

9-2-99
MG

Ruth Page USBR

208-378-5382

fax 378-5305

has copies of T3349 24A '09

3559 14.8A '09

4651 10A '09

cancellations V 36 p485

V 37 p619

V 35 p426

Needs voluntary cancel of SA '09

V40 p87

Sent affidavit, order, new cert if
55606 Columbia R + comes from
file 52764

4851
2066
723

7642

162 112.00
25.93 51.96
18

231

G8

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G6

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G3

G2

G1

App 5-237

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application) CORRECTING FINAL ORDER
T-12220, Morrow and Umatilla Counties)
)

Applicant

WEST EXTENSION IRRIGATION DISTRICT
P.O. BOX 100
IRRIGON, OR 97844

Findings of Fact

1. On March 2, 2016, the Department signed a final order approving Transfer Application T-12220, which was mailed on April 1, 2016. The order was recorded at Special Order Volume 88, Pages 1098-1105.
2. The order contains errors in Findings of Fact #9 and #10. In Finding of Fact #9, the following lands were erroneously included as being authorized places of use for supplemental irrigation under Certificate 79929:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
5 N	27 E	WM	13	SW SW	1700	0.40	Picard	2015-2
5 N	27 E	WM	13	SW SW	1800	0.50	Schultz	2015-2
5 N	27 E	WM	13	SW SW	1900	0.30	Englehart	2015-2
5 N	27 E	WM	13	SW SW	2000	0.20	Coombs	2015-2
5 N	27 E	WM	13	SW SW	2100	0.30	Darden	2015-2
5 N	27 E	WM	21	SW NE	EASEMENT	0.60	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	SE NE	EASEMENT	0.80	Morrow Co. ROW	2015-2
Total:						3.10		

These 3.10 acres are not authorized under Certificate 79929. Thus, the incorrect number of 57.5 acres as the total for authorized places of use under Certificate 79929 subject to T-12220 is corrected to a total of 54.4 acres.

3. In Finding of Fact #10, the following lands located in the SE1/4 SE1/4, Section 13, Township 4 North, Range 25 East, W.M. were incorrectly shown as being proposed places of use for supplemental irrigation under Certificate 79929:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	13	SE SE	100	6.85	Chowning	2015-2
4 N	24 E	WM	13	SE SE	100	2.80	Chowning	2015-2

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 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.

Within 20 days after this final order is issued (i.e., mailing date), the district or any protestant may file with the commission exceptions to the final order. The commission shall issue an order granting or denying the exceptions within 30 days after receiving the exceptions. ORS 540.580(10).

The correct acres for the proposed place of use at this location are as follows:

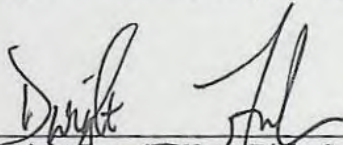
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	13	SE SE	100	6.55	Chowning	2015-2

Thus, the incorrect number of 57.5 acres for the total proposed place of use under Certificate 79929 subject to T-12220 is corrected to a total of 54.4 acres.

Now, therefore, it is ORDERED:

1. The order approving Transfer Application T-12220, recorded at Special Order Volume 88, Pages 1098-1105, is amended as set forth in Findings of Fact #2 and #3, above.
2. All other provisions of the order recorded at Special Order Volume 88, Pages 1098-1105 are unchanged.

Signed at Salem, Oregon on JUN 18 2018



Dwight French, Water Right Services Administrator for
THOMAS M. BYLER, DIRECTOR
Oregon Department of Water Resources

Mailing Date: JUN 19 2018

5. In Finding of Fact #4, the following lands located in the SE1/4 SW1/4, Section 20, Township 5 North, Range 27 East, W.M. were incorrectly included as being a proposed place of use for supplemental irrigation under Certificate 79929:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
5 N	27 E	WM	20	SE SW	1300	0.20	Strebin	2009-6

Thus, the incorrect number of 58.75 acres for the total proposed place of use under Certificate 79929 subject to T-10998 is corrected to a total of 58.55 acres.

6. In Finding of Fact #14, the following proposed place of use contained a scrivener's error in the number of acres. The correct number of acres is listed below; they have been corrected to from 6.3 acres to 6.4 acres.

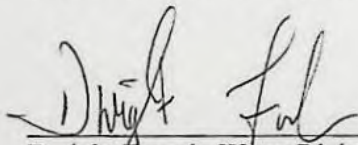
IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)									
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User	Notice#
						Certificate 79928 (IR)	Certificate 79929 (IS)		
4 N	25 E	WM	13	NE SE	100	6.4	6.4	Chowning	2009-5

Thus, the incorrect number of 22.6 acres for the total proposed place of use under Certificates 79928 and 79929 subject to T-10998 is corrected to a total of 22.7 acres.

Now, therefore, it is ORDERED:

1. The order approving Transfer Application T-10998, recorded at Special Order Volume 81, Pages 646-660, is amended as set forth in Findings of Fact #3, 4, 5, and 6, above.
2. All other provisions of the order recorded at Special Order Volume 81, Pages 646-660 are unchanged.

Signed at Salem, Oregon on JUN 28 2018


 Dwight French, Water Right Services Administrator for
 THOMAS M. BYLER, DIRECTOR
 Oregon Department of Water Resources

Mailing Date: JUN 29 2018



Oregon

Kate Brown, Governor

S-237

Water Resources Department
North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

March 31, 2016

WEST EXTENSION IRRIGATION DISTRICT
PO BOX 100
IRRIGON, OR 97844

REFERENCE: District Transfer T-12220

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

The time allowed to complete the transfer is specified in the final order.

If you have any questions related to the approval of this transfer, you may contact your caseworker by telephone at (503) 986-0892 or by e-mail at Joan.m.smith@wrd.state.or.us.

Sincerely,

Marissa Andrews
Water Right Services Support

cc: Gregory M. Silbernagel, Watermaster Dist. # 5 (via email)
Landowners (other or receiving)

Enclosure



Authorized Point of Diversion:

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

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	16	SE SE	801	0.50	Sanchez	2015-2
4 N	25 E	WM	16	SE SE	804	1.00	Madrigal	2015-2
4 N	25 E	WM	16	SE SE	805	0.50	Sanchez	2015-2
5 N	26 E	WM	25	NE NE	3502	0.30	Smith	2015-2
5 N	27 E	WM	13	SW SW	1700	0.40	Picard	2015-2
5 N	27 E	WM	13	SW SW	1800	0.50	Schultz	2015-2
5 N	27 E	WM	13	SW SW	1900	0.30	Englehart	2015-2
5 N	27 E	WM	13	SW SW	2000	0.20	Coombs	2015-2
5 N	27 E	WM	13	SW SW	2100	0.30	Darden	2015-2
5 N	27 E	WM	21	SW NE	easement	0.60	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	SE NE	easement	0.80	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	NE NW	400	0.10	Slawson	2015-2
5 N	27 E	WM	21	SE NW	400	0.80	Slawson	2015-2
5 N	27 E	WM	22	NE NW	502	0.10	Hodges	2015-2
5 N	27 E	WM	22	SW NW	809	2.50	Garton	2015-2
5 N	27 E	WM	22	SW NW	810	2.25	Garton	2015-2
5 N	27 E	WM	22	SW NW	811	2.00	Garton	2015-2
5 N	27 E	WM	22	SW NW	812	2.25	Garton	2015-2
Total:						15.40		

4. Transfer Application T-12220 proposes to permanently change the place of use of the above described place of use to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	13	SE SE	100	6.85	Chowning	2015-2
4 N	24 E	WM	13	SE SE	100	2.80	Chowning	2015-2
5 N	27 E	WM	30	SW NW	2200	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2300	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2400	1.70	Moore	2015-2
5 N	27 E	WM	30	SE NW	300	0.70	Thornton	2015-2
5 N	27 E	WM	30	SE NW	1400	1.30	Nelson	2015-2
5 N	27 E	WM	30	SE NW	1600	0.45	Peine	2015-2
Total:						15.40		

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

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

Use: IRRIGATION OF 32.70 ACRES

Priority Date: March 28, 1909

Rate & Duty: Limited to a diversion of not to exceed 2.0 acre-feet per acre in any 30 day period and not to exceed 10.0 acre-feet per acre throughout the irrigation season.

