorized in the order for supplemental irrigation.

CONCLUSIONS OF LAW

1. The petition submitted by Westland Irrigation District proposing temporary changes in place of use within district boundaries includes the information, and satisfies the criteria, required by ORS 540.574(3).
2. The proposed transfer complies with the requirements of ORS 540.570.
3. The Director should approve the transfer because the petition satisfies the criteria and requirements of ORS 540.574(3) and ORS 540.570 resulting in no injury to other water rights.

ORDER

It is hereby ORDERED :

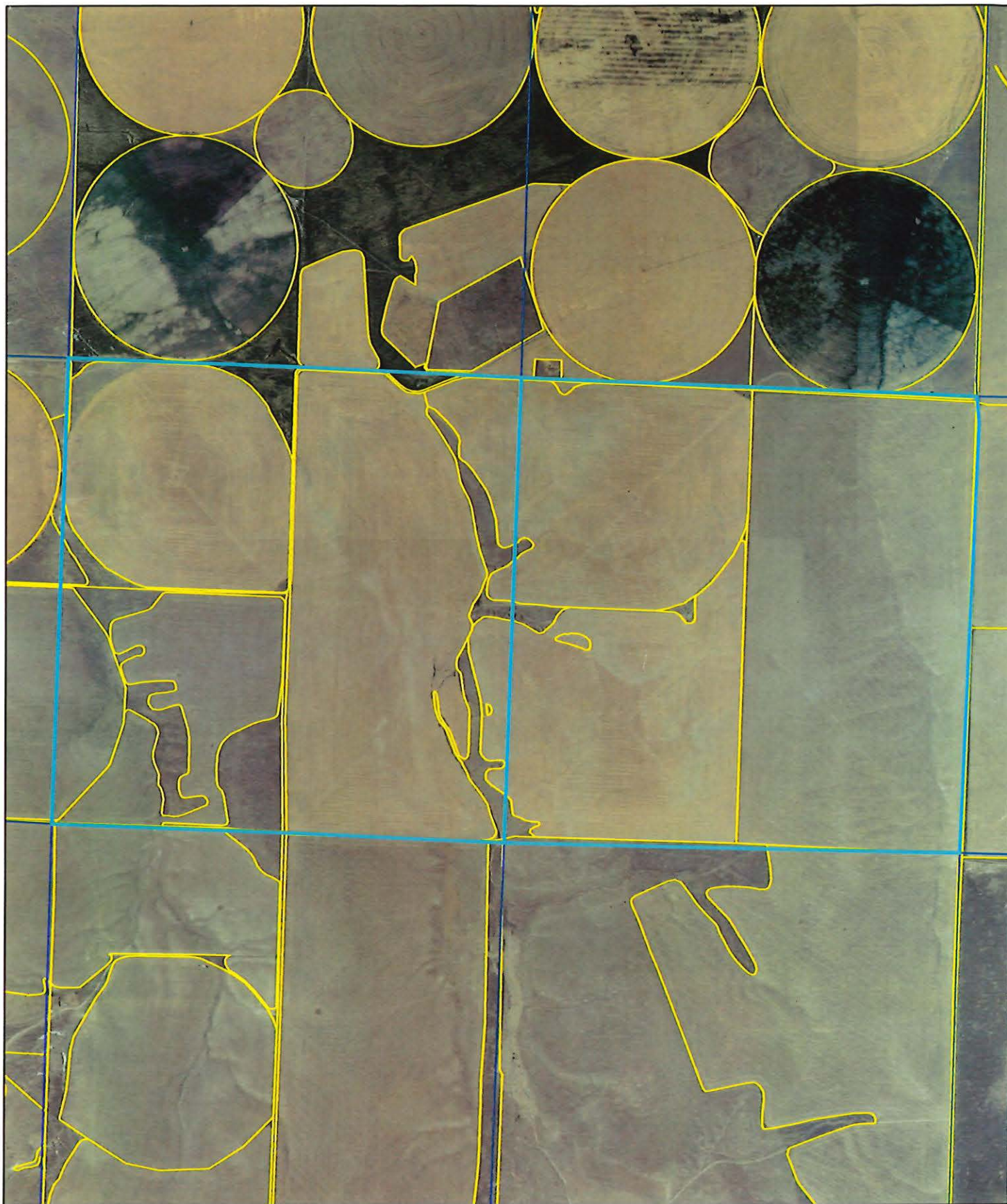
1. The proposed temporary changes to the water rights evidenced by Water Right Certificates 76050, 75129, 61534, 75128, and 79439 may be made for the 2003 irrigation season

provided the following conditions are met by the water user:

- a) The FROM lands shall receive no water under the rights involved with this transfer for the 2004 irrigation season.
 - b) The use of water under the rights involved with this transfer on both the TO and FROM lands during the 2004 irrigation season or calendar year is prohibited and may subject both the district and landowner to civil penalties.
 - c) The applicant has made the statement that certain rights will not be used during the 2004 Irrigation season to make way for the place of use changes described above, both on the "FROM" and "TO" lands. They are described as follows:
 - ▶ Permit 48450 will not be used on Circles E1 and E23
 - ▶ Certificate 76717 and 79439 on Circle E18 within the NE¼
 - ▶ Certificates 76799, 76723, 76717, 76715 and 79439 for Circle E15
 - d) The applicant has secured a Limited License under the Bureau of Reclamations Temporary Service Contract (LL# 812) for the use of McKay Reservoir supplemental water on the lands described in this transfer and will finish the irrigation season with groundwater authorized in the order for supplemental irrigation.
 - e) All restrictions and limitations contained in the subject rights shall apply to the TO lands.
 - f) Pursuant to 540.570 (5), the Department may further condition or revoke this temporary transfer, to the extent necessary to avoid injury, at any time the department finds the transfer is causing injury to an existing water right.
 - g) The Department requires the water user to install and maintain an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water discharged into Westland Canal. The type and plans of the measuring device must be approved by the Department **prior** to beginning construction and shall be installed under the general supervision of the Department.
2. Pursuant to 540.570 (6), upon expiration of the 2004 irrigation season, 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 adjudication proceeding under ORS chapter 539 as evidenced by a court decree.

WITNESS the signature of the Water Resources Director affixed _____.

Phillip C. Ward, Acting Director



USDA USDA
Farm Service Agency

Umatilla County



T2N/R28/S-1,2

2005

0 395 790 1,580 2,370 3,160
 Feet

This acreage is for FSA program purposes only. No warranty is made for any other use.

for 2007 SEASON

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Stage Gulch)
2006 Annual Allocation of Ground Water,)
Under Water Right Certificate 75127,)
Umatilla County, Oregon)

FINAL ORDER APPROVING
ALLOCATION OF GROUND WATER

Chester Prior, c/o Eagle Ranch
32327 Oregon Trail Road
Echo, OR 97826

ORS 537.730 and 537.735 establish the process by which the Water Resources Commission may designate an area of the state as a critical ground water area. OAR Chapter 690, Division 507 implements the statutes and provides the Department procedures and criteria for the purpose of managing the ground water resource and evaluating requests for allocation of ground water.

AUTHORITY

- 1) Oregon Administrative Rules (OAR) 690-507-0750 states in pertinent part that the Director issued an order on May 15, 1991 declaring the Stage Gulch Critical Groundwater Area. The order described the exterior boundaries and divided the area with eight subareas for the purposes of managing the groundwater resource. The response of ground-water levels to pumpage in each subarea is largely independent of pumpage within other subareas.
- 2) OAR 690-507-0770 states in pertinent part that the use of water from the basalt groundwater reservoir within the Stage Gulch Critical Groundwater Area shall be limited to the sustainable annual yield. Water from the basalt groundwater reservoir in the Stage Gulch Critical Groundwater Area shall be used for irrigation only during the irrigation season. The irrigation season shall begin on the 1st of March and end on the 30th of November. The Department shall not accept any new applications for appropriation of water from the basalt groundwater reservoir within the Stage Gulch Critical Groundwater Area.
- 3) OAR 690-507-0780 states in pertinent part that appropriation of groundwater from the Stage Gulch Critical Groundwater Area is prohibited unless the water user meets certain

This is a final order in 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 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

COPIES

requirements. A water user authorized by OAR 690-507-0810 to pump water from the basalt groundwater reservoir shall satisfy the following conditions:

- Wells shall have an access port with a minimum diameter of 3/4 inch. The access shall be adequate to determine the water level at any time;
 - A water user may install a functioning airline with a pressure gage in addition to the access port.
 - A water user shall install and maintain a totalizing flow meter on each well authorized by OAR 690-507-0810 except wells authorized for irrigation of ten acres or less. The meter shall meet the requirements of OAR 690-507-0785.
- 4) OAR 690-507-0810 states in pertinent part that the method for distributing the sustainable annual yield from the basalt groundwater reservoir within each managed subarea in the Stage Gulch Critical Groundwater Area is as follows:
- A water user who intends to pump water for any authorized use except municipal use during any year shall make a request to the Department in Salem by July 1st of the preceding year on forms provided by the Department;
 - The Department shall assume that municipal water users intend to pump a quantity of water equivalent to the average pumped for the previous three (3) years, unless the municipal water user informs the Department otherwise by July 1st;
 - The distribution of groundwater for any authorized use except municipal use shall be based on the priority dates of the water rights within the individual subarea;
 - In determining the amount of groundwater each water user is allocated to pump during the next calendar year or irrigation season, the Department may consider:
 - ♦ Requests for allocations received;
 - ♦ The sustainable annual yield;
 - ♦ The limits of the groundwater rights;
 - ♦ The relative dates of priority, with preference given without regard to priority date for *municipal use*;
 - ♦ Historical usage;
 - ♦ Whether or not a water user is physically capable of pumping and putting to a beneficial use the quantity requested; and
 - ♦ Any other factors deemed appropriate by the Department.

- If pumpage for a particular year exceeds the sustainable annual yield for a subarea, the total subarea allocation for the second year after that occurrence shall be reduced by that volume.
- If any water user requests more water than has been historically used, the Department may allocate less water than requested if, upon investigation, it appears unlikely the user will pump the volume requested.
- If any water user requests less water than has been historically used, the Department may allocate more water than requested if, upon investigation, it appears likely that the user will pump more than the volume requested.

FINDINGS OF FACT

- 1) Allocations are made to the senior water rights in Subarea G first. Chester Prior is a senior water right holder in Subarea G.
- 2) The quantity allocated is based primarily on the pumpage in recent years and shall not exceed the limits of the water rights. Once the sustainable annual yield or reduced volume is allocated for a subarea, no more water shall be allocated.
- 3) The sustainable annual yield for Subarea G is 2750 acre-feet. For the year 2005, 2750 acre-feet of water was allocated to senior water right holders in Subarea G.
- 4) Flow meter and power meter data collected by Department staff indicate that 2033 acre-feet of water was pumped from permitted wells in Subarea G in 2005.
- 5) The Subarea G allocation for 2007 is the sustainable annual yield.
- 6) On May 31, 2006, the Department sent letters requesting water users within the Stage Gulch Critical Ground Water Area to submit their 2007 requests for the volume of water needed.
- 7) Chester Prior filed a request for water use from wells 4 and 8 in 2007, Stage Gulch Critical Ground Water Area, Subarea G, authorized under Application G-6645, Water Right Certificate 75127.
- 8) Chester Prior requested 700 acre-feet for 2007, under Water Right Certificate 75127.
- 9) Flow meter and power meter records indicate that annual pumpage from the permitted wells has varied. More water was pumped in 2005 than in prior years. Therefore, the 2007 allocation is for 700 acre-feet. This is consistent with OAR 690-507-0810.

DISCUSSION

The sustainable annual yield for Subarea G is 2750 acre-feet. The quantity of water allocated for 2007 for Subarea G is 2750 acre-feet. Chester Prior is a senior water right holder in Subarea G.

275
450
well #2
well #3
250
450
well #8
well #4

The allocation for Chester Prior does not exceed the limits of the water rights or the quantity allocated for Subarea G. Therefore, the 2007 allocation is for 700 acre-feet.

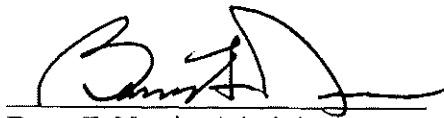
CONCLUSIONS OF LAW

The allocation of ground water for the State Gulch Critical Ground Water Area for the year 2007 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580, and Oregon Administrative Rules Chapter 690, Division 507.

ORDER

Now, THEREFORE, it is ORDERED that 700 acre-feet of water is allocated for the year 2007 under Certificate 75127 for Subarea G of the Stage Gulch Critical Ground Water Area.

Dated at Salem, Oregon this 28 day of August, 2006.

A handwritten signature in black ink, appearing to read 'Barry F. Norris', is written over a horizontal line.

Barry F. Norris, Administrator
Technical Services Division

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WESTLAND IRRIGATION DISTRICT
P.O. BOX 416
STANFIELD, OREGON 97875

confirms the right to use the waters of the UMATILLA RIVER AND MCKAY RESERVOIR constructed under PERMIT R-584, tributary of the COLUMBIA RIVER, for IRRIGATION OF 1404.5 ACRES.

This right was perfected under Permit 27583. The date of priority is APRIL 12, 1961. This right is limited to 35.12 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

WESTLAND CANAL - 2913.19 FEET NORTH 76 DEGREES 45 MINUTES 56 SECONDS EAST FROM THE W ¼ CORNER OF SECTION 21, SW ¼ NE ¼, SECTION 21, TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.;

MCKAY DAM - NW ¼ SE ¼, SECTION 34, TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

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) from direct flow, and 4½ acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage. The right to stored water is subject to the terms of contracts between the United States Bureau of Reclamation and the District.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

Tw	Rng	Sec	QQ	Acres	Tax Lot	Owner
3N	27	1	NENE	3.8	100	BLOCK, ZANE
3N	27	1	NWNE	2.2	301	PRIOR, DAVID; TRUST
3N	27	1	SWNE	2.0	301	PRIOR, DAVID; TRUST
3N	27	2	NENE	12.9	800	TINGUE, JOHN
3N	27	2	SESW	4.5	2000	WESTLAND IRRIGATION DIST
3N	27	2	NESE	14.2	1700	TINGUE, JOHN
3N	27	3	NENE	32.3	2300	TRI-SET, INC.
3N	27	3	NWNE	29.7	2400	TRI-SET, INC.
3N	27	3	NENW	32.7	2500	TRI-SET, INC.
3N	27	3	NWNW	10.5	2600	TRI-SET, INC.
3N	27	3	SWNW	6.8	3400	TRI-SET, INC.
3N	27	3	SENW	3.8	3000	TRI-SET, INC.
3N	27	3	SWSE	14.7	3700	PARKS, CRAIG & CINDY
3N	27	3	SESE	14.7	3800	PARKS, CRAIG & CINDY
3N	27	10	NENE	25.8	3900	PARKS, CRAIG & CINDY
3N	27	10	NWNE	39.4	3900	TRI-SET, INC.

