



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

**OAR Chapter 690, Division 385**  
**2008 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)
	76715	Westland Irrigation District	P
7400	79439	U.S. Bureau of Reclamation	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
	76715	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.
7400	79439	2	McKay Reservoir	NW ¼ SE ¼, Section 34, Township 2 North, Range 32 East, 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.

**RECEIVED**

MAR 27 2008

**WATER RESOURCES DEPT  
 SALEM, OREGON**

**TABLE 1. – AUTHORIZED PLACE OF USE**

WATER RIGHT		Primary <b>PRIORITY</b>	USE	POD  #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree	Cert/Perm				DATE	TWP	RNG	SEC	QQ	DL C	GOV'T LOT		
PRIMARY	SUPP												
76715		03/14/1903	IR	1	4N	28E	28	SW SW			4300	6.05	Frank Mueller
76715		03/14/1903	IR	1	4N	28E	28	SE SW			4300	1.5	Frank Mueller
												7.55	
	79439	07/01/1924	IS	2	4N	28E	28	SW SW			4300	6.05	Frank Mueller
	79439	07/01/1924	IS	2	4N	28E	28	SE SW			4300	1.5	Frank Mueller
												7.55	

**RECEIVED**  
 MAR 27 2008  
 WATER RESOURCES DEPT  
 SALEM, OREGON

**TABLE 2. - PROPOSED PLACE OF USE**

WATER RIGHT		Primary PRIORITY	USE	POD #	LEGAL DESCRIPTION						ACRES	USER NAME	
Cert/Decree	Cert/Perm				TWP	RNG	SEC	QQ	DLC	GOV'T LOT			TAX LOT
PRIMARY	SUPP	DATE											
76715		03/14/1903	IR	1	4N	28E	17	SW NE			3700	7.55	Norma Quick
	79439	07/01/1924	IS	2	4N	28E	17	SW NE			3700	7.55	Norma Quick

RECEIVED  
MAR 27 2008  
WATER RESOURCES DEPT  
SALEM, OREGON

- 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. Existing certificate 82990 on the to ground will become supplemental to incoming primary certificate 76715 for this season only.
- IX. The to ground portion of this transfer is identical to 2007 transfer 10347.
- X. Enclosed is the application fee in the amount of: \$257.55.

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

Stacey Wells  
 Signature of District Manager  
or Authorized Representative

3-14-08  
 Date

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

**RECEIVED**  
**MAR 27 2008**  
**WATER RESOURCES DEPT**  
**SALEM, OREGON**

AFFIDAVIT OF NON-USE DURING TEMPORARY TRANSFER

State of Oregon )  
 ) ss  
County of Umatilla )

I, Frank Mueller, residing at, 29752 Stanfield Meadows Road, Hermiston, OR 97838, being first duly sworn depose and say:

1. I am the legal owner of the property described as tax lot number 4300 within the SW1/4 SW1/4 & SE1/4 SW1/4, Section 28, Township 4 North, Range 28 East, of the Willamette Meridian, in Umatilla County, Oregon, as shown on the attached map and legal description and made part of this affidavit;
2. A portion of water right certificate 76749 issued to Rose Mueller, for supplemental irrigation are appurtenant to my property;
3. The portion of water right certificate 76749 that is covered by primary District rights that will be temporarily transferred for the 2008 season, is shown on the attached map and described as follows:

Cert. 76749	lot 4300	SW1/4 SW1/4	6.05 acres
Cert. 76749	lot 4300	SE1/4 SW1/4	1.50 acres

Section 28  
Township 4 North, Range 28 East, of the Willamette Meridian; and

4. I certify that said portion of the supplemental rights described above will not be used during the 2008 irrigation season.

*Frank H Mueller*  
Signature of legal owner

3/14/08  
Date

Subscribed and Sworn to Before Me this 14<sup>th</sup> day of March, 2008

*Stacey Wells*  
Notary Public for Oregon

My Commission Expires 02/20/2009



**RECEIVED**  
**MAR 27 2008**  
**WATER RESOURCES DEPT**  
**SALEM, OREGON**