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

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

Authorized place of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	14	SE NW	1200/1204-1216	8.70	Swaggart	2015-3
4 N	25 E	WM	14	NE SW	ROW	2.60	Hamilton	2015-3
4 N	25 E	WM	14	SE SW	ROW	0.20	Hamilton	2015-3
4 N	25 E	WM	14	NE SE	ROW	5.30	Sunrise	2015-3
4 N	25 E	WM	14	SE SE	ROW	0.70	Sunrise	2015-3
4 N	25 E	WM	15	NE SE	1200	4.40	Barnes	2015-3
4 N	25 E	WM	15	NE SE	1201	4.50	Barnes	2015-3
4 N	25 E	WM	17	NW SW	701	0.40	Madrigal	2015-3
4 N	25 E	WM	21	NW NW	200	1.20	WEID ROW	2015-3
4 N	25 E	WM	21	NW NW	201	0.30	WEID ROW	2015-3
4 N	26 E	WM	3	NW NW	500	4.40	Cleaver	2015-3
Total:						32.70		

6. Transfer Application T-12220 proposes to permanently transfer the place of use for the above described right to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	24 E	WM	14	NW SE	100	14.40	Krebs	2015-3
4 N	24 E	WM	14	SW SE	202	3.30	Krebs	2015-3
4 N	25 E	WM	13	SE SE	100	6.30	Chowning	2015-3
5 N	26 E	WM	26	SE SW	400	8.70	McNamee	2015-3
Total:						32.70		

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

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

Use: IRRIGATION of 9.40 ACRES

Priority Date: September 12, 1968

Rate & Duty: limited to ONE-FORTIETH of one cfs and 4.5 acre-feet for each acre irrigated during the irrigation season of each year

Source: UMATILLA RIVER, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

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

Authorized Place of Use

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	21	NE NE	101	0.50	WEID ROW	2015-4
4 N	25 E	WM	21	NW NE	101	0.20	WEID ROW	2015-4
4 N	25 E	WM	21	SW NE	101	1.30	WEID ROW	2015-4
4 N	25 E	WM	21	NE NW	101	0.80	WEID ROW	2015-4
4 N	25 E	WM	21	SE NW	101	1.00	WEID ROW	2015-4
4 N	26 E	WM	3	NW SW	500	3.10	Cleaver	2015-4
5 N	26 E	WM	35	SW SW	901	2.50	Campos	2015-4
Total:						9.40		

8. Transfer Application T-12220 proposes to permanently change the place of use of the above described rights to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	13	SE SE	100	3.80	Chowning	2015-4
4 N	25 E	WM	21	SW NW	300	5.60	Aylett	2015-4
Total:						9.40		

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

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

Use: SUPPLEMENTAL IRRIGATION of 57.50 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate/Duty: limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	14	SE NW	1200/1204-2016	8.7	Swaggart	2015-3
4 N	25 E	WM	14	NE SW	ROW	2.6	Hamilton	2015-3
4 N	25 E	WM	14	SE SW	ROW	0.20	Hamilton	2015-3
4 N	25 E	WM	14	NE SE	ROW	5.30	Sunrise	2015-3
4 N	25 E	WM	14	SE SE	ROW	0.70	Sunrise	2015-3
4 N	25 E	WM	15	NE SE	1200	4.40	Barnes	2015-3
4 N	25 E	WM	15	NE SE	1201	4.50	Barnes	2015-3
4 N	25 E	WM	17	NW SW	701	0.40	Madrigal	2015-3
4 N	25 E	WM	21	NW NW	200-ROW	1.20	WEID ROW	2015-3
4 N	25 E	WM	21	NW NW	201-ROW	0.30	WEID ROW	2015-3
4 N	26 E	WM	3	NW SW	500	4.40	Cleaver	2015-3
4 N	25 E	WM	16	SE SE	801	0.50	Sanchez	1215-2
4 N	25 E	WM	16	SE SE	804	1.00	Madrigal	2015-2
4 N	25 E	WM	16	SE SE	805	0.50	Sanchez	2015-2
5 N	26 E	WM	25	NE NE	3502	0.30	Smith	2015-2
5 N	27 E	WM	13	SW SW	1700	0.40	Picard	2015-2
5 N	27 E	WM	13	SW SW	1800	0.50	Schultz	2015-2
5 N	27 E	WM	13	SW SW	1900	0.30	Englehart	2015-2
5 N	27 E	WM	13	SW SW	2000	0.20	Coombs	2015-2
5 N	27 E	WM	13	SW SW	2100	0.30	Darden	2015-2
5 N	27 E	WM	21	SW NE	EASEMENT	0.60	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	SE NE	EASEMENT	0.80	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	NE NW	400	0.10	Slawson	2015-2
5 N	27 E	WM	21	SE NW	400	0.80	Slawson	2015-2
5 N	27 E	WM	22	NE NW	502	0.10	Hodges	2015-2
5 N	27 E	WM	22	SW NW	809	2.50	Garton	2015-2
5 N	27 E	WM	22	SW NW	810	2.25	Garton	2015-2

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
5 N	27 E	WM	22	SW NW	811	2.00	Garton	2015-2
5 N	27 E	WM	22	SW NW	812	2.25	Garton	2015-2
4 N	25 E	WM	21	NE NE	101	0.50	WEID ROW	2015-4
4 N	25 E	WM	21	NW NE	101	0.20	WEID ROW	2015-4
4 N	25 E	WM	21	SW NE	101	1.30	WEID ROW	2015-4
4 N	25 E	WM	21	NE NW	101	0.80	WEID ROW	2015-4
4 N	25 E	WM	21	SE NW	101	1.00	WEID ROW	2015-4
4 N	26 E	WM	3	NW SW	500	3.10	Cleaver	2015-4
5 N	26 E	WM	35	SW SW	901	2.50	Campos	2015-4
Total:						57.50		

10. Transfer Application T-12220 proposes to permanently change the place of use of the above described place of use to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
4 N	25 E	WM	13	SE SE	100	6.85	Chowning	2015-2
4 N	24 E	WM	13	SE SE	100	2.80	Chowning	2015-2
5 N	27 E	WM	30	SW NW	2200	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2300	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2400	1.70	Moore	2015-2
5 N	27 E	WM	30	SE NW	300	0.70	Thornton	2015-2
5 N	27 E	WM	30	SE NW	1400	1.30	Nelson	2015-2
5 N	27 E	WM	30	SE NW	1600	0.45	Peine	2015-2
4 N	24 E	WM	14	NW SE	100	14.40	Krebs	2015-3
4 N	24 E	WM	14	SW SE	202	3.30	Krebs	2015-3
4 N	25 E	WM	13	SE SE	100	6.30	Chowning	2015-3
5 N	26 E	WM	26	SE SW	400	8.70	McNamee	2015-3
4 N	25 E	WM	13	SE SE	100	3.80	Chowning	2015-4
4 N	25 E	WM	21	SW NW	300	5.60	Aylett	2015-4
Total:						57.50		

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

Certificate: 87799 in the name of WEST EXTENSION IRRIGATION DISTRICT
(perfected under Permit S-45999)