76799

3N	28	3	NWSW	2.4	800	BEEF CITY, INC.; MANN
3N	28	5	NWNE	14.3	2000	OREGON HEREFORD RANCH
3N	28	5	SWNE	2.0	2100	OREGON HEREFORD RANCH
3N	28	5	SENE	7.8	2100	OREGON HEREFORD RANCH
3N	28	5	NENW	38.2	2100	OREGON HEREFORD RANCH
3N	28	5	NWNW	39.3	2000	OREGON HEREFORD RANCH
3N	28	5	SWNW	33.4	2100	OREGON HEREFORD RANCH
3N	28	5	SENW	8.0	2100	OREGON HEREFORD RANCH
3N	28	5	NESW	1.1	2304	OREGON HEREFORD RANCH
3N	28	5	NWSW	9.5	2304	OREGON HEREFORD RANCH
3N	28	5	NESE	1.5	2200	OREGON HEREFORD RANCH
3N	28	5	NWSE	0.3	2304	OREGON HEREFORD RANCH
3N	28	6	NENE	8.0	2401	OREGON HEREFORD RANCH
3N	28	6	SENE	6.7	2401	OREGON HEREFORD RANCH
3N	28	6	NWNW	2.4	2500	TEEL, GARY
3N	28	7	SWNE	4.4	2300	J.R. SIMPLOT
3N	28	7	SWNE	2.6	2300	J.R. SIMPLOT
3N	28	8	NESW	9.3	2800	MUELLER, FRANK
3N	28	11	NENW	3.4	3300	EMERT, ROBERT & JERI
3N	28	11	NWNW	0.3	601	EMERT, ROBERT & JERI
3N	28	11	SWNW	18.2	3500	EMERT, BARBARA
3N	28	11	SENW	2.4	3400	EMERT, ROBERT & JERI
3N	28	11	SWSW	5.9	3500	EMERT, BARBARA
3N	28	13	NENE	8.2	4100	DOUBLE M RANCH, INC.
3N	28	13	SWNE	1.7	4160	DOUBLE M RANCH, INC.
3N	28	13	SENE	2.4	4100	DOUBLE M RANCH, INC.
3N	28	13	SWNW	0.8	4100	DOUBLE M RANCH, INC.
3N	28	13	SENW	1.3	4100	DOUBLE M RANCH, INC.
3N	28	14	SWNE	1.3	4200	DOUBLE M RANCH, INC.
3N	28	14	SENE	0.3	4200	DOUBLE M RANCH, INC.
3N	28	14	NENW	0.8	4300	CORREA, JOHN & JEAN
3N	28	14	SESW	0.7	4400	PRIOR, CHESTER & ROS
3N	28	14	NESE	4.0	4200	DOUBLE M RANCH, INC.
3N	28	14	NWSE	13.0	4200	DOUBLE M RANCH, INC.
3N	28	14	SWSE	17.7	4200	DOUBLE M RANCH, INC.
3N	28	14	SESE	12.5	4200	DOUBLE M RANCH, INC.
3N	28	15	SENW	4.7	4501	PRIOR, CHESTER & ROS
3N	28	15	SWSW	3.1	4501	PRIOR, CHESTER & ROS
3N	28	15	NESE	11.0	4400	PRIOR, CHESTER & ROS
3N	28	23	SENW	10.6	7100	LEVY, ROBERT
3N	29	17	NWSW	4.5	4902	SPIKE RANCH INC.
3N	29	17	SWSW	4.7	4902	SPIKE RANCH INC.
3N	29	18	NESE	1.5	5300	SPIKE RANCH INC.
3N	29	18	SESE	1.5	5300	SPIKE RANCH INC.
4N	27	12	SENE	4.0	301	LAMB WESTON, INC.
4N	27	12	NESE	0.8	400	BELLINGER, ROBERT & LOU
4N	27	13	NENE	16.3	900	SKINNER, MALCOLM
4N	27	13	SENE	30.1	900	SKINNER, MALCOLM
4N	27	36	NESW	30.6	3500	PRIOR, MICHAEL; TRUST
4N	27	36	SESW	1.4	3500	PRIOR, MICHAEL; TRUST
4N	27	36	NESE	13.9	3500	PRIOR, MICHAEL; TRUST
4N	27	36	NWSE	30.6	3500	PRIOR, MICHAEL; TRUST
4N	27	36	SWSE	0.3	3500	PRIOR, MICHAEL; TRUST
4N	28	4	NWNE	6.6	2100	WADEKAMPER, LON; LGW
4N	28	4	SWNE	0.4	1800	WADEKAMPER, LON; LGW
4N	28	4	NENW	1.1	2100	WADEKAMPER, LON; LGW
4N	28	4	NWNW	11.4	2100	WADEKAMPER, LON; LGW
4N	28	4	SWNW	0.8	1900	BACCUS, HAROLD & LULU
4N	28	4	SENW	0.2	1800	WADEKAMPER, LON; LGW
4N	28	4	NWSW	2.5	1502	CARPENTER, RICHARD
4N	28	4	SWSW	2.8	1502	CARPENTER, RICHARD

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4N	28	5	NENE	6.5	2200	METTEER, TED & BETTY
4N	28	5	NENE	0.4	2306	PITSCH, GARRY
4N	28	5	NWNE	0.4	2301	TOVEY, TERREL & KATH
4N	28	5	NWNE	2.1	2303	WALLS, DON
4N	28	5	NWNE	2.6	2304	WALLS, DON
4N	28	5	NWNE	0.4	2305	CORREA, CRUZ
4N	28	5	SWNE	0.4	2300	COX, JIM & GAIL
4N	28	5	SENE	3.0	2200	METTEER, TED & BETTY
4N	28	5	SWNW	1.5	3800	GERSBACH, WILLIAM J.
4N	28	5	SWSW	16.6	3601	WICK, MIKE & SHARI
4N	28	5	SESW	2.9	3600	WICK, MIKE & SHARI
4N	28	5	NWSE	3.6	3100	MCCOLLEY, MELVIN
4N	28	5	SWSE	1.6	3200	TURNER, DENNIS
4N	28	5	SWSE	0.4	3300	SMELSER, EDWIN & MARI
4N	28	5	SESE	1.2	3300	SMELSER, EDWIN & MARI
4N	28	5	SESE	0.1	3400	BARRON, MILTON & SHIR
4N	28	5	SESE	0.2	3500	VETTER, JULIUS & DOR
4N	28	6	SENE	2.4	3800	GERSBACH, WILLIAM J.
4N	28	6	NESE	3.0	4200	DOHERTY, MATTHEW & DOR
4N	28	6	NESE	1.0	4201	DOHERTY, MATTHEW & DOR
4N	28	6	NESE	1.5	4203	LAMB WESTON
4N	28	6	NWSE	14.6	4203	LAMB WESTON
4N	28	6	SWSE	13.6	4201	DOHERTY, MATTHEW & DOR
4N	28	7	SWNE	8.2	400	VOGT, VERNON
4N	28	7	SENW	0.1	100	VOGT, VERNON
4N	28	7	NESW	5.0	200	BAREMORE, DAN
4N	28	7	SESW	3.8	1000	WILGERS, WAYNE
4N	28	7	NESE	11.1	100	CRAMER, MILDRED
4N	28	7	NESE	5.0	1100	WRIGHT, GERALD
4N	28	7	NESE	2.6	1200	KESTNER, ERNEST
4N	28	7	SWSE	4.0	600	HALL, STERLING & DIANA
4N	28	7	SWSE	1.0	700	SERANDO, JOSE
4N	28	7	SWSE	5.5	800	SNYDER, JEROLD
4N	28	7	SESE	3.5	900	RICE, MARIAN/YUNKERS, MIKE
4N	28	8	NENE	4.5	7800	BELLINGER, ROBERT & LOU
4N	28	8	SWNE	5.3	6700	SHOOK, DOUGLAS
4N	28	8	SWNE	3.7	7600	STANLEY, RAWLEY
4N	28	8	NWNW	1.1	6007	FROST, LARRY & DEBRA
4N	28	8	SWNW	3.1	6100	CHERRY, SHARRON
4N	28	8	NESW	3.5	102	MARCHEK, ALBERT & M
4N	28	8	NESW	0.8	1800	WARE, LEONARD
4N	28	8	NESW	1.9	1900	WARES AUTO BODY
4N	28	8	NESW	2.4	2100	TURNER, DENNIS
4N	28	8	NESW	4.0	2200	BOYLAN, LAVERNE
4N	28	8	NWSW	2.4	300	SERFACE, THOMAS & IDA
4N	28	8	NWSW	2.3	400	DU MONT, DAVE
4N	28	8	NWSW	3.1	504	PARKS, FRED & JOYCE
4N	28	8	NWSW	0.6	506	BROWN, ROBERT
4N	28	8	SWSW	1.0	800	ESTOUP, ROBERT & BAR
4N	28	8	SWSW	0.4	802	ESTOUP, ROBERT & BAR
4N	28	8	SWSW	3.4	801	CHAMBERLAIN, JOE & RHONDA
4N	28	8	SESW	2.0	900	MASSEY, KURT
4N	28	8	SESW	2.0	1000	GREINER, GLENN & BONITA
4N	28	8	SESW	17.6	1700	RUHL, NORMAN
4N	28	8	NWSE	1.5	1400	HOFFMAN, JERALD
4N	28	8	NWSE	0.8	1500	TERRY, JUSTIN
4N	28	8	NWSE	2.6	1600	CALDWELL, CHRISTINA
4N	28	8	NWSE	0.2	2000	COFFEE, NANCY, etal
4N	28	8	NWSE	1.3	2200	PAGE, JOHN
4N	28	8	NWSE	1.0	2203	BURMESTER, MONTE & LINDA
4N	28	8	SWSE	1.0	1300	KING, JOHN
4N	28	8	SWSE	1.2	1400	HOFFMAN, JERALD

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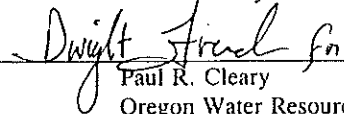
4N	28	9	NWNW	10.0	7900	CLEAVER, ALAN & BONNIE
4N	28	17	NENE	0.1	500	GARDNER, JOHN D
4N	28	17	NENE	0.5	600	GARDNER, JOHN D
4N	28	17	NENE	1.4	700	GARDNER, JOHN D
4N	28	17	NWNE	0.9	1200	SPERRY, ROGER & JUNE
4N	28	17	NWNE	1.8	1400	RUSSELL, DORENE
4N	28	17	NWNE	1.0	2800	BOLTZ, RICHARD & GWEN
4N	28	17	NWNE	1.7	3000	HOSKINS, STEPHEN
4N	28	17	SWNE	0.2	3100	HOSKINS, STEPHEN
4N	28	17	NWSE	14.5	200	QUICK, NORMA
4N	28	18	NENE	17.6	100	SMITH, LYLE & JANE
4N	28	18	NWNE	8.6	100	SMITH, LYLE & JANE
4N	28	18	SWNE	27.2	200	MILLER, ROBERTA MARY ANN
4N	28	18	NENW	12.0	100	BELLINGER, ROBERT & LOU
4N	28	18	SWNW	33.7	100	BELLINGER, ROBERT & LOU
4N	28	19	NENE	1.3	301	BREWER, JERRY
4N	28	19	SWSW	10.2	3000	MARTIN, LAQUITA
4N	28	19	NWSE	14.8	800	GASS, MARGARET
4N	28	19	SWSE	1.2	2700	SMITH, DEAN
4N	28	19	SESE	1.2	2700	SMITH, DEAN
4N	28	19	SESE	2.6	2703	MILLER, LORETTA
4N	28	19	SESE	2.5	2704	ELLISTON, CHARLIE
4N	28	20	NWSW	1.3	300	DES BRISAY, GEORGE
4N	28	20	NWSW	1.0	400	TUCKER, WINFORD & JAN
4N	28	28	SWSW	2.0	3800	BETZ FARMS
4N	28	29	SWNW	3.1	3900	BETZ FARMS
4N	28	29	NESW	1.1	3900	BETZ FARMS
4N	28	29	SWSW	0.6	3800	BETZ FARMS
4N	28	29	SESW	28.9	3800	BETZ FARMS
4N	28	29	NESE	4.7	3900	BETZ FARMS
4N	28	29	NWSE	13.3	3900	BETZ FARMS
4N	28	29	SWSE	38.7	3800	BETZ FARMS
4N	28	29	SESE	28.1	3800	BETZ FARMS
4N	28	30	SENE	1.5	3800	BETZ FARMS
4N	28	30	NENW	2.0	3505	PRIOR, DAVID; TRUST
4N	28	30	SENE	3.8	3505	PRIOR, DAVID; TRUST
4N	28	30	NESE	6.2	3800	BETZ FARMS
4N	28	30	SESE	6.1	3800	BETZ FARMS
4N	28	31	SWNE	2.5	6300	GELISSEN, PAUL
4N	28	31	SWNE	2.8	5701	GELISSEN, PAUL
4N	28	31	SENE	5.5	5702	WESTERN HAY
4N	28	31	SENE	0.7	5708	WESTERN HAY
4N	28	31	SESW	0.8	7001	GELISSEN, PAUL
4N	28	31	SESW	9.8	7002	CURTIS, BERT & MARY JO
4N	28	31	NESE	6.4	5900	SHAW, ROBERT & ARLOA
4N	28	31	NESE	5.6	6000	SYKES, GERALD
4N	28	31	NWSE	34.1	6200	GELISSEN, PAUL
4N	28	31	SWSE	3.6	6101	GELISSEN, PAUL
4N	28	32	NWNE	5.2	4200	BETZ FARMS
4N	28	32	NWNW	0.8	3801	NETLAND RUEBEN
4N	28	32	NWNW	3.6	3802	NETLAND RUEBEN
4N	28	32	NWNW	7.6	5705	NETLAND RUEBEN
4N	28	32	NWNW	1.2	5706	WOOD, EVELYN; YEOMAN
4N	28	32	SWNW	15.5	5708	WESTERN HAY
4N	28	32	SWNW	12.0	5802	WOOD, EVELYN; YEOMAN
4N	28	32	NWSW	1.7	5800	WOOD, EVELYN; YEOMAN
4N	28	32	SWSW	7.4	5800	WOOD, EVELYN; YEOMAN
4N	28	32	SESW	0.9	5400	MUELLER, FRANK
4N	28	33	SWNW	1.0	1300	PARRISH, DON & JOSEPHINE
4N	28	33	SWSW	8.0	400	OREGON HEREFORD
5N	28	32	SWSE	3.5	6300	METTEER, TED & BETTY
5N	28	32	SESE	7.3	6000	WADEKAMPER, LON; LGW RANCH
5N	28	33	NESW	10.2	6000	WADEKAMPER, LON; LGW RANCH
5N	28	33	NWSW	0.4	5100	WADEKAMPER, LON; LGW RANCH
5N	28	33	SWSW	2.0	6202	LAFOLETTE, JAMES
5N	28	33	SWSW	1.0	6200	LAFOLETTE, JAMES

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The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Oregon Water Resources Director,
affixed this 26th day of February, 2001.



Paul R. Cleary
Oregon Water Resources Director

Recorded in State Record of Water Right Certificates numbered 76799.

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHESTER PRIOR, EAGLE RANCH
32327 OREGON TRAIL ROAD
ECHO, OREGON 97826

confirms part of the right to use the waters of the UMATILLA RIVER a tributary of the COLUMBIA RIVER, for PRIMARY IRRIGATION OF 72.6 ACRES AND SUPPLEMENTAL IRRIGATION OF 2814.7 ACRES.

This right was perfected under Permit 48450. The date of priority is AUGUST 3, 1981. This right is limited to 72.18 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source. The use allowed herein may be made anytime between November 15 and June 15 of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.

The point of diversion is located as follows:

WESTLAND CANAL - SW 1/4 NE 1/4, SECTION 21, TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.; NORTH 76 DEGREES 45 MINUTES 56 SECONDS EAST 2913.19 FEET FROM THE WEST 1/4 CORNER, SECTION 21.

This is a final 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 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

62038.SB

Certificate Number 81599

*Superseded
by 81815*

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), and 1.5 acre-feet for each acre irrigated during the period from November 15 to the last day of February of each year, provided further that the right allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed 4.5 acre-feet for each acre irrigated in any one year, provided further, that the part declared herein be for supplemental irrigation, the right allowed may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply provided the total quantity diverted from all sources of supply does not exceed the limitation allowed herein. The use of water during the period from November 15 to the last day of February of each year shall not establish priority of right as against future appropriations for beneficial uses or storage for such beneficial uses, other than similar rights for irrigation from November 15 to the last day of February.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

PRIMARY

SE 1/4 NW 1/4	40.0 ACRES
NE 1/4 SW 1/4	2.3 ACRES
SECTION 1	
TOWNSHIP 2 NORTH, RANGE 28 EAST, W. M.	
SW 1/4 NE 1/4	5.3 ACRES
SE 1/4 NW 1/4	5.3 ACRES
NE 1/4 SW 1/4	5.4 ACRES
SE 1/4 SW 1/4	9.1 ACRES
NW 1/4 SE 1/4	5.2 ACRES
SECTION 36	
TOWNSHIP 3 NORTH, RANGE 28 EAST, W. M.	

SUPPLEMENTAL

NE 1/4 NW 1/4	32.2 ACRES
NW 1/4 NW 1/4	31.6 ACRES
SW 1/4 NW 1/4	29.6 ACRES
NE 1/4 SW 1/4	37.1 ACRES
NW 1/4 SW 1/4	31.0 ACRES
SW 1/4 SW 1/4	28.8 ACRES
SE 1/4 SW 1/4	31.2 ACRES
SECTION 1	
NE 1/4 NE 1/4	8.2 ACRES
NW 1/4 NE 1/4	36.7 ACRES
SW 1/4 NE 1/4	38.2 ACRES
SE 1/4 NE 1/4	29.2 ACRES
SECTION 2	
TOWNSHIP 2 NORTH, RANGE 28 EAST, W.M.	

NE 1/4 NW 1/4	33.3 ACRES
NW 1/4 NW 1/4	32.2 ACRES
SW 1/4 NW 1/4	27.8 ACRES
SE 1/4 NW 1/4	30.0 ACRES
NE 1/4 SE 1/4	19.1 ACRES
NW 1/4 SE 1/4	30.0 ACRES
SW 1/4 SE 1/4	35.2 ACRES
SE 1/4 SE 1/4	22.8 ACRES

SECTION 2

TOWNSHIP 2 NORTH, RANGE 28 EAST, W.M.

NE 1/4 NE 1/4	31.8 ACRES
NW 1/4 NE 1/4	31.4 ACRES
SW 1/4 NE 1/4	33.9 ACRES
SE 1/4 NE 1/4	32.8 ACRES
NE 1/4 SE 1/4	31.9 ACRES
NW 1/4 SE 1/4	31.3 ACRES
SW 1/4 SE 1/4	32.7 ACRES
SE 1/4 SE 1/4	32.2 ACRES

SECTION 20

NE 1/4 NE 1/4	30.0 ACRES
NW 1/4 NE 1/4	30.4 ACRES
SW 1/4 NE 1/4	38.4 ACRES
SE 1/4 NE 1/4	32.4 ACRES
NE 1/4 NW 1/4	32.0 ACRES
NW 1/4 NW 1/4	30.4 ACRES
SW 1/4 NW 1/4	34.0 ACRES
SE 1/4 NW 1/4	38.4 ACRES
NE 1/4 SW 1/4	36.5 ACRES
NW 1/4 SW 1/4	29.6 ACRES
SW 1/4 SW 1/4	32.8 ACRES
SE 1/4 SW 1/4	31.6 ACRES
NE 1/4 SE 1/4	30.1 ACRES
NW 1/4 SE 1/4	35.2 ACRES
SW 1/4 SE 1/4	32.4 ACRES
SE 1/4 SE 1/4	32.8 ACRES

SECTION 25

SW 1/4 SW 1/4	30.2 ACRES
SE 1/4 SW 1/4	26.3 ACRES
NE 1/4 SE 1/4	30.0 ACRES
NW 1/4 SE 1/4	29.8 ACRES
SW 1/4 SE 1/4	40.0 ACRES
SE 1/4 SE 1/4	33.6 ACRES

SECTION 26

NE 1/4 NE 1/4	30.7 ACRES
NW 1/4 NE 1/4	29.9 ACRES
SW 1/4 NE 1/4	29.6 ACRES
SE 1/4 NE 1/4	30.0 ACRES
NE 1/4 NW 1/4	28.7 ACRES
NW 1/4 NW 1/4	33.1 ACRES
SW 1/4 NW 1/4	33.1 ACRES
SE 1/4 NW 1/4	28.5 ACRES

SECTION 29

TOWNSHIP 3 NORTH, RANGE 28 EAST, W. M.

NE SW 6.2
SE 23

← IN ←

NE SW 29.2
NW SW 27.6
SW SW 32.0
SE SW 28.9
SEC. 27

OUT T-9845

NE 1/4 NE 1/4
SE 1/4 NE 1/4

0.2 ACRES
0.3 ACRES

Out T-9845

SECTION 30

NE 1/4 NE 1/4	30.5 ACRES
NW 1/4 NE 1/4	40.0 ACRES
SW 1/4 NE 1/4	36.4 ACRES
SE 1/4 NE 1/4	34.4 ACRES
NE 1/4 NW 1/4	32.6 ACRES
NW 1/4 NW 1/4	31.2 ACRES
SW 1/4 NW 1/4	32.8 ACRES
SE 1/4 NW 1/4	38.1 ACRES
NE 1/4 SW 1/4	36.3 ACRES
NW 1/4 SW 1/4	33.2 ACRES
SW 1/4 SW 1/4	31.8 ACRES
SE 1/4 SW 1/4	28.1 ACRES
NE 1/4 SE 1/4	29.0 ACRES
NW 1/4 SE 1/4	37.6 ACRES
SW 1/4 SE 1/4	39.8 ACRES
SE 1/4 SE 1/4	30.2 ACRES

SECTION 35

NE 1/4 NE 1/4	31.8 ACRES
NW 1/4 NE 1/4	40.0 ACRES
SW 1/4 NE 1/4	31.8 ACRES
SE 1/4 NE 1/4	31.5 ACRES
NE 1/4 NW 1/4	40.0 ACRES
NW 1/4 NW 1/4	31.1 ACRES
SW 1/4 NW 1/4	31.6 ACRES
SE 1/4 NW 1/4	31.5 ACRES
NE 1/4 SW 1/4	31.1 ACRES
NW 1/4 SW 1/4	30.1 ACRES
SW 1/4 SW 1/4	31.5 ACRES
SE 1/4 SW 1/4	31.2 ACRES
NE 1/4 SE 1/4	31.7 ACRES
NW 1/4 SE 1/4	31.4 ACRES
SW 1/4 SE 1/4	32.0 ACRES
SE 1/4 SE 1/4	31.2 ACRES

SECTION 36

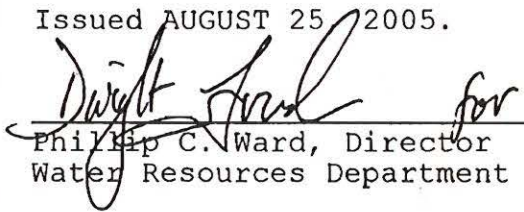
TOWNSHIP 3 NORTH, RANGE 28 EAST, W. M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE TOTAL NUMBER OF SUPPLEMENTAL ACRES, THE REDUCED QUANTITY OF WATER DUE TO THE REDUCTION IN ACRES AND SUPERSEDES CERTIFICATE 81529.

Issued AUGUST 25 2005.

JSX 7/14/05


Philip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81599.

62038.SB

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHESTER PRIOR, EAGLE RANCH
32327 OREGON TRAIL ROAD
ECHO, OREGON 97826

confirms part of the right to use the waters of the UMATILLA RIVER a tributary of the COLUMBIA RIVER, for PRIMARY IRRIGATION OF 72.6 ACRES AND SUPPLEMENTAL IRRIGATION OF 2863.8 ACRES.

This right was perfected under Permit 48450. The date of priority is AUGUST 3, 1981. This right is limited to 73.41 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source. The use allowed herein may be made anytime between November 15 and June 15 of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.

The point of diversion is located as follows:

WESTLAND CANAL - SW 1/4 NE 1/4 SECTION 21, TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.; NORTH 76 DEGREES 45 MINUTES 56 SECONDS EAST 2913.19 FEET FROM THE WEST 1/4 CORNER, SECTION 21.

This is a final order in this matter. 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 112.0000000, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

62038.SB

Certificate Number 81529

*Superseded by
81599*

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), and 1.5 acre-feet for each acre irrigated during the period from November 15 to the last day of February of each year, provided further that the right allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed 4.5 acre-feet for each acre irrigated in any one year, provided further, that the part declared herein be for supplemental irrigation, the right allowed may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply provided the total quantity diverted from all sources of supply does not exceed the limitation allowed herein. The use of water during the period from November 15 to the last day of February of each year shall not establish priority of right as against future appropriations for beneficial uses or storage for such beneficial uses, other than similar rights for irrigation from November 15 to the last day of February.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

PRIMARY

SE 1/4 NW 1/4 40.0 ACRES
NE 1/4 SW 1/4 2.3 ACRES

SECTION 1
TOWNSHIP 2 NORTH, RANGE 28 EAST, W. M.

SW 1/4 NW 1/4 5.8 ACRES
SE 1/4 NW 1/4 5.3 ACRES
NE 1/4 SW 1/4 5.1 ACRES
SE 1/4 SW 1/4 5.1 ACRES
NW 1/4 SW 1/4 5.2 ACRES

SECTION 3
TOWNSHIP 3 NORTH, RANGE 28 EAST, W. M.

NE 1/4 NW 1/4 32.2 ACRES
NW 1/4 NW 1/4 31.6 ACRES
SW 1/4 NW 1/4 28.6 ACRES
NE 1/4 SW 1/4 37.1 ACRES
NW 1/4 SW 1/4 31.0 ACRES
SW 1/4 SW 1/4 28.8 ACRES
SE 1/4 SW 1/4 31.2 ACRES

SECTION 1

NE 1/4 NE 1/4 8.2 ACRES
NW 1/4 NE 1/4 36.7 ACRES
SW 1/4 NE 1/4 38.2 ACRES
SE 1/4 NE 1/4 29.2 ACRES

SECTION 2

TOWNSHIP 2 NORTH, RANGE 28 EAST, W.M.

NE 1/4 NW 1/4	33.3 ACRES
NW 1/4 NW 1/4	32.2 ACRES
SW 1/4 NW 1/4	27.8 ACRES
SE 1/4 NW 1/4	30.0 ACRES
NE 1/4 SE 1/4	19.1 ACRES
NW 1/4 SE 1/4	30.0 ACRES
SW 1/4 SE 1/4	35.2 ACRES
SE 1/4 SE 1/4	22.8 ACRES

SECTION 2

TOWNSHIP 2 NORTH, RANGE 28 EAST, W.M.

NE 1/4 NE 1/4	31.8 ACRES
NW 1/4 NE 1/4	31.4 ACRES
SW 1/4 NE 1/4	33.9 ACRES
SE 1/4 NE 1/4	32.8 ACRES
NE 1/4 SE 1/4	31.9 ACRES
NW 1/4 SE 1/4	31.3 ACRES
SW 1/4 SE 1/4	32.7 ACRES
SE 1/4 SE 1/4	32.2 ACRES

SECTION 20

NE 1/4 NE 1/4	30.0 ACRES
NW 1/4 NE 1/4	30.4 ACRES
SW 1/4 NE 1/4	38.4 ACRES
SE 1/4 NE 1/4	32.4 ACRES
NE 1/4 NW 1/4	32.0 ACRES
NW 1/4 NW 1/4	30.4 ACRES
SW 1/4 NW 1/4	34.0 ACRES
SE 1/4 NW 1/4	38.4 ACRES
NE 1/4 SW 1/4	36.5 ACRES
NW 1/4 SW 1/4	29.6 ACRES
SW 1/4 SW 1/4	32.8 ACRES
SE 1/4 SW 1/4	31.6 ACRES
NE 1/4 SE 1/4	30.2 ACRES
NW 1/4 SE 1/4	32.2 ACRES
SW 1/4 SE 1/4	32.2 ACRES
SE 1/4 SE 1/4	32.8 ACRES

SW 1/4 SW 1/4	29.2 ACRES
SE 1/4 SW 1/4	28.3 ACRES
NE 1/4 SE 1/4	30.0 ACRES
NW 1/4 SE 1/4	29.8 ACRES
SW 1/4 SE 1/4	30.0 ACRES
SE 1/4 SE 1/4	33.6 ACRES

NE 1/4 NE 1/4	30.7 ACRES
NW 1/4 NE 1/4	29.9 ACRES
SW 1/4 NE 1/4	29.6 ACRES
SE 1/4 NE 1/4	30.0 ACRES
NE 1/4 NW 1/4	28.7 ACRES
NW 1/4 NW 1/4	33.1 ACRES
SW 1/4 NW 1/4	33.1 ACRES
SE 1/4 NW 1/4	28.5 ACRES

SECTION 29

TOWNSHIP 3 NORTH, RANGE 28 EAST, W. M.



OUT T-9845

NE 1/4 NE 1/4
SE 1/4 NE 1/4

0.2 ACRES
0.3 ACRES

OUT T-9845

SECTION 30

NE 1/4 NE 1/4	30.5 ACRES
NW 1/4 NE 1/4	40.0 ACRES
SW 1/4 NE 1/4	36.4 ACRES
SE 1/4 NE 1/4	34.4 ACRES
NE 1/4 NW 1/4	32.6 ACRES
NW 1/4 NW 1/4	31.2 ACRES
SW 1/4 NW 1/4	32.8 ACRES
SE 1/4 NW 1/4	38.1 ACRES
NE 1/4 SW 1/4	36.3 ACRES
NW 1/4 SW 1/4	33.2 ACRES
SW 1/4 SW 1/4	31.8 ACRES
SE 1/4 SW 1/4	28.1 ACRES
NE 1/4 SE 1/4	29.0 ACRES
NW 1/4 SE 1/4	37.6 ACRES
SW 1/4 SE 1/4	39.8 ACRES
SE 1/4 SE 1/4	30.2 ACRES

SECTION 35

NE 1/4 NE 1/4	31.8 ACRES
NW 1/4 NE 1/4	40.0 ACRES
SW 1/4 NE 1/4	31.8 ACRES
SE 1/4 NE 1/4	31.5 ACRES
NE 1/4 NW 1/4	40.0 ACRES
NW 1/4 NW 1/4	31.1 ACRES
SW 1/4 NW 1/4	31.6 ACRES
SE 1/4 NW 1/4	31.5 ACRES
NE 1/4 SW 1/4	31.1 ACRES
NW 1/4 SW 1/4	30.1 ACRES
SW 1/4 SW 1/4	31.5 ACRES
SE 1/4 SW 1/4	31.2 ACRES
NE 1/4 SE 1/4	31.7 ACRES
NW 1/4 SE 1/4	31.7 ACRES
SW 1/4 SE 1/4	32.0 ACRES
SE 1/4 SE 1/4	31.2 ACRES

TOWNSHIP 3 NORTH, RANGE 28 EAST, W. M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued July 14, 2005.

Phillip C. Ward
Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81529.

62038.SB

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	F I N A L O R D E R
T-9845, Umatilla County	)	APPROVING A DISTRICT
	)	PERMANENT TRANSFER

ORS 540.570 to 540.580 establishes the process in which a district may submit a request to transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

Westland Irrigation District
P.O. Box 944,
Hermiston, OR, 97838

Findings of Fact

1. On December 30, 2004, Westland Irrigation District filed a district transfer application to permanently change the place of use under Certificates 75121, 76050, 76051, 79439 and Permit 48450. The Department assigned the application number T-9845.
2. Notice of the application for transfer was published pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.

3. The portion of the first right to be transferred is as follows:

Certificate: 76050 issued in the name of Teel Irrigation District
Use: Irrigation
Priority Date: April 22, 1955
Rate & Duty: 1/40 cfs per acre irrigated and 4.5 acre-feet per acre per season
Source: Umatilla River, tributary of the Columbia River
Point of Diversion:

TWP		RNG		MER	SEC	QTR-QTR		LOCATION
3	N	29	E	W.M.	21	SW	NE	Westland Canal - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 feet from the West ¼ Corner of Section 21.

This is a final order in 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 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.



Authorized Place of Use:

CERTIFICATE 76050 - IRRIGATION											
TWP	RNG	MER	SEC	QTR-QTR	TL	AC	USER	NOTICE#			
3	N	28	E	W.M	27	NE SW	7403	31.10	L & L FARMS	2004- 03	
3	N	28	E	W.M	27	NW SW	7403	31.00	L & L FARMS	2004- 03	
3	N	28	E	W.M	27	SW SW	7403	32.00	L & L FARMS	2004- 03	
3	N	28	E	W.M	27	SE SW	7403	28.90	L & L FARMS	2004- 03	
TOTAL:								123.00			

4. Application T-9845 proposes to change the place of use of the right to:

CERTIFICATE 76050 - IRRIGATION											
TWP	RNG	MER	SEC	QTR-QTR	TL	AC	USER	NOTICE#			
2	N	28	E	W.M	4	NW SW	800	0.10	L & L FARMS	2004- 03	
2	N	28	E	W.M	4	SW SW	800	5.20	L & L FARMS	2004- 03	
3	N	28	E	W.M	29	NE SE	8105	30.00	L & L FARMS	2004- 03	
3	N	28	E	W.M	29	NW SE	8105	26.20	L & L FARMS	2004- 03	
3	N	28	E	W.M	29	SW SE	8105	29.30	L & L FARMS	2004- 03	
3	N	28	E	W.M	29	SE SE	8105	32.20	L & L FARMS	2004- 03	
TOTAL:								123.00			

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

Certificate: 76051 issued in the name of Teel Irrigation District
Use: Irrigation
Priority Date: June 27, 1958
Rate & Duty: 1/40th cfs per acre irrigated and 4.5 acre-feet per acre per irrigation season
Source: Umatilla River, tributary of the Columbia River
Point of Diversion:

TWP	RNG	MER	SEC	QTR-QTR	LOCATION	
3	N	29	E	W.M.	21	SW NE
Westland Canal - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 feet from the West ¼ Corner of Section 21.						