Use: IRRIGATION of 5.30 ACRES

Priority Date: JUNE 15, 1981

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

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	26 E	WM	23	SE NE	800 FEET NORTH AND 200 FEET WEST FROM THE E1/4 CORNER OF SECTION 23

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
5 N	26 E	WM	23	NW NW	400	1.00	Dick	2015-1
5 N	26 E	WM	23	NW NW	401	1.00	O. Buchanan	2015-1

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
5 N	26 E	WM	23	NW NW	500	1.00	B. Bucananan	2015-1
5 N	26 E	WM	23	NW NW	601	1.00	B. Bucanan	2015-1
5 N	26 E	WM	24	SE SW	ROW	0.60	Jewell Court	2015-1
5 N	26 E	WM	24	SE SW	101	0.20	Bergo	2015-1
5 N	26 E	WM	24	SE SW	106	0.30	Sorensen	2015-1
5 N	26 E	WM	24	SE SW	800	0.20	McCall	2015-1
Total:						5.30		

11. Transfer Application T-12220 proposes to permanently change the place of use of the above described rights to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice
5 N	26 E	WM	23	SW SE	1900	0.50	Cobian	2015-1
5 N	26 E	WM	24	SW SW	900	0.60	Cole	2015-1
5 N	26 E	WM	25	NW NE	604	0.20	Power	2015-1
5 N	26 E	WM	25	NW NE	1400	2.00	Marler	2015-1
5 N	26 E	WM	25	SE NW	1601	2.00	Harris	2015-1
Total:						5.30		

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

Certificate: 87872 in the name of the U.S. Bureau of Reclamation
(perfected under Permit S-7400)

Use: SUPPLEMENTAL IRRIGATION of 48.10 Acres

Priority Date: JULY 1, 1924

Rate/Duty: limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	DINN
4 N	25 E	WM	14	SE NW	1200/1204-2016	8.7	Swaggart	2015-3
4 N	25 E	WM	14	NE SW	ROW	2.6	Hamilton	2015-3
4 N	25 E	WM	14	SE SW	ROW	0.20	Hamilton	2015-3
4 N	25 E	WM	14	NE SE	ROW	5.30	Sunrise	2015-3
4 N	25 E	WM	14	SE SE	ROW	0.70	Sunrise	2015-3
4 N	25 E	WM	15	NE SE	1200	4.40	Barnes	2015-3
4 N	25 E	WM	15	NE SE	1201	4.50	Barnes	2015-3
4 N	25 E	WM	17	NW SW	701	0.40	Madrigal	2015-3
4 N	25 E	WM	21	NW NW	200-ROW	1.20	WEID ROW	2015-3
4 N	25 E	WM	21	NW NW	201-ROW	0.30	WEID ROW	2015-3
4 N	26 E	WM	3	NW SW	500	4.40	Cleaver	2015-3
4 N	25 E	WM	16	SE SE	801	0.50	Sanchez	2015-2
4 N	25 E	WM	16	SE SE	804	1.00	Madrigal	2015-2
4 N	25 E	WM	16	SE SE	805	0.50	Sanchez	2015-2

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	DINN
5 N	26 E	WM	25	NE NE	3502	0.30	H. Smith	2015-2
5 N	27 E	WM	13	SW SW	1700	0.40	Picard	2015-2
5 N	27 E	WM	13	SW SW	1800	0.50	Schultz	2015-2
5 N	27 E	WM	13	SW SW	1900	0.30	Englehart	2015-2
5 N	27 E	WM	13	SW SW	2000	0.20	Coombs	2015-2
5 N	27 E	WM	13	SW SW	2100	0.30	Darden	2015-2
5 N	27 E	WM	21	SW NE	EASEMENT	0.60	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	SE NE	EASEMENT	0.80	Morrow Co. ROW	2015-2
5 N	27 E	WM	21	NE NW	400	0.10	Slawson	2015-2
5 N	27 E	WM	21	SE NW	400	0.80	Slawson	2015-2
5 N	27 E	WM	22	NE NW	502	0.10	Hodges	2015-2
5 N	27 E	WM	22	SW NW	809	2.50	Garton	2015-2
5 N	27 E	WM	22	SW NW	810	2.25	Garton	2015-2
5 N	27 E	WM	22	SW NW	811	2.00	Garton	2015-2
5 N	27 E	WM	22	SW NW	812	2.25	Garton	2015-2
Total:						48.10		

13. Transfer Application T-12220 proposes to permanently change the place of use of the above described rights to:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	DINN
4 N	24 E	WM	14	NW SE	100	14.40	Krebs	2015-3
4 N	24 E	WM	14	SW SE	202	3.30	Krebs	2015-3
4 N	25 E	WM	13	SE SE	100	6.30	Chowning	2015-3
4 N	25 E	WM	13	SE SE	100	6.85	Chowning	2015-2
4 N	25 E	WM	13	SE SE	100	2.80	Chowning	2015-2
5 N	26 E	WM	26	SE SW	400	8.70	McNamee	2015-3
5 N	27 E	WM	30	SW NW	2200	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2300	0.80	Moore	2015-2
5 N	27 E	WM	30	SW NW	2400	1.70	Moore	2015-2
5 N	27 E	WM	30	SE NW	300	0.70	Thornton	2015-2
5 N	27 E	WM	30	SE NW	1400	1.30	Nelson	2015-2
5 N	27 E	WM	30	SE NW	1600	0.45	Peine	2015-2
Total:						48.10		

14. 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.
15. Water has been used within the last five years according to the terms and conditions of the rights and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
16. Diversion structures, pumps, canals, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
17. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
18. The proposed change in place of use would not result in enlargement of the rights.
19. The proposed change in place of use will not result in injury to other water rights.

Partial Cancellation of a Water Right

20. On February 11, 2016, an affidavit certifying that a portion of water right Certificate 86492 has been abandoned and requesting cancellation of the right was received from Morrow County. The portion of the right to be cancelled is as follows:

Certificate: 86492 in the name of CRAIG PRITCHARD (perfected under Permit S-49571)
Use: SUPPLEMENTAL IRRIGATION of 6.0 ACRES
Priority Date: AUGUST 9, 1985
Rate: 0.13 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: UNNAMED DRAINAGEWAY, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

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

Place of Use to be Cancelled:

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

21. On February 11, 2016, an affidavit certifying that a portion of water right Certificate 86491 has been abandoned and requesting cancellation of the right was received from Morrow County. The portion of the right to be cancelled is as follows:

Certificate: 86491 in the name of GRIEB FARMS INC. (perfected under Permit S-41308)
Use: SUPPLEMENTAL IRRIGATION of 6.0 ACRES
Priority Date: APRIL 19, 1976
Rate: 0.09 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: UNNAMED DRAINAGEWAY, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

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

Authorized Place of Use:

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

Conclusions of Law

The change in place of use proposed in Transfer Application T-12220 satisfies the requirements of ORS 540.574(3) and 540.580 and the abandoned portion of water rights cited above should be cancelled.

Now, therefore, it is ORDERED:

1. The proposed change to the water right evidenced by Certificates 79924, 79926, 79928, 79929, 87872, and 87799 are approved.
2. The right to the use of water is restricted to beneficial use at the place of use described and is subject to all other conditions, limitations contained in water right certificates 79924, 79926, 79928, 79929, 87872, 87799 and any related decree, and the final order approving T-12220.
3. The former places of use shall no longer be irrigated as part of these water rights.
4. The portion of Certificate 86492 described in Finding of Fact #20 is cancelled. A new right describing the portion of the right not modified (remaining portion) shall be issued.
5. The portion of Certificate 86491 described in Finding of Fact #21 is cancelled. A new right describing the portion of the right not modified (remaining portion) shall be issued.
6. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2017. A Claim of Beneficial Use shall be submitted by the district to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
8. Water right certificates 79924, 79926, 79928, 79929, 87872, and 87799 are modified. The Department will issue superseding certificates describing the district's rights when it determines that is necessary for record keeping.