64 276

Authorized Place of Use:

CERTIFICATE 76051 - IRRIGATION											
TWP	RNG	MER	SEC	QTR-QTR	TL	AC	USER	NOTICE#			
3	N	28	E	W.M	23	NE SW	7100	6.20	L & L FARMS	2004- 02	
3	N	28	E	W.M	29	NE NW	8100	28.70	EAGLE RANCH	2004- 04	
3	N	28	E	W.M	29	NW NW	8100	33.10	EAGLE RANCH	2004- 04	
3	N	28	E	W.M	29	SW NW	8100	33.10	EAGLE RANCH	2004- 04	
3	N	28	E	W.M	29	SE NW	8100	28.50	EAGLE RANCH	2004- 04	
3	N	28	E	W.M	29	NE SE	8105	30.00	L & L FARMS	2004- 02	
3	N	28	E	W.M	29	NW SE	8105	26.20	L & L FARMS	2004- 02	
3	N	28	E	W.M	29	SW SE	8105	29.30	L & L FARMS	2004- 02	
3	N	28	E	W.M	29	SE SE	8105	32.20	L & L FARMS	2004- 02	
3	N	28	E	W.M	30	NE NE	8100	0.20	EAGLE RANCH	2004- 04	
3	N	28	E	W.M	30	SE NE	8100	0.30	EAGLE RANCH	2004- 04	
TOTAL:								247.80			

"FROM"

6. Application T-9845 proposes to change the place of use of the right to:

CERTIFICATE 76051 - IRRIGATION											
TWP	RNG	MER	SEC	QTR-QTR	TL	AC	USER	NOTICE#			
3	N	28	E	W.M	23	NE SW	7100	6.20	L & L FARMS	2004- 04	
3	N	28	E	W.M	27	NE SW	7403	29.20	L & L FARMS	2004- 04	
3	N	28	E	W.M	27	NW SW	7403	27.60	L & L FARMS	2004- 04	
3	N	28	E	W.M	27	SW SW	7403	32.00	L & L FARMS	2004- 04	
3	N	28	E	W.M	27	SE SW	7403	28.90	L & L FARMS	2004- 04	
3	N	28	E	W.M	29	NE NW	8100	28.70	EAGLE RANCH	2004 - 02	
3	N	28	E	W.M	29	NW NW	8100	33.10	EAGLE RANCH	2004- 02	
3	N	28	E	W.M	29	SW NW	8100	33.10	EAGLE RANCH	2004- 02	
3	N	28	E	W.M	29	SE NW	8100	28.50	EAGLE RANCH	2004- 02	
3	N	28	E	W.M	30	NE NE	8100	0.20	EAGLE RANCH	2004- 02	
3	N	28	E	W.M	30	SE NE	8100	0.30	EAGLE RANCH	2004- 02	
TOTAL:								247.80			

Portion w/ 79439 (meadow) on JT

"TO"
DON'T REACTY MOVE.

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

Certificate: 75121 issued in the name of L & L Farms
Use: Irrigation and Supplemental Irrigation
Priority Date: April 19, 1979
Rate & Duty: 1/80th cfs per acre irrigated and 3.0 acre-feet per each acre irrigated during the irrigation season of each year
Source: Three Wells, within the Spikes Gulch River Basin
Points of Appropriation:

TWP	RNG	MER	SEC	QTR-QTR	LOCATION	
3	N	28	E	W.M.	23	SW SE Well 1 - 960 Feet North and 30 Feet East from the S¼ Corner of Section 23.
3	N	28	E	W.M.	26	NW NE Well 2 - 930 Feet South from the N¼ Corner of Section 26.
3	N	28	E	W.M.	23	NW NW Well 3 - 60 Feet South and 820 Feet East from the NW Corner of Section 23.

Authorized Place of Use:

CERTIFICATE 75121 –IRRIGATION											
TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	27	NE	SW	7403	3.10	L & L FARMS	2004- 03
TOTAL:									3.10		

CERTIFICATE 75121 – SUPPLEMENTAL IRRIGATION											
TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	27	NE	SW	7403	29.20	L & L FARMS	2004- 03
3	N	28	E	W.M	27	NW	SW	7403	27.60	L & L FARMS	200 - 03
3	N	28	E	W.M	27	SW	SW	7403	32.00	L & L FARMS	200 - 03
3	N	28	E	W.M	27	SE	SW	7403	28.90	L & L FARMS	2004- 03
TOTAL:									117.70		

8. Application T-9845 proposes to change the place of use of the right to:

ALSO PROPOSED TO DIMINISH 3.10 TO SUPPLEMENTAL IRR.

CERTIFICATE 75121 - IRRIGATION <i>DIMINISHED TO SUPPL. IRR.</i>											
TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	23	NW	SW	7100	3.10	L & L FARMS	2004- 03
TOTAL:									3.10		

CERTIFICATE 75121 - SUPPLEMENTAL IRRIGATION											
TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	29	NE	SE	8105	30.00	L & L FARMS	2004- 03
3	N	28	E	W.M	29	NW	SE	8105	26.20	L & L FARMS	2004- 03
3	N	28	E	W.M	29	SW	SE	8105	29.30	L & L FARMS	2004- 03
3	N	28	E	W.M	29	SE	SE	8105	32.20	L & L FARMS	2004- 03
TOTAL:									117.70		

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

Certificate: 79439 issued in the name of U.S. Bureau of Reclamation
Use: Supplemental Irrigation
Priority Date: July 1, 1924
Rate & Duty: 1/80th cfs per acre irrigated
Source: McKay Reservoir, a tributary of McKay Creek
Point of Diversion:

TWP		RNG		MER	SEC	QTR-QTR		LOCATION
2	N	32	E	W.M.	34	NW	SE	McKay Dam – water released from the reservoir into McKay Creek and Umatilla River:
3	N	29	E	W.M.	21	SW	NE	Rediverted at Westland Canal - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 feet from the West ¼ Corner of Section 21.

Authorized Place of Use:

CERTIFICATE 79439 - SUPPLEMENTAL IRRIGATION											
TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	29	NE	NW	8100	28.70	EAGLE RANCH	2004- 02
3	N	28	E	W.M	29	NW	NW	8100	33.10	EAGLE RANCH	2004- 02
3	N	28	E	W.M	29	SW	NW	8100	33.10	EAGLE RANCH	2004- 02
3	N	28	E	W.M	29	SE	NW	8100	28.50	EAGLE RANCH	2004- 02
3	N	28	E	W.M	30	NE	NE	8100	0.20	EAGLE RANCH	2004- 02
3	N	28	E	W.M	30	SE	NE	8100	0.30	EAGLE RANCH	2004- 02
TOTAL:									123.90		

10. Application T-9845 proposes to change the place of use of the right to:

CERTIFICATE 79439 – SUPPLEMENTAL IRRIGATION											
TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	23	NE	SW	7100	6.20	L & L FARMS	2004- 04
3	N	28	E	W.M	27	NE	SW	7403	29.20	L & L FARMS	2004- 04
3	N	28	E	W.M	27	NW	SW	7403	27.60	L & L FARMS	2004- 04
3	N	28	E	W.M	27	SW	SW	7403	32.00	L & L FARMS	2004- 04
3	N	28	E	W.M	27	SE	SW	7403	28.90	L & L FARMS	2004- 04
TOTAL:									123.90		

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

Permit: 48450 issued in the name of Chester J. Prior *Now Cert. 81599 81815*
Use: Irrigation and Supplemental Irrigation
 (for the beneficial use by irrigation, either for immediate crop growth or to raise soil moisture)
Priority Date: ~~June 27, 1958~~ *AUGUST 3, 1981*
Rate & Duty: 1/40th cfs per acre irrigated and 4.5 acre-feet per each acre irrigated during the irrigation season of each year; further limited to a diversion not to exceed 1.5 acre-feet per each acre irrigated during the period from November 15 to the last day of February of each year. Supplemental irrigation may be exercised at times when water is available in the ground water supply provided the total quantity diverted from all sources of supply does not exceed the prescribed limitations.
Source: Umatilla River, tributary of the Columbia River
Point of Diversion:

TWP	RNG	MER	SEC	QTR-QTR	LOCATION	
3	N	29	E	W.M.	21	SW NE South 55 Degrees 48 Minutes West 3237.3 feet from the NE Corner of Section 21.

Authorized Place of Use:

PERMIT 48450 – IRRIGATION & SUPPLEMENTAL IRRIGATION											
TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	29	NE	NW	8100	28.70	EAGLE RANCH	2004- 04
3	N	28	E	W.M	29	NW	NW	8100	33.10	EAGLE RANCH	2004- 04
3	N	28	E	W.M	29	SW	NW	8100	33.10	EAGLE RANCH	2004- 04

PERMIT 48450 – IRRIGATION & SUPPLEMENTAL IRRIGATION											
TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	29	SE	NW	8100	28.50	EAGLE RANCH	2004- 04
3	N	28	E	W.M	30	NE	NE	8100	0.20	EAGLE RANCH	2004- 04
3	N	28	E	W.M	30	SE	NE	8100	0.30	EAGLE RANCH	2004- 04
TOTAL:									123.90		

12. Application T-9845 proposes to change the place of use of the right to:

PERMIT 48450 – IRRIGATION & SUPPLEMENTAL IRRIGATION											
TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	23	NE	SW	7100	6.20	L & L FARMS	2004- 04
3	N	28	E	W.M	27	NE	SW	7403	29.20	L & L FARMS	2004- 04
3	N	28	E	W.M	27	NW	SW	7403	27.60	L & L FARMS	2004- 04
3	N	28	E	W.M	27	SW	SW	7403	32.00	L & L FARMS	2004- 04
3	N	28	E	W.M	27	SE	SW	7403	28.90	L & L FARMS	2004- 04
TOTAL:									123.90		

TO

13. The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
14. The water right is subject to transfer as defined in OAR 690-385-0100(17).
15. The proposed changes in place of use would not result in enlargement of the right.
16. The proposed changes in place of use would not result in injury to other water rights.

Conclusions of Law


The proposed changes in place of use in application T- 9845 satisfy the requirements of ORS 540.574(3) and 540.580 .

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

1. The proposed changes to the water rights evidenced by Certificates 75121, 76050, 76051, 79439 and Permit 48450 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 75121, 76050, 76051, 79439 and Permit 48450 and any related decree.

3. The former place of use shall no longer be irrigated as part of this water right.
4. The proposed changes shall be completed on or before October 1, 2006.
5. A Claim of Beneficial Use shall be submitted by the applicant to the Department by October 1, 2007.
6. The Department shall issue a water right certificate on a determination that it is necessary to produce certificates describing the water rights.

Dated at Salem, Oregon this 25th day of April, 2005.


for Phillip C. Ward, Director

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application
T-9845, Umatilla County

)
)
)
CORRECTING ORDER

Applicant

Westland Irrigation District
P.O. Box 944
Hermiston, OR 97838

Findings of Fact

1. The Department issued a final order approving Transfer application T-9845 on April 25, 2005. The order is recorded in Special Order Volume 64, page 275. The order contained several scrivener's errors. The errors and corrections are described in the subsequent findings of fact.
2. Finding of Fact #7 incorrectly lists the authorized place of use for irrigation under Certificate 75121 as:

TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	27	NE	SW	7403	3.10	L & L FARMS	2004- 03

The correct location of the authorized place of use for irrigation under Certificate 75121 is:

TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	27	SE	SW	7403	3.10	L & L FARMS	2004- 03

3. Finding of Fact # 8 incorrectly describes the nature of the transfer as a change in place of use only. The change is both a change in place of use and type of use with the right for 3.10 acres diminished from irrigation to supplemental irrigation at the new place of use. Thus, Finding of Fact #8 should read:

This is a final order in 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 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Application T-9845 proposes to diminish the 3.10 acres of irrigation under Certificate 75121 listed in Finding of Fact #7 to supplemental irrigation, and change the place of use to:

CERTIFICATE 75121 –IRRIGATION DIMINISHED TO SUPPLEMENTAL IRRIGATION											
TWP	RNG	MER	SEC	QTR-QTR		TL	AC	USER		NOTICE#	
3	N	28	E	W.M	23	NW	SW	7100	3.10	L & L FARMS	2004- 03

CERTIFICATE 75121 - SUPPLEMENTAL IRRIGATION											
TWP	RNG	MER	SEC	QTR-QTR		TL	AC	USER		NOTICE#	
3	N	28	E	W.M	29	NE	SE	8105	30.00	L & L FARMS	2004- 03
3	N	28	E	W.M	29	NW	SE	8105	26.20	L & L FARMS	2004- 03
3	N	28	E	W.M	29	SW	SE	8105	29.30	L & L FARMS	2004- 03
3	N	28	E	W.M	29	SE	SE	8105	32.20	L & L FARMS	2004- 03
TOTAL:								117.70			

4. Finding of Fact #9 incompletely described the point of diversion for Certificate 79439 and incorrectly listed the Notice Number. The corrections are as follows:

Point of Diversion:

TWP	RNG	MER	SEC	QTR-QTR		LOCATION					
2	N	32	E	W.M.	34	NW	SE	McKay Dam – water released from the reservoir into McKay Creek and Umatilla River:			
3	N	29	E	W.M.	21	SW	NE	Rediverted at Westland Canal - North 76 Degrees 45 Minutes 56 Seconds East 2913.19 feet from the West ¼ Corner of Section 21.			

Authorized Place of Use:

CERTIFICATE 79439 - SUPPLEMENTAL IRRIGATION											
TWP	RNG	MER	SEC	QTR-QTR		TL	AC	USER		NOTICE#	
3	N	28	E	W.M	29	NE	NW	8100	28.70	EAGLE RANCH	2004- 04
3	N	28	E	W.M	29	NW	NW	8100	33.10	EAGLE RANCH	2004- 04
3	N	28	E	W.M	29	SW	NW	8100	33.10	EAGLE RANCH	2004- 04
3	N	28	E	W.M	29	SE	NW	8100	28.50	EAGLE RANCH	2004- 04

CERTIFICATE 79439 - SUPPLEMENTAL IRRIGATION											
TWP		RNG		MER	SEC	QTR-QTR		TL	AC	USER	NOTICE#
3	N	28	E	W.M	30	NE	NE	8100	0.20	EAGLE RANCH	2004- 04
3	N	28	E	W.M	30	SE	NE	8100	0.30	EAGLE RANCH	2004- 04
TOTAL:									123.90		


5. Finding of Fact #11 incorrectly lists the priority date for Permit 48450. The correct priority date is as follows:

Priority Date: August 3, 1981

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

This order corrects scrivener's errors in the order approving Transfer Application T-9845 recorded in Special Order Volume 64, Page 275.

Dated at Salem, Oregon this 20th day of October, 2006.


 PCT Phillip C. Ward, Director

Mailing Date: OCT 23 2006

RECEIVED

SEP 5 1974
STATE ENGINEER
SALEM, OREGON

ASSIGNED, See Misc. Rec., Vol. 5 Page 841

Permit No. G- G 6069 "CERTIFICATE NO. 61532

APPLICATION FOR A PERMIT

75127

To Appropriate the Ground Waters of the State of Oregon

I, Don J. Brown
(Name of applicant)
of Star Route - Box 281, Moses Lake
(Postoffice Address), county of Grant
state of Washington, do hereby make application for a permit to appropriate the following described ground waters of the state of Oregon, **SUBJECT TO EXISTING RIGHTS:**

If the applicant is a corporation, give date and place of incorporation

1. Give name of nearest stream to which the well, tunnel or other source of water development is situated Umatilla River
(Name of stream)

tributary of Columbia River

2. The amount of water which the applicant intends to apply to beneficial use is 11.16 cubic feet per second or 5000 gallons per minute.

3. The use to which the water is to be applied is irrigation

4. The well or other source is located See attachment #1 ft. (N. or S.) and (E. or W.) ft. from the corner of (Section or subdivision)

Three wells may be used
(If preferable, give distance and bearing to section corner)

(If there is more than one well, each must be described. Use separate sheet if necessary)

being within the of Sec. Twp. R.
W. M., in the county of Umatilla

5. The pipelines (see attachment #2) to be one mile/ (Canal or pipe line) in length, terminating in the SE NW of Sec. 2, Twp. 2N, R. 28E (Smallest legal subdivision), W. M., the proposed location being shown throughout on the accompanying map.

6. The name of the well or other works is Wells #1, 2 & 3

DESCRIPTION OF WORKS

7. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

It is planned to test each well as it is drilled. If 5000 gpm can be secured from wells 1 & 2, No. 3 will not be drilled. The required wells will be pumped into a common pipeline and the water delivered to 5-126 acre circular sprinkler systems.

8. The development will consist of 3 wells (Give number of wells, tunnels, etc.) having a diameter of 16" inches and an estimated depth of 11000 feet. It is estimated that 100 each feet of the well will require standard casing. Depth to water table is estimated 200' (Kind) (Feet)

CANAL SYSTEM OR PIPE LINE—

9. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, see att. #2 ft.; size at intake in.; in size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, ft. Is grade uniform? Estimated capacity, sec. ft.

10. If pumps are to be used, give size and type deep well turbine pumps if
.....

Give horsepower and type of motor or engine to be used 300 h.p. electrically driven
motors on each of wells 1 & 2 or 200 h.p. on each of 1, 2 & 3 if 13 is required, i.e., a total of 600 h.p.

11. If the location of the well, tunnel, or other development work is less than one-fourth mile from a natural stream or stream channel, give the distance to the nearest point on each of such channels and the difference in elevation between the stream bed and the ground surface at the source of development
.....
.....
.....

12. Location of area to be irrigated, or place of use Sections 1 & 2, T2N, R28E, W4E,

Township N. or S.	Range E. or W. of Wabamette Meridian	Section	Forty-acre Tract	Number Acres To Be Irrigated
2 N	28 E	1	NE NW	40.00
			NW NW	40.00
			SW NW	40.00
			SE NW	40.00
			NE SW	40.00
			NW SW	40.00
			SW SW	40.00
			SE SW	40.00
		2	NE NE	40.00
			NW NE	40.00
			SW NE	40.00
			SE NE	40.00
			NE NE	40.00

(If more space required, attach separate sheet)

continued 180.00

Character of soil Sandy loam

Kind of crops raised All row crops; hay, grains, etc.

ATTACHMENT #1

Proposed production of each well and location, to nearest forty-acre tract

WELL NO. 1 - S 2630' and E 2100' from the NW corner of Section 1, T2N,
T28E, W.M. Being within the SE1/4 NW1/4 Section 1.

WELL NO. 2 - S 2610' and E 2500' from the NW corner of Section 2, T2N,
R28E, W.M. Being within the SE1/4 NW1/4 Section 2.

WELL NO. 3 - E 500' and N 10' from the W1/4 corner of Section 1, T2N,
R28E, W.M. Being within the SW1/4 NW1/4 Section 1.

Proposed development is 5000 gpm total.

Well #1 - 1667 gpm

Well #2 - 1667 gpm

Well #3 - 1666 gpm

RECEIVED
OCT 31 1974
STATE ENGINEER
SALEM, OREGON

Application No. G-6645
Permit No.

G 6069

Township	Range	Section	Forty-Acre Tract	No. of Acres Irrigated
2 N	28 E	2	NE NW	40.00
			NW NW	40.00
			SW NW	40.00
			SE NW	40.00
			NE SE	40.00
			NW SE	40.00
			SW SE	40.00
			SE SE	40.00

Application No. G-6645
Permit No.

MUNICIPAL SUPPLY—

13. To supply the city of
in county, having a present population of
and an estimated population of in 19.....

ANSWER QUESTIONS 14, 15, 16, 17 AND 18 IN ALL CASES

14. Estimated cost of proposed works, \$7,388,000.00..

15. Construction work will begin on or beforeNovember 1, 1974.....

16. Construction work will be completed on or beforeDecember 11, 1993.....

17. The water will be completely applied to the proposed use on or before October 1, 1976.....

18. If the ground water supply is supplemental to an existing water supply, identify any application for permit, permit, certificate or adjudicated right to appropriate water, made or held by the applicant.

Wm J. Brown
(Signature of applicant)

Remarks: _____

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction and completion.....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before December 23, 1974.

WITNESS my hand this 22nd day of October, 1974.

CHRIS L. WHEELER

STATE ENGINEER

By Thomas E. Shook

ASSISTANT

RECEIVED
OCT 31 1974
STATE ENGINEER
SALEM, OREGON

STATE OF OREGON, }
County of Marion, } ss.

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 10.0 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from 3 wells.

The use to which this water is to be applied is for irrigation.

If for irrigation, this appropriation shall be limited to 1/80th 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 3 acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is September 5, 1974.

Actual construction work shall begin on or before November 18, 1976 and shall

thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977.

Complete application of the water to the proposed use shall be made on or before October 1, 1978.

WITNESS my hand this 18th day of November, 1975.

James E. [Signature]
Water Resources Director

Application No. G-6069

Permit No. G-6069

PERMIT

TO APPROPRIATE THE GROUND
WATERS OF THE STATE
OF OREGON

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 5th day of September,
1974, at 11:15 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. G 6069
of
Ground Water Permits on page

STATE ENGINEER

Drainage Basin No. 7 page 75

A21722

TOWNSHIP 3N RANGE 28E W.M.SECTION 21

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
																416	5166	CANCELLED
																285	7548	
30 ⁶	30 ³	31 ⁹	31 ¹	31 ⁴	31 ⁵	32 ⁶	31 ⁴	31 ²	30 ⁷	31 ⁰	31 ⁰	29 ⁹	30 ⁶	32 ⁴	31 ²	29929	Teel 25920	76050 75114
																See Sec. 28 & 33 also		
																G-4165	G-4048	36676
																62038	48450	
																ATF		
																ACRE.	G 6069	1203
31 ⁴	31 ³	31 ⁴	31 ⁰	31 ⁴	31 ⁵	32 ⁶	31 ⁴	31 ²	30 ⁷	31 ⁰	31 ⁰	31 ³	31 ²	31 ³	31 ³	Supplemental		Expired
31	34	31	31	31	31	32	31	31	31	31	31	31	31	31	31	74318	51665	10-31-98
30 ⁶	30 ³	31 ⁹	31 ¹	31 ⁴	31 ⁵	32 ⁶	31 ⁴	31 ²	30 ⁷	31 ⁰	31 ⁰	29 ⁹	30 ⁶	32 ⁴	31 ²	Supplemental	Teel	
																3-9668	5-7400	79439
																0 ⁴	0 ⁴	
																B-4165	B-4048	75130

OK

OK

INCOMING RIGHT
WILL BE DIMINISHED
TO THESE EXISTING RIGHT
(76050 primary)
(79439 McKay suppl.)

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 20 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Cert:8182 OR CN Additional Info: ANNA GAMBLE App: S8849 Permit: S5795 Cert: 8182		3/2/1923	IRRIGATION	CN									11.7	2.3										
Select Cert:75119 OR CN Additional Info: TEEL IRRIGATION DISTRICT App: S29929 Permit: S25920 Cert: 75119	T8142, T8147, T7902, T7917, T8146	4/22/1955	IRRIGATION	CN				31.8	31.4	33.9	32.8									31.9	31.3	32.7	32.2	
Select Cert:76050 CR * Additional Info: TEEL IRRIGATION DISTRICT App: S29929 Cert: 76050	T9591, T8418, T8391, T9895, T10251, T9844, T9845, T9686, T10359, T10157	4/22/1955	IRRIGATION					31.8	31.4	33.9	32.8									31.9	31.3	32.7	32.2	
Select Permit:S 51017 * Additional Info: KENT MADISON App: S70272 Permit: S51017	T10320	4/2/1990	IRRIGATION									2	36	15										
Select Cert:28737 OR * Additional Info: GAYLORD M MADISON App: S31906 Permit: S25159 Cert: 28737	T10320, T9644, T8770	9/30/1957	SUPPLEMENTAL IRRIGATION (Suppl'mtl)													7								

12

Acreage Legend: 12.25 Regular acreage

~~12.25~~ Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

* Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 20 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Permit:S 51017 * Additional Info: KENT MADISON App: S70272 Permit: S51017	T10320	4/2/1990	SUPPLEMENTAL IRRIGATION (Suppl'mtl)													7								
Select Cert:81529 OR CN Additional Info: CHESTER PRIOR App: S62038 Permit: S48450 Cert: 81529		8/3/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl) CN					31.8	31.4	33.9	32.8									31.9	31.3	32.7	32.2	
Select Cert:81599 CR SP Additional Info: CHESTER PRIOR App: S62038 Cert: 81599	T10157	8/3/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl) SP					31.8	31.4	33.9	32.8									31.9	31.3	32.7	32.2	
Select Cert:81815 RR * Additional Info: CHESTER PRIOR App: S62038 Cert: 81815	T10359	8/3/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					31.8	31.4	33.9	32.8									31.9	31.3	32.7	32.2	
12																								

Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

MAY NEED A CORRECTION CERTIFICATE ISSUED
for SECTION 29

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 21 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select App:S 83590 *		10/27/1997	IRRIGATION (Suppl'mtl)					31.4	34.3	31.4	31	31.4	31.5	32.6	31.4	31.3	31.2	31.2	31.3	31.3	31.2	31.3	31.3	
Additional Info: U.S. BUREAU OF RECLAMATION App: S83590																								
Select Cert:36676 OR CN		12/18/1967	IRRIGATION	CN																		0.4	0.4	
Additional Info: ERNEST A BETZ App: G4165 Permit: G4048 Cert: 36676																								
Select Cert:75119 OR CN	T8142, T8147, T7902, T7917, T8146	4/22/1955	IRRIGATION	CN				30.6	30.3	31.9	31.1	31.4	31.5	32.6	31.4	31.2	30.7	31	31	29.9	30.6	32.4	31.2	
Additional Info: TEEL IRRIGATION DISTRICT App: S29929 Permit: S25920 Cert: 75119																								
Select Cert:76050 CR *	T9591, T8418, T8391, T9895, T10251, T9844, T9845, T9686, T10359, T10157	4/22/1955	IRRIGATION					30.6	30.3	31.9	31.1	31.4	31.5	32.6	31.4	31.2	30.7	31	31	29.9	30.6	32.4	31.2	
Additional Info: TEEL IRRIGATION DISTRICT App: S29929 Cert: 76050																								
Select Permit:S 51665 CN		7/25/1994	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN				31.4	34.3	31.4	31	31.4	31.5	32.6	31.4	31.3	31.2	31.2	31.3	31.3	31.2	31.3	31.3	
Additional Info: U.S. BUREAU OF RECLAMATION; PACIFIC NW REGION App: S74318 Permit: S51665																								

12

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: Township: North East Section: Records per Page:

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:75130 CF * Additional Info: ROBERT L LEVEY App: G4165 Permit: G4048 Cert: 75130	T8142	12/18/1967	SUPPLEMENTAL IRRIGATION (Suppl'mtl)																			0.4	0.4	
Select Cert:79439 CF * Additional Info: WESTLAND IRRIGATION DISTRICT App: S9668 Cert: 79439	T10345, T10346, T10347, T10348, T9926, T9653, T10261, T9845, T9844, T9843, T10084, T9894, T9634, T9127, T9686, T10364, T10365, T9727, T10107, T10126, T10138, T10151	7/1/1924	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					30.6	30.3	31.9	31.1	31.4	31.5	32.6	31.4	31.2	30.7	31	31	29.9	30.6	32.4	31.2	

1 2

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: Township: North East Section: Records per Page:

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select App:S 83590 *		10/27/1997	IRRIGATION (Suppl'mtl)					31.8	31	30.6	31.3	29.4	33.1	33.1	29.4									
Additional Info: U.S. BUREAU OF RECLAMATION App: S83590								NOT A RIGHT																
Select Cert:72395 CF CN		7/19/1976	IRRIGATION CN													31.3	31.3	31.3	36.8		31.3	36.8	36.8	
Additional Info: L AND L FARMS App: G7343 Permit: G6893 Cert: 72395																								
Select Cert:72395 CF CN		7/19/1996	IRRIGATION CN																	31.3				
Additional Info: L AND L FARMS App: G7343 Permit: G6893 Cert: 72395																								
Select Cert:75119 OR CN	T8142, T8147, T7902, T7917, T8146	4/22/1955	IRRIGATION CN					0.2	0.2															
Additional Info: TEEL IRRIGATION DISTRICT App: S29929 Permit: S25920 Cert: 75119																								
Select Cert:75120 OR CN	T8142, T8147, T7901, T8146	6/27/1958	IRRIGATION CN					30.5	29.7	29.6	30	28.7	33.1	33.1	28.5	28.3	29.7	33.7	36.5	30	26.2	34.9	36.9	
Additional Info: TEEL IRRIGATION DISTRICT App: S32422 Permit: S25924 Cert: 75120																								
1 2 3 4 5																								

Acreage Legend: 12.25 Regular acreage ±2.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 29 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
Select Cert:75125 CF CN Additional Info: L AND L FARMS App: G7343 Permit: G6893 Cert: 75125	T7901, T9634	7/19/1976	IRRIGATION	CN												3	1.6		0.3	1.3	5.1	1.9						
Select Cert:75554 RR * Additional Info: L AND L FARMS App: G7343 Permit: G6893 Cert: 75554	T8142, T10151	7/19/1976	IRRIGATION													3	1.6		0.3									
Select Cert:76050 CR * Additional Info: TEEL IRRIGATION DISTRICT App: S29929 Cert: 76050	T9591, T8418, T8391, T9895, T10251, T9844, T9845, T9686, T10359, T10157	4/22/1955	IRRIGATION					0.2	0.2																			
Select Cert:76051 CR * Additional Info: TEEL IRRIGATION DISTRICT App: S32422 Cert: 76051	T9634, T8418, T8391, T9845, T9894, T10365, T10151	6/27/1958	IRRIGATION					30.5	29.7	29.6	30	28.7	33.1	33.1	28.5	28.3	29.7	33.7	36.5	30	26.2	34.9	36.9					
Select Inchoate: T 7901 (ALT) {Changes WR}, T 6380 CF (REG) * Additional Info: L AND L FARMS App: G7598 Permit: G7036	T7901	12/2/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)													(31.3)	(31.3)	(31.3)	(36.8)	(31.3)	(31.3)	(31.3)	(31.3)					

1 2 3 4 5

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 29 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Permit:S 51665 CN Additional Info: U.S. BUREAU OF RECLAMATION; PACIFIC NW REGION App: S74318 Permit: S51665		7/25/1994	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN				31.8	31	30.6	31.3	29.4	33.1	33.1	29.4									
Select Cert:72395 CF CN Additional Info: L AND L FARMS App: G7343 Permit: G6893 Cert: 72395		12/2/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN												31.3	31.3	31.3	36.8	31.3	31.3	31.3	31.3	
Select Cert:75123 CF CN Additional Info: L AND L FARMS App: G7598 Permit: G7036 Cert: 75123		12/2/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN												31.3	31.3	31.3	36.8	31.3	31.3	31.3	31.3	
Select Cert:75125 CF CN Additional Info: L AND L FARMS App: G7343 Permit: G6893 Cert: 75125	T7901, T9634	7/19/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN												28.3	29.7	31.3	36.5	30	26.2	34.9	36.8	
Select Cert:75423 CF CR CN Additional Info: L AND L FARMS App: G7598 Permit: G7036 Cert: 75423		12/2/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN												31.3	31.3	31.3	36.8	31.3	31.3	31.3	31.3	

1 2 3 4 5

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 29 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkwn QQ
Select Cert:75554 RR * Additional Info: L AND L FARMS App: G7343 Permit: G6893 Cert: 75554	T8142, T10151	7/19/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)													28.3	29.7	31.3	36.5			5.5	5.5	
Select Cert:75555 RR * Additional Info: L AND L FARMS App: G7598 Permit: G7036 Cert: 75555	T8142, T10151	12/2/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)													31.3	31.3	31.3	36.8					
Select Cert:79439 CF * Additional Info: WESTLAND IRRIGATION DISTRICT App: S9668 Cert: 79439	T10345, T10346, T10347, T10348, T9926, T9653, T10261, T9845, T9844, T9843, T10084, T9894, T9634, T9127, T9686, T10364, T10365, T9727, T10107, T10126, T10138, T10151	7/1/1924	SUPPLEMENTAL IRRIGATION (Suppl'mtl)				30.5	29.7	2.6	28.7	33.1	33.1	28.5											
Select Cert:80958 OR CN Additional Info: ROBERT LEVY App: S62173 Permit: S48968 Cert: 80958	T9845	8/10/1981	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)															5.4				5.6	4.7	
Select Cert:81417 CR * Additional Info: ROBERT LEVY App: S62173 Permit: S48968 Cert: 81417	T10151	8/10/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl)															5.4				5.6	4.7	