Dated at Salem, Oregon this 2 day of March, 2016


Dwight French, Water Right Services Administrator for
Thomas M. Byler, Director

Mailing Date: APR 01 2016

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CRAIG PRITCHARD
RT 1 BOX 69
BOARDMAN, OR 97818

confirms the right to use the waters of an UNNAMED DRAINAGEWAY, a tributary to the COLUMBIA RIVER for SUPPLEMENTAL IRRIGATION of 85.5 ACRES.

This right was perfected under Permit S-49571. The date of priority is AUGUST 9, 1985. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.79 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

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

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer, provided further that the right allowed herein shall be limited to any deficiency in the available supply from other sources under prior existing rights for the same land and shall not exceed the limitation allowed herein.

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

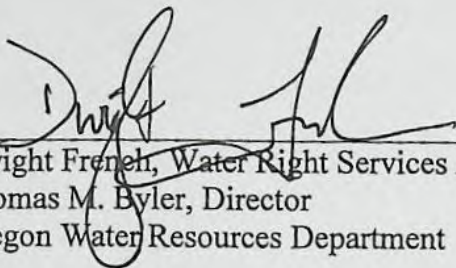
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	13	NW SW	30.00
4 N	25 E	WM	13	SW SW	18.00
4 N	25 E	WM	14	NE SE	27.60
4 N	25 E	WM	14	SE SE	9.90
Total					85.50

This certificate describes that portion of the water right confirmed by Certificate 86492, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered March 2, 2016, approving Transfer Application T-12220.

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.

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.

WITNESS the signature of the Water Resources Director, affixed March 2, 2016.

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line. The signature is stylized and cursive.

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

STATE OF OREGON
 COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GRIEB FARMS INC.
 STAR ROUTE
 LEXINGTON, OR 97839

confirms the right to use the waters of an UNNAMED DRAINAGEWAY, a tributary to the COLUMBIA RIVER for SUPPLEMENTAL IRRIGATION of 38.0 ACRES.

This right was perfected under Permit S-41308. The date of priority is APRIL 19, 1976. The amount of water to which this right is entitled is hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used and shall not exceed 0.46 CUBIC FOOT 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:

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

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

Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	14	NE SE	27.60
4 N	25 E	WM	14	SE SE	4.40
Total					32.00

This certificate describes that portion of the water right confirmed by Certificate 86491, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered March 2, 2016, approving Transfer Application T-12220.

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.

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.

WITNESS the signature of the Water Resources Director, affixed March 2, 2016.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
FAX 503-986-0904
www.wrd.state.or.us

November 15, 2012

WEST EXTENSION IRRIGATION DISTRICT
PO BOX 100
IRRIGON, OR 97844

REFERENCE: District Transfer T-11309

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

The time allowed to complete the transfer is specified in the final order.

If you have any questions related to the approval of this transfer, you may contact your caseworker by telephone at (503) 986-0858 or by e-mail at Susan.M.Douthit@wrdd.state.or.us.

Sincerely,

Codi Holmes
Water Right Services Support
Transfers and Conservation Section

Enclosure



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

In the Matter of Transfer Application) FINAL ORDER APPROVING A
T-11309, Morrow County) PERMANENT DISTRICT TRANSFER

Authority

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

WEST EXTENSION IRRIGATION DISTRICT
P. O. BOX 100
IRRIGON, OR 97844

Findings of Fact

Background

1. On October 20, 2011, Stacey Wells, on behalf of West Extension Irrigation District filed an application to change the place of use under Certificates 79926, 79928 and 79929. The Department assigned the application number T-11309.
2. Notice of the application for transfer was published on October 25, 2011, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 5, 2012, the Department received an amended application and map clarifying the place of use involved in Transfer Application T-11309. The Department also received cancellation affidavits submitted by West Extension Irrigation District.
4. On February 23, 2012, the District again submitted amended application materials including additional place of use acres.
5. The portion of the first primary irrigation right and its layered supplemental water right to be transferred is as follows:
Certificate: 79926 in the name of U. S. BUREAU OF RECLAMATION (perfected under Permit S-408)

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.

Use: IRRIGATION of 26.7 ACRES

Priority Date: MARCH 28, 1909

Rate: 1.92 CUBIC FEET PER SECOND (cfs)

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

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

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

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

Use: SUPPLEMENTAL IRRIGATION of 26.7 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate: 0.28 CUBIC FOOT PER SECOND (cfs)

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

Source: COLUMBIA RIVER, a tributary of the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Place of Use:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79926 (IR)	Certificate 79929 (IS)	
4 N	24 E	WM	23	NE NE	100	0.30	0.30	Morrow County
4 N	24 E	WM	23	NW NE	200	0.25	0.25	Morrow County
4 N	24 E	WM	23	NE NW	300	0.30	0.30	Morrow County
4 N	24 E	WM	23	NW NW	400	0.15	0.15	Morrow County
4 N	24 E	WM	23	NW NW	401	0.10	0.10	Morrow County
4 N	24 E	WM	24	NE NE	100	0.30	0.30	Morrow County
4 N	24 E	WM	24	NW NE	200	0.30	0.30	Morrow County
4 N	24 E	WM	24	NE NW	300	0.30	0.30	Morrow County
4 N	24 E	WM	24	NW NW	400	0.30	0.30	Morrow County
4 N	24 E	WM	24	SW NW	500	20.00	20.00	Suter
4 N	24 E	WM	24	NW SW	500	1.40	1.40	Suter
4 N	25 E	WM	17	NW SW	700	1.30	1.30	Jim
4 N	25 E	WM	19	NE NE	100	0.30	0.30	Morrow County
4 N	25 E	WM	19	NW NE	100	0.30	0.30	Morrow County
4 N	25 E	WM	19	NE NW	100	0.30	0.30	Morrow County

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79926 (IR)	Certificate 79929 (IS)	
4 N	25 E	WM	19	NW NW	100	0.30	0.30	Morrow County
4 N	25 E	WM	19	NW NW	200	0.10	0.10	Morrow County
4 N	25 E	WM	19	NW NW	201	0.10	0.10	Morrow County
4 N	25 E	WM	20	NW NW	1000	0.10	0.10	Morrow County
4 N	25 E	WM	20	NW NW	1200	0.20	0.20	Morrow County
TOTAL:						26.70	26.70	

6. Transfer Application T-11309 proposes to change the place of use for the above described water rights to:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot#	ACRES		User
						Certificate 79926 (IR)	Certificate 79929 (IS)	
4 N	25 E	WM	20	SW NE	7300	3.40	3.40	K. Smith
4 N	25 E	WM	20	SE NW	101	0.80	0.80	K. Smith
4 N	25 E	WM	20	NW SE	802	*21.50	*21.50	K. Smith
4 N	25 E	WM	20	SW SE	802	*1.00	*1.00	K. Smith
TOTAL:						26.70	26.70	

* Note: Water right Certificate 44107 exists on these lands and will be transferred off in Transfer Application T-11404.

7. The portion of the second primary right and its layered supplemental water right to be transferred is as follows:

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

Use: IRRIGATION of 9.95 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate: 0.25 cfs

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

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

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

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

Use: IRRIGATION of 9.95 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate: 0.11 cfs

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

Source: COLUMBIA RIVER, a tributary of the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot#	ACRES		User
						Certificate 79928 (IR)	Certificate 79929 (IS)	
4 N	25 E	WM	16	SW SW	500	0.10	0.10	Morrow County
5 N	26 E	WM	36	SW SE	800	0.70	0.70	Anacapa Land Co.
5 N	26 E	WM	36	SE SE	800	1.00	1.00	Anacapa Land Co.
5 N	27 E	WM	31	NE NE	100	0.80	0.80	Anacapa Land Co.
5 N	27 E	WM	31	NW NE	100	1.20	1.20	Anacapa Land Co.
5 N	27 E	WM	31	SW NE	100	0.40	0.40	Anacapa Land Co.
5 N	27 E	WM	31	SE NW	100	1.30	1.30	Anacapa Land Co.
5 N	27 E	WM	31	NE SW	100	0.30	0.30	Anacapa Land Co.
5 N	27 E	WM	31	NW SW	100	0.90	0.90	Anacapa Land Co.
5 N	27 E	WM	31	SE SW	101	1.10	1.10	City of Irrigon .
5 N	27 E	WM	31	SE SW	102	0.65	0.65	City of Irrigon
5 N	27 E	WM	31	SW SE	102	1.50	1.50	City of Irrigon
TOTAL:						9.95	9.95	

8. Transfer Application T-11309 proposes to change the place of use for the above described water rights to:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot#	ACRES		User
						Certificate 79928 (IR)	Certificate 79929 (IS)	
4 N	25 E	WM	20	NW SE	802	9.95*	9.95*	K. Smith

* Note: Water right Certificate 44107 exists on these lands and will be transferred off in Transfer Application T-11404.

9. The West Extension Irrigation District stopped assessing the parcels owned by James and Leslie Suter property in 2004. The Suter's property no longer being assessed by WEID is delineated in Finding of Fact #5.
10. The Suter family applied for and received Water Use Permit G-15835 on February 10, 2005 that authorizing irrigation use on the properties discussed in Finding of Fact #9.
11. On January 31, 2005, the Department received an affidavit from James and Leslie Suter, stating they are the owners of lands and the water right appurtenant to a portion of water

right Certificate 79926. The affidavit requested cancellation of a portion of the right appurtenant to their property.

12. On March 21, 2005, the Department issued an order, recorded in Special Order Volume 63, Pages 468 - 469 cancelling a portion of Certificate 79926.
13. On March 24, 2005, the Department issued an order (recorded in Special Order Volume 63, Pages 485 - 486) that withdrew the order cancelling a portion of Certificate 79926.
14. The Department instructed the District to file a transfer application to permanently transfer the place of use under Certificate 79926 to avoid a layering issue with the newly issued groundwater water use permit.
15. Transfer Application T-10875 was submitted on May 11, 2009, to temporarily transfer the place of use under Certificates 79924, 79926, 79928, 79929 and 79930. This temporary transaction was used until the district received a variance for a federally recognized boundary.
16. Temporary Transfer Application T-10875 was approved on August 27, 2009, and recorded in Special Order Volume 78, Pages 762 - 770. This temporary transfer was approved for the 2009 irrigation season. Upon expiration of the temporary transfer at the end of the 2009 irrigation season, the authorized changes to the place of use reverted back to the location *from* which they came.
17. The District Manager has stated that the district water right has not been used on the land since Water Use Permit G-15835 was issued.
18. The District Manager has also stated the District intended to remove WEID's irrigation rights "off" before the temporary expired and the rights reverted back.
19. Based upon the finding of facts above, the Department has determined that water rights have not been used conjunctively therefore, the water rights have not been enlarged.
20. A portion of Certificate 44107 is located at the same place of use as the proposed place of use ("to" lands) under Certificates 79926, 79928 and 79929.
21. On April 19, 2012, the Karl and Patricia Smith submitted Transfer Application T-11404 proposing to permanently change the place of use under Certificate 44107 which, if approved, will address the potential enlargement issue (on the "TO" property) mentioned in Finding of Fact #20.
22. Based upon an examination and review of Transfer Application T-11404, the Department has determined the intent of this transaction is to remove the primary irrigation right under Certificate 44107 before the District transfers water rights onto the property. The District and landowner do not, in any way, intend on layering Certificate 44107 and the incoming District water rights.

23. Therefore, given the history and the reasons described herein, the Department is able to process Transfer Applications T-11309 and T-11404.
24. The district transfer application satisfies the criteria of ORS 540.580 and OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
25. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
26. The proposed change in place of use would not result in enlargement of the rights.
27. The proposed changes in place of use would not result in injury to other rights.

Conclusions of Law

The changes in place of use as proposed in Transfer Application T-11309 satisfy the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed changes to Certificates 79926, 79928 and 79929 are approved.
2. The right to the use of water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in the District's water rights, related decree, and the Final Order approving Transfer Application T-11309.
3. The former places of use shall no longer be irrigated as part of these water rights.
4. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
5. The proposed changes shall be completed on or before **October 1, 2014**. A Claim of Beneficial Use and Final Proof Map shall be submitted by West Extension Irrigation District to the Department by October 1, 2014.
6. Certificates 79926, 79928 and 79929 are modified. The Department will issue superseding Certificates describing the rights when it is determined that it is necessary for record keeping.

Dated at Salem, Oregon this 15TH day of November, 2012.



Dwight French, Water Right Services Administrator for
PHILLIP C. WARD, DIRECTOR

Mailing Date: NOV 16 2012

5-237

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

In the Matter of Transfer Application) FINAL ORDER APPROVING A
T-10998, Umatilla County) DISTRICT PERMANENT TRANSFER,
) PARTIAL DIMINUTION OF A WATER
) RIGHT AND PARTIAL
) CANCELLATIONS OF WATER RIGHTS

Authority

ORS 540.570 and 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.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

WEST EXTENSION IRRIGATION DISTRICT
PO BOX 100
IRRIGON, OR 97844

Findings of Fact

1. On December 28, 2009, West Extension Irrigation District filed a district transfer application to permanently change the place of use under Certificates 79924, 79925, 79926, 79928 and 79929. The Department assigned the application number T-10998.
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. On July 21, 2010, the Department received final documents necessary to complete the processing of Transfer Application T-10998.
4. The portion of the FIRST primary right and its layered supplemental water right to be transferred is as follows:

Certificate: 79924 in the name of WEST EXTENSION IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 3 at Pages 213 – 215.)
Use: IRRIGATION (IR) of 58.75 ACRES

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 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.

Priority Date: APRIL 14, 1893

Rate: 0.73 CUBIC FOOT PER SECOND (cfs) (subject to the provisions of Paragraph 33 of Umatilla River Decree)

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

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

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

Use: SUPPLEMENTAL IRRIGATION (IS) of 58.75 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate/Duty: 0.62 CUBIC FOOT PER SECOND (cfs), limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)									
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User	Notice#
						Certificate 79924 (IR)	Certificate 79929 (IS)		
5 N	26 E	WM	24	SE SE	4100	3.00	3.00	Irrigon Woodlands	2009-5
5 N	26 E	WM	24	SE SE	1801	0.40	0.40	Schultz	2009-5
5 N	26 E	WM	24	SE SE	1900	0.30	0.30	Schultz	2009-5
5 N	26 E	WM	24	SE SE	1901	0.30	0.30	Schultz	2009-5
5 N	26 E	WM	25	NE NE	3508	0.25	0.25	Kuper	2009-5
5 N	26 E	WM	25	NE NE	100	2.00	2.00	Irrigon Woodlands	2009-5
5 N	26 E	WM	25	NE NE	210	0.10	0.10	Keithley	2009-7
5 N	26 E	WM	13	NE NE	3404	0.10	0.10	Aguilar	2009-7
5 N	27 E	WM	13	NW SE	ROW	0.10	0.10	Metcalf	2009-7
5 N	27 E	WM	13	NW SE	ROW	0.20	0.20	Graham	2009-7
5 N	27 E	WM	19	NE SW	1000	0.15	0.15	Gonzales	2009-5
5 N	27 E	WM	19	NE SW	1200	0.40	0.40	Haney	2009-5
5 N	27 E	WM	19	NW SW	3601	0.20	0.20	Wilson	2009-5
5 N	27 E	WM	19	NW SW	3700	0.10	0.10	Wilson	2009-5
5 N	27 E	WM	19	NW SW	4500	0.40	0.40	Wilson	2009-5
5 N	27 E	WM	19	SW SW	1700	0.30	0.30	Brown	2009-5
5 N	27 E	WM	19	SW SW	1900	0.20	0.20	Villegas	2009-5
5 N	27 E	WM	19	SW SW	1901	0.30	0.30	Villegas	2009-5
5 N	27 E	WM	19	SW SW	2600	8.00	8.00	Multiple Owners	2009-5
5 N	27 E	WM	19	SE SW	2600	7.00	7.00	Multiple Owners	2009-5
5 N	27 E	WM	19	SE SW	200	0.30	0.30	Wadkins	2009-5
5 N	27 E	WM	19	SE SW	300	0.30	0.30	Timpy	2009-5
5 N	27 E	WM	19	SE SW	800	1.10*	1.10*	Stewart	2009-5