TRANSFERRED
OFF IN T-9845

1 2 3 4 5

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 29 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
<u>Select</u> Cert:81529 OR CN Additional Info: CHESTER PRIOR App: S62038 Permit: S48450 Cert: 81529		8/3/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN				30.7	29.9	29.6	30	28.7	33.1	33.1	28.5									
<u>Select</u> Cert:81599 CR SP T10157 Additional Info: CHESTER PRIOR App: S62038 Cert: 81599		8/3/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	SP				30.7	29.9	29.6	30	28.7	33.1	33.1	28.5									
<u>Select</u> Cert:81815 RR * T10359 Additional Info: CHESTER PRIOR App: S62038 Cert: 81815		8/3/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					30.7	29.7	29.6	30	28.7	33.1	33.1	28.5									
1 2 3 4 5																								

Acreage Legend: 12.25 Regular acreage

~~12.25~~ Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

* Acreage is not specified

MAY NEED A CORRECTION
CERTIFICATE ISSUED

TRANSFERRED OUT IN T-9845

Water Rights Platcard Report

Meridian: Township: North East Section: Records per Page:

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
<u>Select</u> Cert:25901 OR * Additional Info: A B THOMSON Decree: JOHN DAY RIVER (F) Cert: 25901	T10320, T9644	12/31/1908	IRRIGATION						40	40				40	40									
<u>Select</u> Cert:28734 OR * Additional Info: GAYLORD M MADISON App: S23959 Permit: S18911 Cert: 28734		7/29/1949	IRRIGATION						14.8	3.6														
<u>Select</u> Cert:32597 OR * Additional Info: GAYLORD M MADISON App: S33223 Permit: S26265 Cert: 32597	T10320, T9644	7/13/1959	IRRIGATION								0.4													
<u>Select</u> Cert:63814 CF * Additional Info: FRANK PEDRO Decree: UMATILLA RIVER Cert: 63814			IRRIGATION									40	24											
<u>Select</u> Cert:64239 OR CN Additional Info: FIRST INTERSTATE BANK OF OREGON;AGRIBUSINESS DEPT. App: G8269 Permit: G7612 Cert: 64239		7/13/1977	IRRIGATION CN											0.5	0.4	35	31.4	24.4	.12		2.1	1		
1 2 3 4 5 6 7 8 9																								

Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 30 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Cert:75107 CF * Additional Info: KENT MADISON App: G8269 Permit: G7612 Cert: 75107	T8770	7/13/1977	IRRIGATION											0.5	0.4	40	36.4	24.4	12		2.1	1		
Select Cert:75120 OR CN Additional Info: TEEL IRRIGATION DISTRICT App: S32422 Permit: S25924 Cert: 75120	T8142, T8147, T7901, T8146	6/27/1958	IRRIGATION	CN			0.2			0.3														
Select Cert:76051 CR * Additional Info: TEEL IRRIGATION DISTRICT App: S32422 Cert: 76051	T9634, T8418, T8391, T9845, T9894, T10365, T10151	6/27/1958	IRRIGATION				0.2			0.3														
Select Permit:S 51017 * Additional Info: KENT MADISON App: S70272 Permit: S51017	T10320	4/2/1990	IRRIGATION														1.1	0.9		20.4	11.8	16.7	28	
Select Cert:2678 OR CN Additional Info: JESSE MOORE Decree: UMATILLA RIVER Cert: 2678			IRRIGATION, CN LIVESTOCK AND DOMESTIC								40	40												
1 2 3 4 5 6 7 8 9																								

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 30 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:2687 OR * <u>Additional Info:</u> J.B. SAYLOR Decree: BUTTER CREEK (F) Cert: 2687	T10171, T9650		IRRIGATION, LIVESTOCK AND DOMESTIC															12	27					
Select Cert:2690 OR * <u>Additional Info:</u> HUGH STANFIELD Decree: BUTTER CREEK (F) Cert: 2690	T9650		IRRIGATION, LIVESTOCK AND DOMESTIC											38										
Select Cert:49217 RR * <u>Additional Info:</u> JESSE MOORE Decree: BUTTER CREEK (F) Cert: 49217			IRRIGATION, LIVESTOCK AND DOMESTIC									16												
Select Inchoate: T 8708 CF (TMP) RJ <u>Additional Info:</u> HUGH STANFIELD Decree: BUTTER CREEK (F)			IRRIGATION, RJ LIVESTOCK AND DOMESTIC											(38)										
Select Inchoate: T 8708 CF (TMP) RJ <u>Additional Info:</u> J.B. SAYLOR Decree: BUTTER CREEK (F)			IRRIGATION, RJ LIVESTOCK AND DOMESTIC															(12)	(27)					

1 2 3 4 5 6 7 8 9

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 30 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Permit:S 40934 *		7/21/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)										16.6											
Additional Info: JOHN F MADISON App: S54548 Permit: S40934																								
Select Cert:20259 OR *		1/2/1945	SUPPLEMENTAL IRRIGATION (Suppl'mtl)													40	36	24.4	13					
Additional Info: RALPH G SAYLOR App: S20625 Permit: S16132 Cert: 20259																								
Select Cert:25369 OR *		12/31/1908	SUPPLEMENTAL IRRIGATION (Suppl'mtl)															12	27					
Additional Info: B A DAVIS Decree: JOHN DAY RIVER (F) Cert: 25369																								
Select Cert:28737 OR *	T10320, T9644, T8770	9/30/1957	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					18.9	1.8	14.8	5				23						13.8			
Additional Info: GAYLORD M MADISON App: S31906 Permit: S25159 Cert: 28737																								
Select Cert:28738 OR *		7/13/1959	SUPPLEMENTAL IRRIGATION (Suppl'mtl)							11.8					23									
Additional Info: GAYLORD MADISON App: S33224 Permit: S26400 Cert: 28738																								
1 2 3 4 5 6 7 8 9																								

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 30 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(460):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Cert:32597 OR * Additional Info: GAYLORD M MADISON App: S33223 Permit: S26265 Cert: 32597	T10320, T9644	7/13/1959	SUPPLEMENTAL IRRIGATION (Suppl'mtl)						21.6	9.9														
Select Cert:46097 OR CN Additional Info: JOHN F/NELLIE G MADISON App: G4080 Permit: G3834 Cert: 46097		9/15/1967	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN								12.5												
Select Cert:64236 OR CN Additional Info: MADISON RANCHES INC. App: G8167 Permit: G7207 Cert: 64236	T8770, T9644, T9701	5/26/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN				16.7	37.4	14.7	5.4			36	37.3									
Select Cert:64238 OR CN Additional Info: MADISON RANCHES INC. App: G8213 Permit: G7615 Cert: 64238	T8770, T9644, T9701	6/14/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN				16.7	37.4	14.7	5.4			36	37.3									
Select Cert:64239 OR CN Additional Info: FIRST INTERSTATE BANK OF OREGON;AGRIBUSINESS DEPT. App: G8269 Permit: G7612 Cert: 64239		7/13/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN														12	27					
1 2 3 4 5 6 7 8 9																								

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 30 Records per Page: 5

[illegible]

Acreage Legend:

12.25 Regular
acreage

~~12.25~~ Acreage is on a
canceled right

(12.25) Acreage is part of a transfer and has not been
proven up on yet (inchoate)

* Acreage is not
specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 30 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Inchoate: T 9701 CF (REG) *		5/26/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)							(3.1)				(36)	(37.3)									
Additional Info: KENT MADISON App: G8167 Permit: G7207																								
Select Inchoate: T 9701 CF (REG) *		6/14/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)							(3.1)				(36)	(37.3)									
Additional Info: KENT MADISON App: G8213 Permit: G7615																								
Select App:G 16344 WD		11/17/2004	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	WD								4.5	38	40	40	37.1	37.3	40	20.4	25.6	16.7	28		
Additional Info: KENT MADISON App: G16344																								
Select Cert:80822 RR *	T10320	5/26/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					16.7	37.4	11.6	5.4													
Additional Info: MADISON RANCHES INC. App: G8167 Permit: G7207 Cert: 80822																								
Select Cert:80823 RR *	T10320	6/14/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					16.7	37.4	11.6	5.4													
Additional Info: MADISON RANCHES INC. App: G8213 Permit: G7615 Cert: 80823																								
1 2 3 4 5 6 7 8 9																								

Acreage Legend: 12.25 Regular acreage ±2.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 3 North Range: 28 East Section: 30 Records per Page: 5 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Permit:S 51017 *	T10320	4/2/1990	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					18.9	40	39	5		16	38	40	40	36	36.4	40		13.8			
Additional Info: KENT MADISON App: S70272 Permit: S51017																								
Select App:S 86353 WD		6/27/2005	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	WD									4.5	38	40	40	37.1	37.3	40	20.4	25.6	16.7	28	
Additional Info: KENT MADISON App: S86353																								
Select Permit:S 46499 *		10/16/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)									40	40	38				12	27					
Additional Info: JOHN MADISON App: S57999 Permit: S46499																								
Select Cert:81529 OR CN		8/3/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN				0.2			0.3													
Additional Info: CHESTER PRIOR App: S62038 Permit: S48450 Cert: 81529																								
Select Cert:81599 CR SP	T10157	8/3/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	SP				0.2			0.3													
Additional Info: CHESTER PRIOR App: S62038 Cert: 81599																								
1 2 3 4 5 6 7 8 9																								

Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) * Acreage is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE

Township: 3

North

Range: 28

East

Section: 30

Records per Page: 5

Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown
							Q(160):	NE	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SE	SE	SE	SE	QQ
Select	Cert:81815 RR *	T10359	8/3/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl)				0.2			0.3													
Additional Info: CHESTER PRIOR App: S62038 Cert: 81815																								
1 2 3 4 5 6 7 8 9																								

Acreage Legend:

12.25 Regular acreage

12.25 Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

* Acreage is not specified

Ken Dowden

From: Stacey Wells [stacey.wells@eotnet.net]
Sent: Tuesday, May 15, 2007 9:52 AM
To: Ken Dowden
Subject: Re: cfs limitation

Good Morning Ken,

Thank you for bringing that to my attention. I will get an corrected copy of the application and the map (that includes well #7) e-mailed to you in a few minutes. I will also correct the place on the application and the map that refer to cancelled certificate 81599 and list the superseding certificate number 81815. Do you want me to fax you a copy of the signed corrected signature page? Do want me to refer to this an amended transfer? I will wait to hear back from you.

Stacey Wells
Office Manager
Westland Irrigation District
PO Box 944 Hermiston, OR 97838
(541) 667-2030 tel
(541) 667-2031 fax
stacey.wells@eotnet.net

----- Original Message -----

From: Ken Dowden
To: Stacey Wells
Sent: Monday, May 14, 2007 4:08 PM
Subject: cfs limitation

Hi Stacey, just wondering on the authorized wells description on the T-10359 (Chester Prior)

--> you have listed only Prior Wells# 4 & 8 for Certificate 75127, which would limit him to:

5.39 Cubic Feet Per Second, being 2.2 cfs from Well#8 and 3.19 cfs from Well#4.

The total number of acres on the "TO" lands is 496.3. That number divided by 80 [1/80] is 6.20 cfs.

But, the order will most likely be limited to the use of groundwater under this supplemental right to 5.39 cfs.

Will that be enough?

Ken Dowden

N.C. Region Transfer Specialist
Oregon Water Resources Department
116 S.E. Dorion Ave.
Pendleton, Oregon 97801
ph# (541) 278-5456

5/15/2007



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10359

Review Due Date: 5-10-07

Applicant Name: Westland Irrigation District.

Proposed Changes: ☒ POU ☐ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): Tony Justus

Date of Review: Apr. 24, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: The Umatilla River is regulated each year for insufficient flows and distribution of supplemental McKay storage water.
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: Don't know.
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____

9. Are there other issues not identified through the above questions? ☒ Yes ☐ No If "Yes", explain: Proposed transfer would move Umatilla River primary onto other lands with Umatilla River primaries. Purpose stated is to get supplemental well right authorized on to lands for this year. Should be clear can not add primaries and deliver more water to land.
10. What alternatives may be available for addressing any issues identified above: A statement that the primary rights on the from lands will not be used this season in either the two or from acres. There would be no expansion of the supplemental groundwater right as the priority dates of conflicting primaries are either equal or older on the to lands.
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	<input checked="" type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
Headgates	<input checked="" type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.



Oregon

Theodore R. Kulongoski, Governor

REC'D APR 16 2007

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Water Right Transfer Review

Watermaster, District # 5

Reimbursement Authority : ☐ Yes ☒ No

Transfer Application T- 10359

Referral Date: 4-11-07

Review Due Date: 5-10-07

Applicant Name: Westland Irrigation District

Application Type:

<input type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Permit Amendment	<input type="checkbox"/> Instream Permanent	<input type="checkbox"/> Permanent District Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> GW Registration Modification	<input type="checkbox"/> Instream Time Limited	<input checked="" type="checkbox"/> Temporary District Transfer
<input type="checkbox"/> Historic POD Transfer	<input type="checkbox"/> Exchange	<input type="checkbox"/> Substitution	

Proposed Changes:

<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POD	<input type="checkbox"/> POA	<input type="checkbox"/> USE	<input type="checkbox"/> Other
---	------------------------------	------------------------------	------------------------------	--------------------------------

Please complete a review of the transfer using the new Watermaster Review form. The form is available as Section 11.02 of the Technical Operations Manual on the Intranet.

For reviews of all applications **except** *District Permanent Transfers*, address all questions that apply to the specific changes proposed in the application (e.g., question 7 is only applicable for POU changes). For reviews of *District Permanent Transfers* involving changes in place of use only, address questions 1, 3, and 6 – 10.

The review should be returned to the Transfers Section:

- Electronically attached to an e-mail message to Sarah.A.Henderson@wr.d.state.or.us, or
- Printed and mailed to the Transfers Section in Salem.

Please do not hesitate to contact Doug Parrow at Douglas.M.Parrow@wr.d.state.or.us or 503-986-0881 if you have questions or problems completing the new review form. If you are unable to contact Doug and need immediate assistance, please call Sarah at 503-986-0883.

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **86968**

INVOICE # _____

RECEIVED FROM: Eagle Ranch
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T.10359

CASH: ☐ CHECK: # 34333 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 299.08

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC162 DEPOSIT LIAB. (IDENTIFY)	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>299.08</u>		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	\$
0231 HYDRO LICENSE FEE (FW/WRD)	\$
HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **86968**

DATED: 4/4/07 BY: Kou L. DeBruin



Oregon Water Resources Department
721 Summer Street NE, Suite A
Salem, OR 97301-1271

OAR Chapter 690, Division 385
2007 Westland Irrigation District
Temporary Transfer Application
Duration: One Irrigation Season

District: Westland Irrigation District

Contact Person: Stacey Wells Phone: (541) 667-2030

Mailing Address: PO Box 944, Hermiston, OR 97838

- I. Pursuant to ORS 540.570 and OAR Chapter 690, Division 385, the district proposes to change the place of use for the following water rights:

WATER RIGHT			
PERMIT NUMBER	CERTIFICATE NUMBER	DECREE (name, volume, and page)	PRIMARY (P) or SUPP (S)
S25920	76050	Teel Irrigation District	P
G6069	75127	Chester & Rosalie Prior	S
48450	81815	Chester Prior, Eagle Ranch	S

- II. The point(s) of diversion for the water right proposed for transfer are as follows:

POINT(S) OF DIVERSION / APPROPRIATION				
PERMIT	DECREE or CERTIFICATE	POD#	SOURCE	LOCATION - LEGAL DESCRIPTION
S25920	76050	1	Umatilla River	N76° 45' 56" E 2913.19 ft. from W ¼ corner of section 21 SW NE, Section 21 T3N, R29E W.M.
G6069	75127	2	Well #4	2640' S & 630' W From N ¼ corner, section 1 SE NW, Section 1, T2N, R28E W.M.
G6069	75127	3	Well #8	2800' S & 500' W From NE corner section 2 NE SE, Section 2, T2N, R28E W.M.
48450	81815	4	Umatilla River	N76° 45' 56" E 2913.19 ft. from W ¼ corner of section 21 SW NE, Section 21 T3N, R29E W.M.

- III. The district proposes to change the place of use from the authorized location listed in Table 1 to the location listed in Table 2.