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)									
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User	Notice#
						Certificate 79924 (IR)	Certificate 79929 (IS)		
5 N	27 E	WM	19	SE SW	ROW	0.80	0.80	City of Irrigon	2009-5
5 N	27 E	WM	19	SE SW	802	2.80*	2.80*	Prouty	2009-5
5 N	27 E	WM	19	SE SW	803	0.60*	0.60*	Columbia View Community Church	2009-5
5 N	27 E	WM	19	SE SW	1300	0.20	0.20	Lomas	2009-5
5 N	27 E	WM	19	SE SW	1400	0.20	0.20	Lomas	2009-5
5 N	27 E	WM	19	SE SW	1000	0.15	0.15	Gonzales	2009-5
5 N	27 E	WM	19	SE SW	ROW	0.30*	0.30*	City of Irrigon	2009-5
5 N	27 E	WM	19	SE SW	100	0.20	0.20	Sanchez	2009-1
5 N	27 E	WM	19	NW SE	300	1.24	1.24	Matlack	2009-1
5 N	27 E	WM	19	NW SE	301	1.10	1.10	Matlack	2009-1
5 N	27 E	WM	19	NW SE	305	1.36	1.36	Matlack	2009-1
5 N	27 E	WM	19	NW SE	306	0.90	0.90	Eppenbach	2009-1
5 N	27 E	WM	19	NW SE	307	0.90	0.90	Eppenbach	2009-1
5 N	27 E	WM	20	NE SE	2400	1.10	1.10	Strebin	2009-6
5 N	28 E	WM	18	NE SE	205	0.20	0.20	Goodyear	2009-5
5 N	28 E	WM	18	NE SE	2000	2.80	2.80	Multiple Owners	2009-5
5 N	28 E	WM	18	NW SE	2000	15.80	15.80	Multiple Owners	2009-5
5 N	28 E	WM	18	SW SE	2000	2.10	2.10	Multiple Owners	2009-5
5 N	28 E	WM	18	SE SE	2000	0.50	0.50	Multiple Owners	2009-5
TOTAL:						58.75	58.75		

* Note: these lands have an additional supplemental water right that will be canceled (Certificate 38585).

4. Transfer Application T-10998 proposes to permanently change the place of use of the above described rights to:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)									
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User	Notice #
						Certificate 79924 (IR)	Certificate 79929 (IS)		
4 N	25 E	WM	13	SE NE	100	2.95*	2.950*	Chowning	2009-5
4 N	25 E	WM	13	SE SW	100	23.50*	23.50*	Chowning	2009-5
4 N	25 E	WM	13	NE SE	100	1.80‡	1.80‡	Chowning	2009-5
4 N	25 E	WM	13	SW SE	100	7.40*	7.40*	Chowning	2009-5
4 N	25 E	WM	13	SE SE	100	1.80‡	1.80‡	Chowning	2009-5
5 N	26 E	WM	25	SE SW	1602	0.50	0.50	Hellberg	2009-7
5 N	26 E	WM	25	NE SE	100	14.00	14.00	Morrow County School District	2009-5
5 N	27 E	WM	19	NE SW	100	5.70	5.70	Irrigon Parks / US Corp. of Engineers	2009-1
5 N	27 E	WM	20	SE SW	1300	0.20	0.20	Strebin	2009-6
5 N	27 E	WM	20	SE SW	1000	0.90	0.90	Strebin	2009-6
TOTAL:						58.75	58.75		

* Note: these lands have an existing primary water right (Certificate 86395) that will be diminished to supplemental irrigation.

‡ Note: these lands have an existing primary water right (Certificate 86394) that will be diminished to supplemental irrigation.

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

Certificate: 79924 in the name of WEST EXTENSION IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 3 at Pages 213 – 215.)

Use: IRRIGATION (IR) of 10.6 ACRES

Priority Date: APRIL 14, 1893

Rate: 0.13 (cfs) (subject to the provisions of Paragraph 33 of Umatilla River Decree)

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

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

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres	User	Notice#
5 N	26 E	WM	25	NE NE	204	0.1	Hannigan	2009-7
5 N	26 E	WM	25	NE NE	208	0.2	Carneal	2009-7
5 N	26 E	WM	25	NE NE	214	0.1	LaChapelle	2009-7
5 N	26 E	WM	25	NE NE	300	0.2	Jones	2009-7
5 N	26 E	WM	25	NE NE	1100	0.3	Morgan	2009-7
5 N	26 E	WM	25	SE NE	2604	0.2	Kuper	2009-7
5 N	26 E	WM	25	SE NE	2605	0.2	Tomlinson	2009-7
5 N	26 E	WM	25	SE NE	2606	0.2	Stull	2009-7
5 N	26 E	WM	25	NE SE	200	0.2	Boardman	2009-7
5 N	26 E	WM	25	SE SE	603	3.9	Strebin	2009-6
5 N	27 E	WM	13	SW SW	1600	4.0	Picard	2009-7
5 N	27 E	WM	13	SW SW	1900,2000, 2100,1800, 1700	1.0	Westfall Addition Easement	2009-7
TOTAL:						10.6		

6. Transfer Application T-10998 proposes to permanently change the place of use of the above described right to:

Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres	User	Notice #
4 N	25 E	WM	14	SW SW	1900	4.0	Purcell	2009-7
5 N	26 E	WM	25	SE SW	1602	1.8	Tim Hellberg	2009-7
5 N	27 E	WM	20	SE SW	1300	2.2	Strebin	2009-6
5 N	27 E	WM	29	NE NW	100	1.7	Strebin	2009-6
5 N	27 E	WM	30	SE NW	121	0.1	Najera-Patton	2009-7
5 N	27 E	WM	30	SE NW	119	0.8	Martinez	2009-7
TOTAL:						10.6		

7. The portion of the THIRD primary right and its layered supplemental water right to be transferred is as follows:

Certificate: 79925, issued in the name of WEST EXTENSION IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem in the Order Record of the Water Resources Director in Volume 15, Pages 436 and 437)

Use: IRRIGATION OF 4.4 ACRES

Priority Date: 1906

Rate & Duty: 0.055 cfs per acre(subject to Paragraph 33 of the Decree)

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

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

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

Use: SUPPLEMENTAL IRRIGATION of 4.4 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate/Duty: 0.047 cfs, limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)									
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User	Notice #
						Certificate 79925 (IR)	Certificate 79929 (IS)		
4 N	24 E	WM	14	SE SW	202	2.0	2.0	C. Finley	2009-4
4 N	24 E	WM	14	SW SE	202	1.4	1.4	C. Finley	2009-4
5 N	27 E	WM	13	NW SW	800	1.0	1.0	Amstad	2009-7
TOTAL:						4.4	4.4		

8. Transfer Application T-10998 proposes to permanently change the place of use of the above described rights to:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)									
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User	Notice#
						Certificate 79925 (IR)	Certificate 79929 (IS)		
4 N	24 E	WM	14	NE SW	205	2.2	2.2	C. Finley	2009-4
4 N	24 E	WM	14	SW SE	202	1.2	1.2	C. Finley	2009-4
5 N	26 E	WM	25	NE NE	200	0.3	0.3	Renteria	2009-7
5 N	27 E	WM	14	SE SE	1800	0.7	0.7	Childers	2009-7
TOTAL:						4.4	4.4		

9. The portion of the FOURTH primary right and its layered supplemental water right to be transferred is as follows:

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

Use: IRRIGATION OF 20.5 ACRES

Priority Date: March 28, 1909

Rate & Duty: 1.47 CFS per acre, further limited to a diversion of not to exceed 2.0 ACRE-FEET per acre in any 30 DAY PERIOD and NOT TO EXCEED 10.0 ACRE-FEET per acre THROUGHOUT the irrigation season

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

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

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

Use: SUPPLEMENTAL IRRIGATION of 20.5 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate/Duty: 0.22 CUBIC FOOT PER SECOND (cfs), limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)									
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User	Notice#
						Certificate 79926 (IR)	Certificate 79929 (IS)		
4 N	24 E	WM	14	SE NE	100	6.7	6.7	C. Finley	2009-4
4 N	25 E	WM	13	NW NW	200	5.5	5.5	Riekkola Farms	2009-5
4 N	25 E	WM	13	NE SW	301	3.5*, **	3.5*, **	Terra Poma Land/Chowning	2009-5
4 N	25 E	WM	14	NE SE	1903	1.8‡	1.8‡	Turnbow	2009-5
4 N	25 E	WM	17	SW SW	1003	1.0	1.0	McKinley	2009-5
4 N	25 E	WM	20	NW NW	1200	0.6	0.6	Rahier	2009-5
4 N	25 E	WM	22	NW NE	200	0.8	0.8	Akers	2009-5
4 N	25 E	WM	22	NW NE	201	0.2	0.2	Akers	2009-5
5 N	27 E	WM	21	SW SW	902	0.1	0.1	Suchy	2009-2
5 N	27 E	WM	21	SW SW	901	0.1	0.1	Wells	2009-2
5 N	27 E	WM	21	SW SW	900	0.2	0.2	Geer	2009-2
TOTAL:						20.50	20.50		

* Note: these lands have an additional supplemental water right that will be canceled (Certificate 79938 = 2.1 acres)

** Note: these lands have an additional supplemental water right that will be canceled (Certificate 79943 = 1.4 acres)

‡ Note: these lands have additional supplemental water rights that will be canceled (Certificates 53069 and 82169 = 2.0 acres)

10. Transfer Application T-10998 proposes to permanently change the place of use of the above described rights to:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)									
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User	Notice #
						Certificate 79926 (IR)	Certificate 79929 (IS)		
4 N	25 E	WM	13	SE NE	100	13.40	13.40	Chowning	2009-5
4 N	24 E	WM	14	NE SW	205	6.7	6.7	C. Finley	2009-4
5 N	27 E	WM	21	NE SW	200	0.4	0.4	Harrington	2009-2
TOTAL:						20.50	20.50		

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

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

Use: IRRIGATION OF 12.35 ACRES

Priority Date: March 28, 1909

Rate & Duty: limited to a diversion of not to exceed 2.0 ACRE-FEET per acre in any 30 DAY PERIOD and not to exceed 10.0 ACRE-FEET per acre THROUGHOUT the irrigation season

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

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

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres	User	Notice#
4 N	24 E	WM	14	NW SE	100	12.10	C. Finley	2009-4
5 N	28 E	WM	17	NE SW	3400	0.25	Wellenbrock	2009-5
TOTAL:						12.35		

12. Transfer Application T-10998 proposes to permanently change the place of use of the above described right to:

Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres	User	Notice#
4 N	25 E	WM	13	SE NE	100	0.25	Chowning	2009-5
4 N	24 E	WM	14	NE SW	205	12.1	C. Finley	2009-4
TOTAL:						12.35		

13. The portion of the SIXTH primary right and its layered supplemental water right to be transferred are as follows:

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

Use: IRRIGATION of 22.7 ACRES

Priority Date: September 12, 1968

Rate & Duty: 0.567 (cfs), limited to ONE-FORTIETH of one cfs and 4.5 acre-feet for each acre irrigated during the irrigation season of each year

Source: UMATILLA RIVER, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

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

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

Use: SUPPLEMENTAL IRRIGATION of 22.7 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate/Duty: 0.241 CUBIC FOOT PER SECOND (cfs), limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)									
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User	Notice #
						Certificate 79928 (IR)	Certificate 79929 (IS)		
4 N	25 E	WM	13	NE NW	200	0.7	0.7	Riekkola Farms	2009-5
4 N	25 E	WM	13	NW NW	200	0.2	0.2	Riekkola Farms	2009-5
4 N	25 E	WM	20	NE NW	100	1.0	1.0	Braat	2009-5
4 N	25 E	WM	20	NE NW	101	1.3	1.3	Braat	2009-5
4 N	25 E	WM	20	SE NW	101	1.7	1.7	Braat	2009-5
5 N	27 E	WM	20	SW SW	1002	2.2	2.2	WEID	2009-5
5 N	27 E	WM	20	SW SW	1000	6.7	6.7	Strebin	2009-6
5 N	27 E	WM	20	SE SW	1000	0.9	0.9	Strebin	2009-3
5 N	27 E	WM	22	SW NW	802	2.0*	2.0*	E. Brown	2009-3
5 N	27 E	WM	22	SW NW	814	6.0*	6.0*	E. Brown	2009-3
TOTAL:						22.7	22.7		

*Note: these lands have an additional supplemental water right that will be canceled (Certificate 79941 = 8.0 acres)

14. Transfer Application T-10998 proposes to permanently change the place of use of the above described rights to:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)									
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User	Notice#
						Certificate 79928 (IR)	Certificate 79929 (IS)		
4 N	25 E	WM	13	NE SE	100	6.3*	6.3*	Chowning	2009-5
4 N	25 E	WM	13	SE SE	100	0.7*	0.7*	Chowning	2009-5
5 N	26 E	WM	35	SW SE	300	5.0	5.0	Sparks	2009-3
5 N	26 E	WM	35	SW SE	305	3.0	3.0	J. Sparks	2009-3
5 N	27 E	WM	20	SW SE	800	0.6	0.6	Strebin	2009-6
5 N	27 E	WM	30	SW NE	107	7.0	7.0	Strebin	2009-6
TOTAL:						22.6	22.6		

* Note: these lands have an existing primary water right that will be diminished to supplemental irrigation (Certificate 86394)

Partial Diminution of Certain Water Rights

15. On March 16, 2010, Glenn Chowning, of Terra Poma Land, LLC, owner of lands to which a portion of Certificate 86394 (supersedes Certificate 80375/T-8376) and groundwater Certificate 86395 (confirms use of Permit G-13419) are appurtenant, submitted affidavits for the partial diminution of each water right. Mr. Glenn Chowning has requested the lands described below be diminished to supplemental irrigation for the incoming district water rights as part of this transfer. These "TO" lands are described in Findings of Fact #4 above.