T 10359

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10359

TABLE 1. – AUTHORIZED PLACE OF USE

WATER RIGHT		Primary PRIORITY DATE	USE	POD #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree PRIMARY	Cert/Perm SUPP				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
76050		04/22/1955	IR	1	2N	28E	01	SW NW			200	25.5	Chester Prior
76050		04/22/1955	IR	1	2N	28E	01	NE SW			200	37.1	Chester Prior
76050		04/22/1955	IR	1	2N	28E	01	NW SW			200	31.0	Chester Prior
76050		04/22/1955	IR	1	2N	28E	01	SW SW			200	28.8	Chester Prior
76050		04/22/1955	IR	1	2N	28E	01	SE SW			200	31.2	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	NE NE			300	8.2	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	NW NE			300	36.7	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	SW NE			300	38.2	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	SE NE			300	29.2	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	NE NW			300	33.3	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	NW NW			300	32.2	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	SW NW			300	27.8	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	SE NW			300	30.0	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	NE SE			500	19.1	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	NW SE			500	30.0	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	SW SE			500	35.2	Chester Prior
76050		04/22/1955	IR	1	2N	28E	02	SE SE			500	22.8	Chester Prior
											496.3		
	75127	09/05/1974	IS	2 & 3	2N	28E	01	SW NW			200	25.5	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	01	NE SW			200	37.1	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	01	NW SW			200	31.0	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	01	SW SW			200	28.8	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	01	SE SW			200	31.2	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	NE NE			300	8.2	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	NW NE			300	36.7	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	SW NE			300	38.2	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	SE NE			300	29.2	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	NE NW			300	33.3	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	NW NW			300	32.2	Chester Prior

WATER RESOURCES DEPT
SALEM, OREGON

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TABLE 1. – AUTHORIZED PLACE OF USE (continued)

WATER RIGHT		Primary PRIORITY DATE	USE	POD #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree PRIMARY	Cert/Perm SUPP				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
	75127	09/05/1974	IS	2 & 3	2N	28E	02	SW NW			300	27.8	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	SE NW			300	30.0	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	NE SE			500	19.1	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	NW SE			500	30.0	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	SW SE			500	35.2	Chester Prior
	75127	09/05/1974	IS	2 & 3	2N	28E	02	SE SE			500	22.8	Chester Prior
												496.3	
	81815	08/03/1981	IR	4	2N	28E	01	SW NW			200	25.5	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	01	NE SW			200	37.1	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	01	NW SW			200	31.0	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	01	SW SW			200	28.8	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	01	SE SW			200	31.2	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	NE NE			300	8.2	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	NW NE			300	36.7	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	SW NE			300	38.2	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	SE NE			300	29.2	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	NE NW			300	33.3	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	NW NW			300	32.2	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	SW NW			300	27.8	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	SE NW			300	30.0	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	NE SE			500	19.1	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	NW SE			500	30.0	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	SW SE			500	35.2	Chester Prior
	81815	08/03/1981	IR	4	2N	28E	02	SE SE			500	22.8	Chester Prior
												496.3	

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WATER RESOURCES DEPT
SALEM, OREGON

10359

TABLE 2. – PROPOSED PLACE OF USE

WATER RIGHT		Primary PRIORITY DATE	USE	POD #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree PRIMARY	Cert/Perm SUPP				TWP	RNG	SEC	QQ	DLC	GOVT LOT	TAX LOT		
	76050	04/22/1955	IR	1	3N	28E	20	NE SE			6700	31.9	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	20	NW SE			6700	31.3	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	20	SW SE			6700	32.7	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	20	SE SE			6700	32.2	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	21	NE SE			6800	29.9	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	21	NW SE			6900	30.6	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	21	SW SE			6800	32.4	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	21	SE SE			6800	31.2	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	29	NE NE			8100	30.7	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	29	NW NE			8100	29.9	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	29	SW NE			8100	29.6	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	29	SE NE			8100	30.0	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	29	NE NW			8100	28.7	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	29	NW NW			8100	33.1	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	29	SW NW			8100	33.1	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	29	SE NW			8100	28.5	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	30	NE NE			8100	0.2	Chester Prior
	76050	04/22/1955	IR	1	3N	28E	30	SE NE			8100	0.3	Chester Prior
											496.3		
	75127	09/05/1974	IS	2 &3	3N	28E	20	NE SE			6700	31.9	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	20	NW SE			6700	31.3	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	20	SW SE			6700	32.7	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	20	SE SE			6700	32.2	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	21	NE SE			6800	29.9	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	21	NW SE			6900	30.6	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	21	SW SE			6800	32.4	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	21	SE SE			6800	31.2	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	29	NE NE			8100	30.7	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	29	NW NE			8100	29.9	Chester Prior

RECEIVED
 APR 04 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

T 10359

TABLE 2. – PROPOSED PLACE OF USE (continued)

WATER RIGHT		Primary PRIORITY DATE	USE	POD #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree PRIMARY	Cert/Perm SUPP				TWP	RNG	SEC	QQ	DLC	GOVT LOT	TAX LOT		
	75127	09/05/1974	IS	2 &3	3N	28E	29	SW NE			8100	29.6	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	29	SE NE			8100	30.0	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	29	NE NW			8100	28.7	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	29	NW NW			8100	33.1	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	29	SW NW			8100	33.1	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	29	SE NW			8100	28.5	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	30	NE NE			8100	0.2	Chester Prior
	75127	09/05/1974	IS	2 &3	3N	28E	30	SE NE			8100	0.3	Chester Prior
												496.3	
	81815	08/03/1981	IS	4	3N	28E	20	NE SE			6700	31.9	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	20	NW SE			6700	31.3	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	20	SW SE			6700	32.7	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	20	SE SE			6700	32.2	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	21	NE SE			6800	29.9	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	21	NW SE			6900	30.6	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	21	SW SE			6800	32.4	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	21	SE SE			6800	31.2	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	29	NE NE			8100	30.7	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	29	NW NE			8100	29.9	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	29	SW NE			8100	29.6	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	29	SE NE			8100	30.0	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	29	NE NW			8100	28.7	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	29	NW NW			8100	33.1	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	29	SW NW			8100	33.1	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	29	SE NW			8100	28.5	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	30	NE NE			8100	0.2	Chester Prior
	81815	08/03/1981	IS	4	3N	28E	30	SE NE			8100	0.3	Chester Prior
												496.3	

WATER RESOURCES DEPT
SALEM, OREGON

APR 04 2017

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- IV. Enclosed is a map for each proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- V. The water right proposed for transfer is a water right subject to transfer and has not been forfeited for nonuse under ORS 540.610.
- VI. Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- VII. The district has notified each affected user that the Department may condition or reject the transfer at any time to the extent necessary to avoid injury to an existing water right, and that the use of water on lands from which the water right is transferred (authorized place of use) and at the proposed place of use during the same irrigation season or calendar year may subject both the user and district to civil penalties.
- VIII. **Primary certificate 76050 on from ground will be diminished to supplemental to existing primary certificates 76717, 76799, 76050 & 76051 on the to grounds for this season only. Certificates 76050 & 81599 on the from ground will not be used during the 2007 season, only moving on paper, as they are tied to supplemental well rights on certificate 75127 that are needed on the to ground this season.**
- IX. Enclosed is the application fee in the amount of: \$299.08.

I certify that the information contained in this district temporary transfer application is true and accurate.

Stacey Wells
Signature of District Manager
or Authorized Representative

4-2-07
Date

Stacey Wells (authorized representative)
Typed Name of District Manager
or Authorized Representative

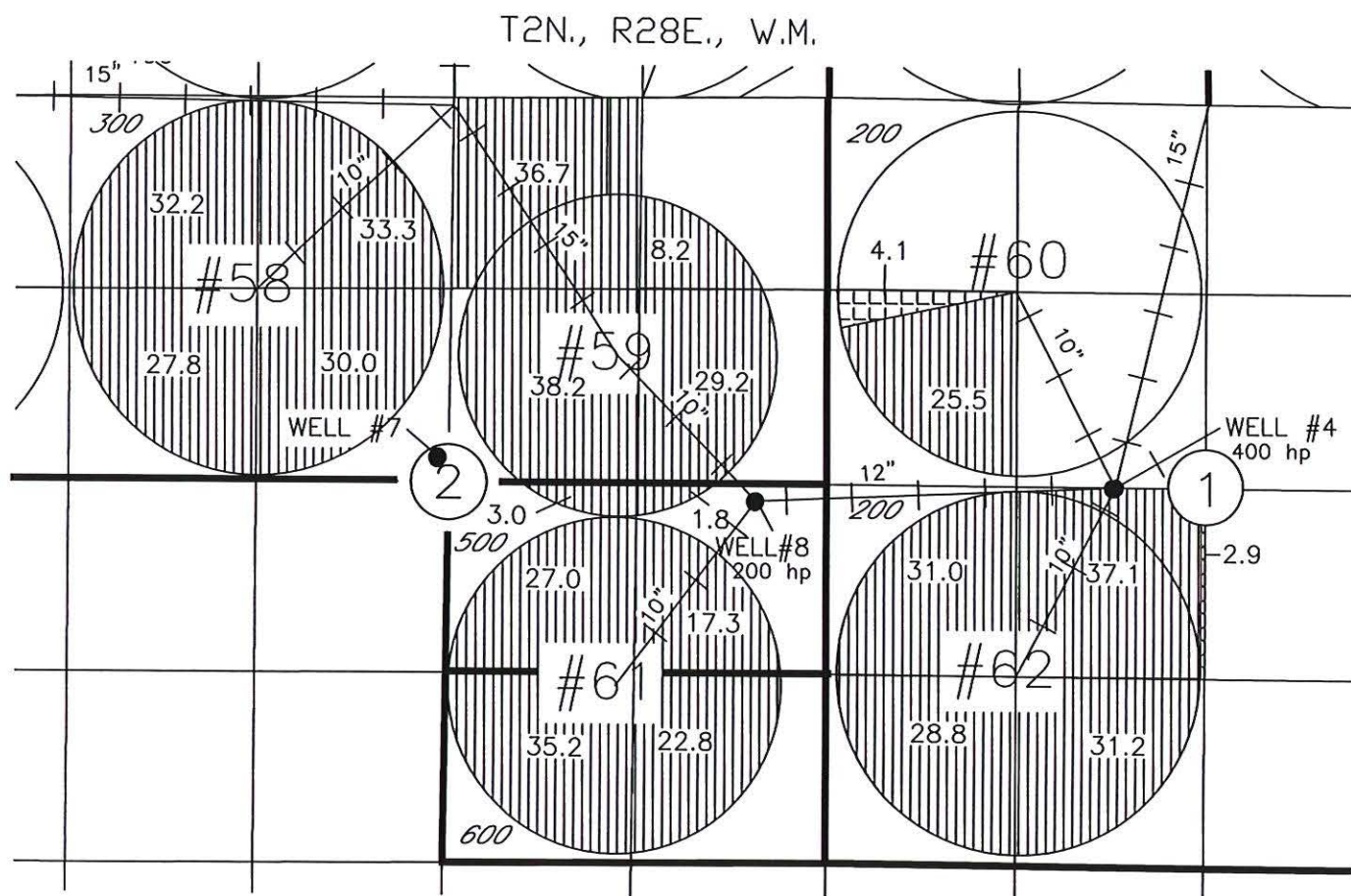
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WATER RESOURCES DEPT
SALEM, OREGON

10359

2007 WESTLAND IRRIGATION DISTRICT TEMPORARY TRANSFER - PRIOR TO PRIOR Cert. 76050 Primary; Cert. 75127 Supplemental; Cert. 81815 map 1 of 2

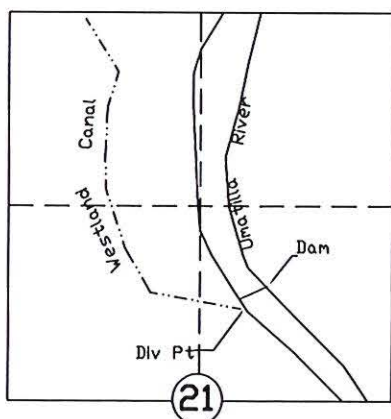


Authorized Wells from cert. 75127 are located as follows:


Well 4 - 2640' South & 630' West from NW $\frac{1}{4}$ corner section 1


Well 8 - 2800' South & 500' West from NE $\frac{1}{4}$ corner section 2

T3N., R 29E., W.M.



DIV PT LCT N. 76°45'56"E. 2913.19' FROM W.1/4 COR. SEC 21
WESTLAND IRRIGATION DISTRICT

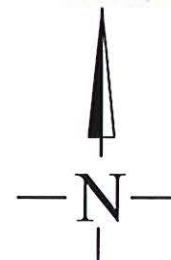
 FROM: 496.3 acres of certificates
76050, 75127 & 81815.

 4.1 acres of 76050, 75127 & 81815
not involved with this transfer.

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APR 04 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



SCALE IN FEET

NOTE: THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

T 10359



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

April 11, 2007

WESTLAND IRRIGATION DISTRICT
PO BOX 944
HERMISTON OR 97838

Reference: District Temporary Transfer 10359

On April 4, 2007 we received your district transfer application requesting a change in place of use for use of water from A WELL, tributary to UMATILLA RIVER. The application was accompanied by \$299.08. Our receipt 86968 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

The district may begin delivering water to the proposed place of use immediately provided that water has not been delivered to the existing, authorized place of use during this season. Pursuant to OAR 690-385-3000(4), the district and water user may be subject to civil penalties and the loss of use of the water if deliveries are made to both the existing and proposed places of use during any one season.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #5
Tim Bailey, ODFW

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 04/10/2007

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: UMATILLA
Transfer: 10359
Water Right: CERT 76050,75127,81815
Priority Date: 1955,1974,1981
Name: WESTLAND IRRIGATION DISTRICT
Address: PO BOX 944; HERMISTON OR 97838
Change: POU
Source: UMATILLA RIVER/WELL
Authorized POU: T2N R28E 1,2
Proposed POU: T3N R28E 20,21,29,30

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.

TRANSFER CHECK OFF LIST

TRANSFER FILE #

T-10359

DATE RECEIVED

4-4-07

DATE MONEY SLIPPED

4-4-07

DATE RECEIPTED

4-4-07

VALID WATER RIGHT?

X Yes No

TEMP ALT AC

IRR DIST X

PERM AMEND

DIV 15

TEMP Div 15

ISWR

LETTER FROM ATTORNEY

YES (PUT INFO ON FRONT COVER)

X NO

FOLDER FILLED OUT*

yes

ENTERED IN DB

yes

CONTENTS MARKED

yes

COLOR CODED

X Yes

4 COPIES MADE & STAMPED

yes

CERTIFICATE MARKED

yes

CERTIFICATE COPIED

yes

FULL APPLICATIONS

yes

APP FOLDER MARKED

yes

FINAL PROOF MAP COPIED

yes

PERMIT MARKED

no

PERMIT COPIED

PERMIT MAP COPIED

DECREE MARKED

DECREE COPIED

ADJUDICATION MAP COPIED

ENTRIES CHECKED

4-10-07

CHECKED BY INIT FOLDER

PUBLIC NOTICE DATE

yes

(PREPARED & COPIED) yes

LETTER SENT

yes

Irrigation District yes (copy of app & map)

COPY TO WM

yes

COPY FORM TO WM

yes

COPY TO GW

no

Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his
POA, APOA, or [SW TO GW ONLY(as POD)]

COPY FORM TO GW

no

Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his

COPY TO CWRE

no

LETTER TO ODFW

yes

ALL Surface water POU/USE (POD and APOD FISH SCREENS)

TRANSFER SENT TO:

Ken

SW --- NCR --- SCR --- ER

PRINT DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER




T. 2 & 3 N., R. 28 E., W.M.

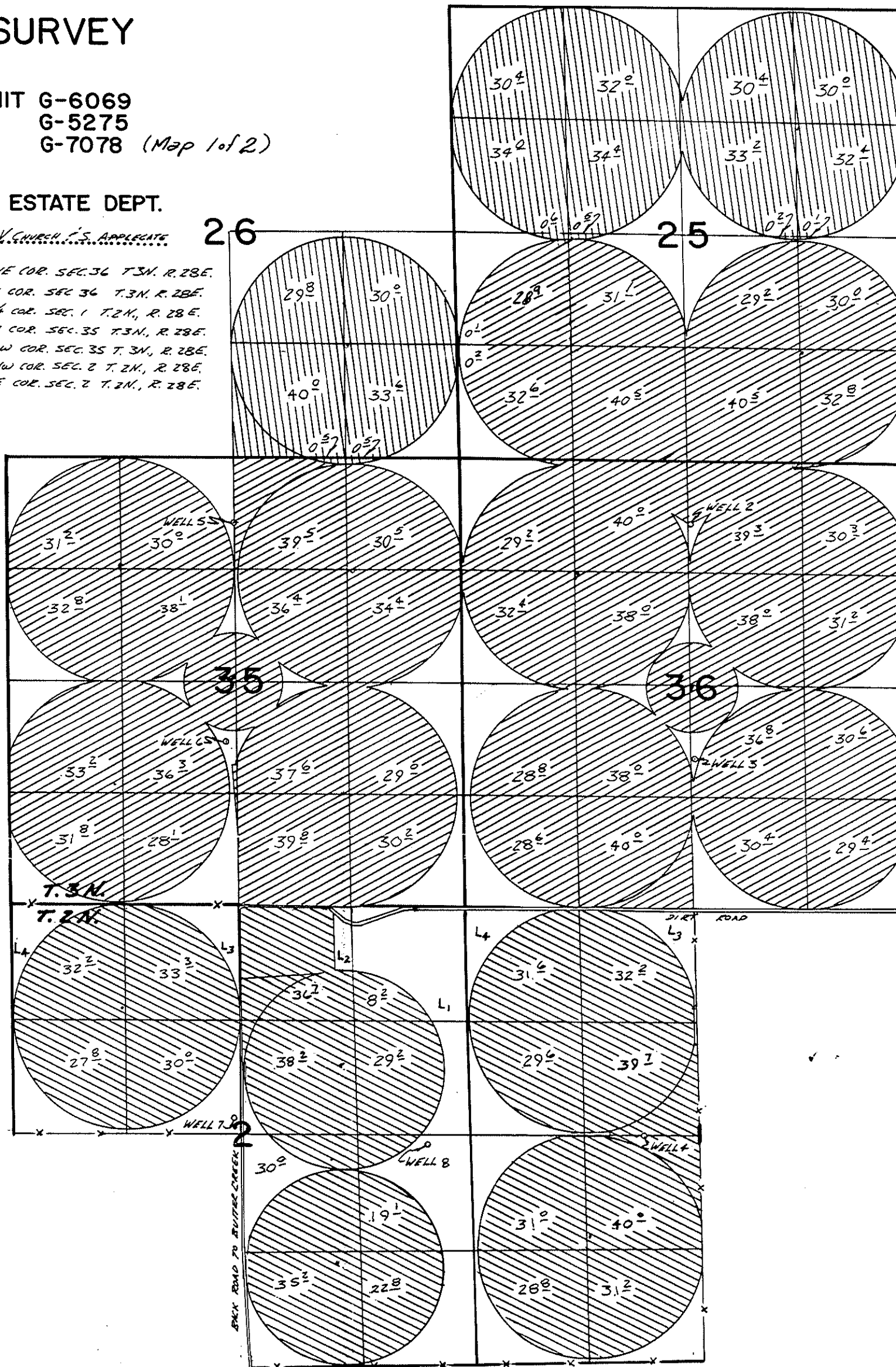
FINAL PROOF SURVEY UNDER

APPL. G-6645 PERMIT G-6069
G-6476 G-5275
G-7311 G-7078 (Map 1 of 2)

IN NAME OF
TRAVELERS INS. CO. REAL ESTATE DEPT.
SURVEYED MARCH 17, 1981, BY V. CHURCH & S. APPLEGATE

WELL 2 LOCATED 750'S. & 2620'W. FROM NE COR. SEC. 36 T. 3 N. R. 28 E.
WELL 3 LOCATED 1780'N. & 2600'W. FROM SE COR. SEC. 36 T. 3 N. R. 28 E.
WELL 4 LOCATED 2640'S. & 630'W. FROM NW COR. SEC. 1 T. 2 N. R. 28 E.
WELL 5 LOCATED 770'S. & 2640'E. FROM NW COR. SEC. 35 T. 3 N. R. 28 E.
WELL 6 LOCATED 1940'N. & 2540'E. FROM SW COR. SEC. 35 T. 3 N. R. 28 E.
WELL 7 LOCATED 2500'S. & 2580'E. FROM NW COR. SEC. 2 T. 2 N. R. 28 E.
WELL 8 LOCATED 2800'S. & 500'W. FROM NE COR. SEC. 2 T. 2 N. R. 28 E.

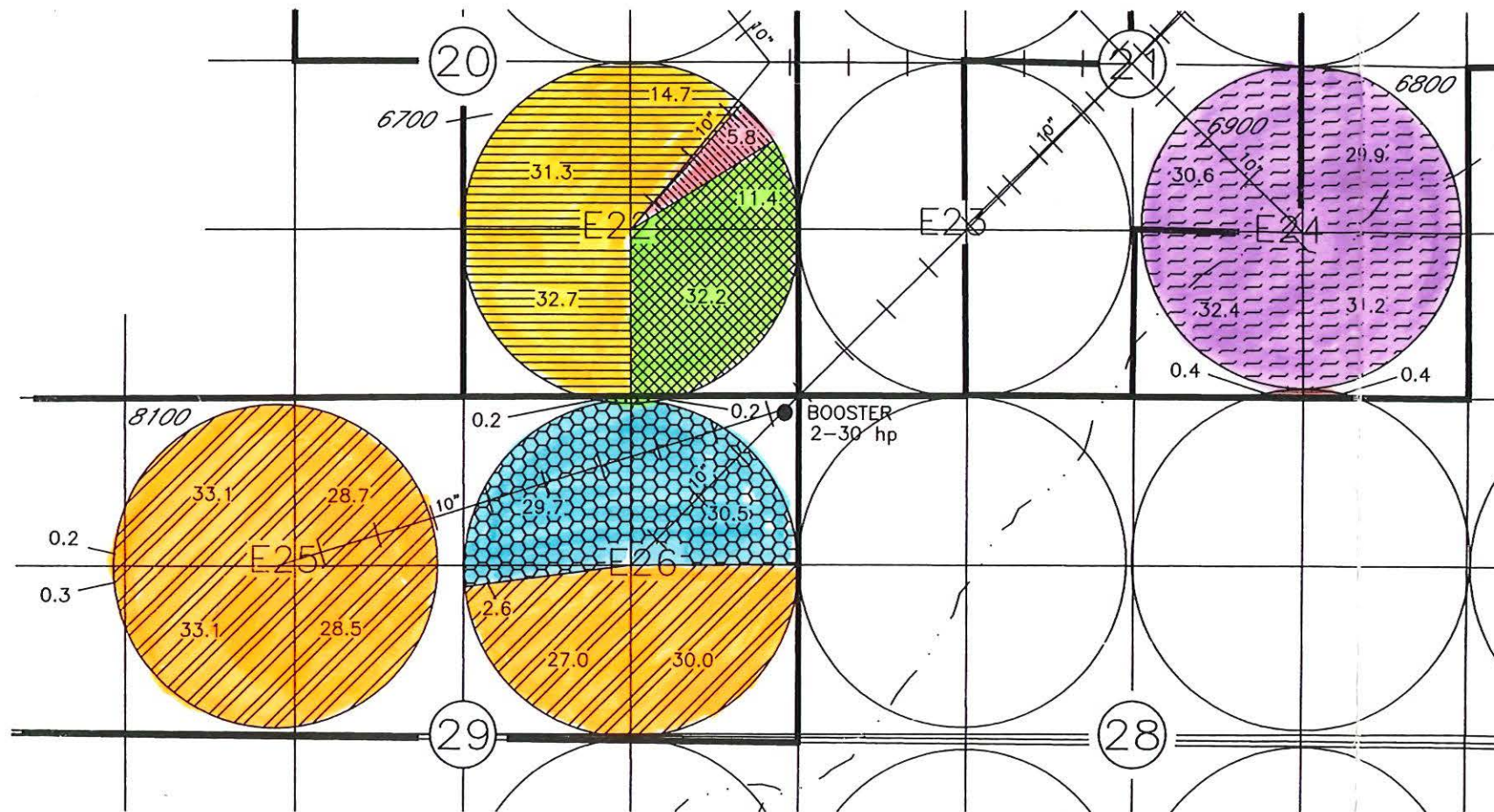
-  G-6069
-  G-5275
-  G-7078



2007 WESTLAND IRRIGATION DISTRICT TEMPORARY TRANSFER - PRIOR TO PRIOR Cert. 76050 Primary; Cert. 75127 Supplemental; Cert. 81815 map 2 of 2

"TO" LANDS

T3N., R28E., W.M.



T0: 78.7 acres

Existing certificates 76717 primary; 79439 & 81815 supplementals. ✓ per T-9844

T0: 5.8 acres

Existing certificates 76799 primary; 81815 supplemental. ✓ per T-9844

T0: 43.8 acres

Existing certificates 76050 primary; 81815 supplemental.

T0: .2 acres

Existing certificates 76717 primary; 79439 supplemental. (1907)

T0: 180.9 acres

Existing certificates 76051 primary; 81815 supplemental. (T-9845)

T0: 62.8 acres

Existing certificates 76051 primary; 79439 & 81815 supplementals.

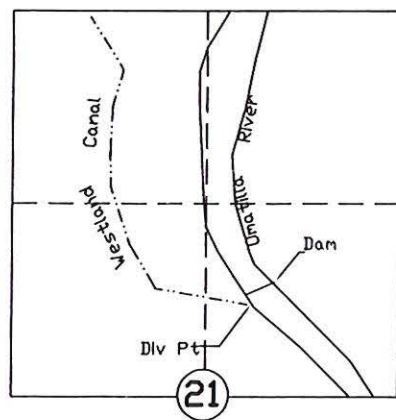
T0: 124.1 acres

Existing certificates 76050 primary; 79439 supplemental.

T0: .8 acres

Certificate 75130 in South half of 3N 28E section 21 not involved with this transfer; .4 in SW SE & .4 in SE SE)

T3N., R 29E., W.M.



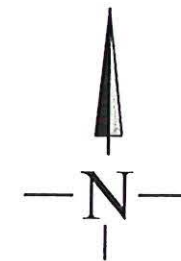
DIV PT LCT N. 76°45'56"E. 2913.19' FROM W. 1/4 COR. SEC 21
WESTLAND IRRIGATION DISTRICT

RECEIVED

APR 04 2007

WATER RESOURCES DEPT
SALEM, OREGON

Primary certificate 76050 on from ground will be diminished to supplemental to existing primaries on to ground for this season only. Certificates 76050 & 81599 on the from ground will not be used during the 2007 season, only moving on paper, as they are tied to supplemental well rights on certificate 75127 that are needed on the to ground this season.



0 1320 2640

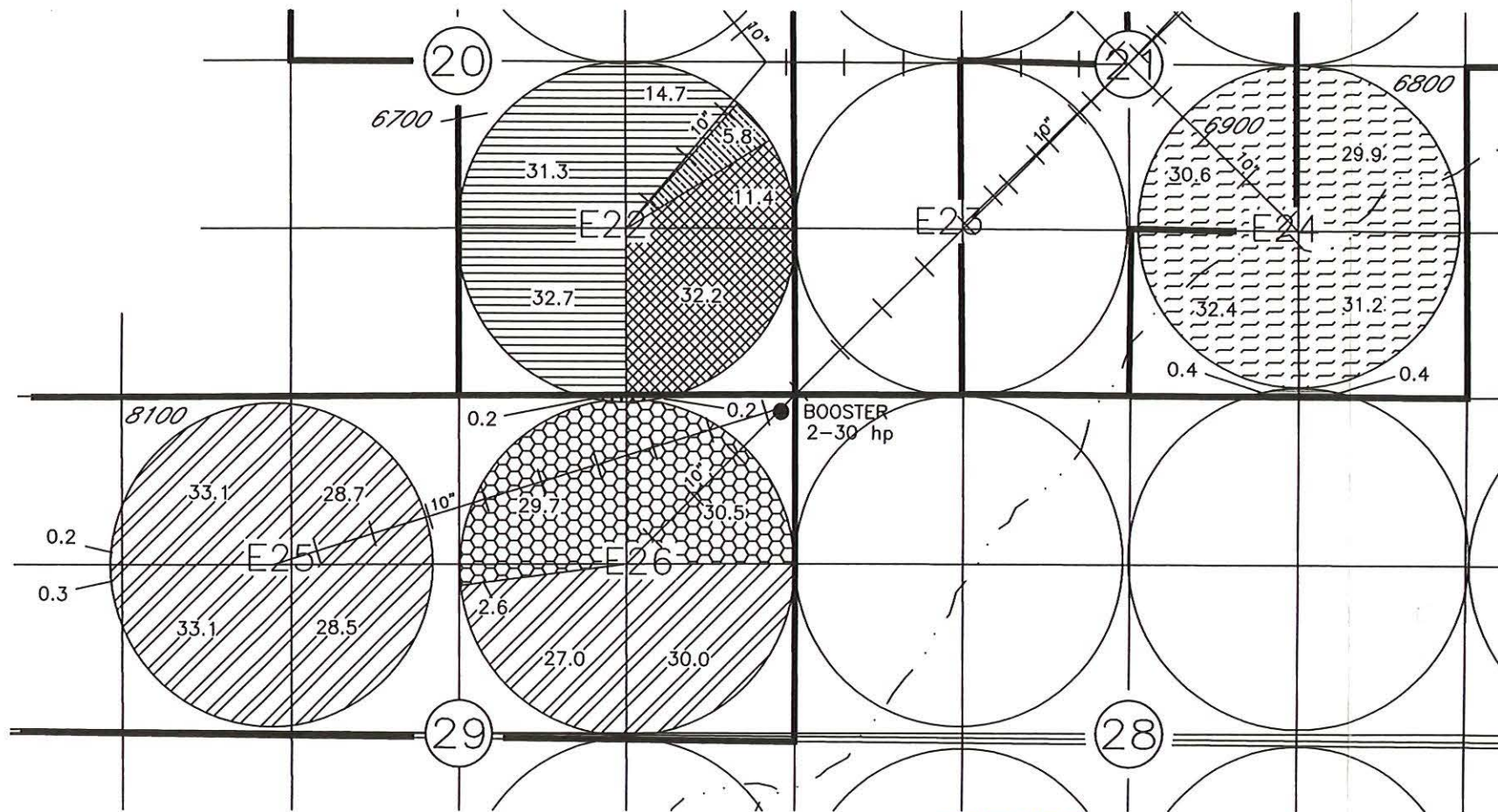
SCALE IN FEET

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T 10359

2007 WESTLAND IRRIGATION DISTRICT TEMPORARY TRANSFER - PRIOR TO PRIOR Cert. 76050 Primary; Cert. 75127 Supplemental; Cert. 81815 map 2 of 2

T3N., R28E., W.M.



TD: 78.7 acres

Existing certificates 76717 primary; 79439 & 81815 supplementals.

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Existing certificates 76799 primary; 81815 supplemental.

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Existing certificates 76050 primary; 81815 supplemental.

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Existing certificates 76051 primary; 81815 supplemental.

TD: 62.8 acres

Existing certificates 76051 primary; 79439 & 81815 supplementals.

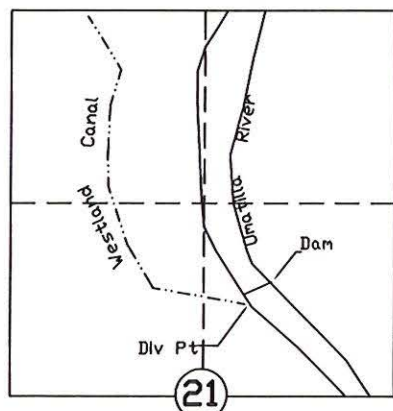
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Existing certificates 76050 primary; 79439 supplemental.

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Certificate 75130 in South half of 3N 28E section 21 not involved with this transfer; (.4 in SW SE & .4 in SE SE)

T3N., R 29E., W.M.



DIV PT LCT N. 76°45'56"E. 2913.19' FROM W. 1/4 COR. SEC 21
WESTLAND IRRIGATION DISTRICT

RECEIVED

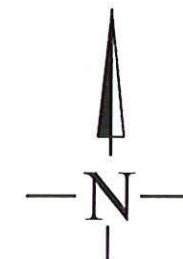
APR 04 2007

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SALEM, OREGON

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T 10359



0 1320 2640



SCALE IN FEET