The portions of the water rights to be diminished to supplemental irrigation are described as follows:

Certificate: 86394 issued in the name of GLENN S. CHOWNING (perfected under Permit G-9811)
Use: IRRIGATION of 10.7 ACRES
Priority Date: February 4, 1982
Rate: 0.13 cfs
Source: DEEP WELL #2 and HILLVIEW WELL #4 within the UMATILLA RIVER BASIN
Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	13	SW NE	DEEP WELL#2 - 330 Feet North and 1310 Feet East from the Center of Section 13.
4 N	25 E	WM	13	SE NE	HILLVIEW WELL#4 - 3840 Feet North and 2240 Feet East from the S¼ Corner, Section 13.

Place of Use to be Diminished from Primary Irrigation to Supplemental Irrigation:						
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres
4 N	25 E	WM	13	NE SE	100	8.5
4 N	25 E	WM	13	SE SE	100	2.2
TOTAL:						10.7

Certificate: 86395 issued to TERRA POMA LAND CO. LLC, GLENN CHOWNING (perfected under Permit G-13419 and modified by T-9488)
Use: IRRIGATION of 47.5 ACRES
Priority Date: February 7, 1997
Rate: 0.594 cfs
Source: HILLVIEW SUMP WELL #5, within the COLUMBIA RIVER BASIN
Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	13	SE NE	3800 Feet North and 2460 Feet East from the S¼ Corner of Section 13.

Place of Use to be Diminished from Primary Irrigation to Supplemental Irrigation:						
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres
4 N	25 E	WM	13	SE NE	100	16.6
4 N	25 E	WM	13	SE SW	100	23.5
4 N	25 E	WM	13	SW SE	100	7.4
TOTAL:						47.5

Partial Cancellation of Certain Water Rights

16. On March 16, 2010, Glenn Chowning, of Terra Poma Land, LLC, owner of lands to which portions of Certificates 79938 and 79943 are appurtenant, submitted affidavits for the partial cancellations of these water rights. Mr. Glenn Chowning has requested the lands described below be cancelled to make way for the incoming District water rights as part of this transfer. These "TO" lands are described in Findings of Fact #9 above.

The portions of the water rights to be cancelled are described as follows:

Certificate: 79938 issued in the name of HILLVIEW DAIRY, INC. (perfected under Permit G-3231)

Use: SUPPLEMENTAL IRRIGATION of 2.1 ACRES

Priority Date: March 30, 1966

Amount: 0.03 cfs

Source: TILE DRAIN LINE, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	13	NE SW	810 Feet South and 10 Feet East from the NW Corner of Section 13.

Place of Use to be Diminished from Primary Irrigation to Supplemental Irrigation:

Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres
4 N	25 E	WM	13	NE SW	301	2.1

Certificate: 79943 issued in the name of HILLVIEW DAIRY, INC. (perfected under Permit G-3231)

Use: SUPPLEMENTAL IRRIGATION of 1.4 ACRES

Priority Date: March 30, 1966

Amount: 0.02 cfs

Source: TILE DRAIN LINE, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	13	NE SW	810 Feet South and 10 Feet East from the NW Corner of Section 13.

Place of Use to be Diminished from Primary Irrigation to Supplemental Irrigation:

Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres
4 N	25 E	WM	13	NE SW	301	1.4

17. On July 1, 2010, the City of Irrigon, owners of lands to which a portion of Certificate 38585 is appurtenant, submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621. The City of Irrigon has identified a "layered" supplemental water right on the "FROM" lands and does not intend to transfer this water right with the primary water right described in Findings of Fact #3 above and submitted an affidavit for the partial cancellation of 0.3 acres under Certificate 38585.

The portion of the water right to be cancelled is described as follows:

Certificate: 38585 in the name of FRED WALKER
Use: SUPPLEMENTAL IRRIGATION of 0.3 ACRES
Priority Date: September 9, 1968
Amount: 0.004 cfs
Source: A Well within the COLUMBIA RIVER Basin

Place of Use to be cancelled:						
Twp	Rng	Mer	Sec	Q - Q	TL#	Acres
5 N	27 E	WM	19	SE SW	ROW	0.3

18. On July 1, 2010, the Columbia View Community Church, owners of lands to which a portion of Certificate 38585 is appurtenant, submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621. The Columbia View Community Church has identified a "layered" supplemental water right on the "FROM" lands and does not intend to transfer this water right with the primary water right described in Findings of Fact #3 above and submitted an affidavit for the partial cancellation of 0.6 acres under Certificate 38585.

The portion of the water right to be cancelled is described as follows:

Certificate: 38585 in the name of FRED WALKER
Use: SUPPLEMENTAL IRRIGATION of 0.6 ACRES
Priority Date: September 9, 1968
Amount: 0.008 cfs
Source: A Well within the COLUMBIA RIVER basin

Place of Use to be cancelled:						
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres
5 N	27 E	WM	19	SE SW	803	0.6

19. On July 1, 2010, Vernon and Marilyn Stewart, owners of lands to which a portion of Certificate 38585 is appurtenant, submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621. Vernon and Marilyn Stewart have identified a "layered" supplemental water right on the "FROM" lands and do not intend to transfer this water right with the primary water right described in Findings of Fact #3 above and submitted an affidavit for the partial cancellation of 1.1 acres under Certificate 38585.

The portion of the water right to be cancelled is described as follows:

Certificate: 38585 in the name of FRED WALKER
Use: SUPPLEMENTAL IRRIGATION of 1.1 ACRES
Priority Date: September 9, 1968
Amount: 0.014 cfs
Source: A Well within the COLUMBIA RIVER basin

Place of Use to be cancelled:						
Twp	Rng	Mer	Sec	Q - Q	TL#	Acres
5 N	27 E	WM	19	SE SW	800	1.1

20. On July 16, 2010, Bart and Carolyn Prouty, owners of lands to which a portion of Certificate 38585 is appurtenant, submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621. Bart and Carolyn Prouty have identified a "layered" supplemental water right on their "FROM" lands and do not intend to transfer this water

right with the primary water right described in Findings of Fact #3 above and submitted an affidavit for the partial cancellation of 2.8 acres under Certificate 38585.

The portion of the water right to be cancelled is described as follows:

Certificate: 38585 in the name of FRED WALKER
Use: SUPPLEMENTAL IRRIGATION of 2.8 ACRES
Priority Date: September 9, 1968
Amount: 0.037 cfs
Source: A Well within the COLUMBIA RIVER basin

Place of Use to be cancelled:						
Twp	Rng	Mer	Sec	Q - Q	TL#	Acres
5 N	27 E	WM	19	SE SW	802	2.8

21. July 1, 2010, Ole Turnbow, owner of the land to which a portion of Certificate 82169 is appurtenant, submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621. Mr. Ole Turnbow has identified a "layered" supplemental water right on the "FROM" lands and does not intend to transfer this water right with the primary water right described in Findings of Fact #9 above and submitted an affidavit for the partial cancellation of 2.0 acres under Certificate 82169.

The portion of the water right to be cancelled is described as follows:

Certificate: 82169 in the name of CRAIG PRITCHARD
Use: SUPPLEMENTAL IRRIGATION of 2.0 ACRES
Priority Date: August 9, 1985
Amount: 0.042 cfs
Source: The waters of an UNNAMED DRAINAGEWAY, a tributary of the COLUMBIA RIVER

Place of Use to be cancelled:						
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres
4 N	25 E	WM	14	NE SE	1903	2.0

22. On July 1, 2010, Ole Turnbow, owner of the land to which a portion of Certificate 53069 is appurtenant, submitted a voluntary cancellation affidavit meeting the requirements of ORS 540.621. Mr. Ole Turnbow has identified a "layered" supplemental water right on the "FROM" lands and does not intend to transfer this water right with the primary water right described in Findings of Fact #9 above and submitted an affidavit for the partial cancellation of 2.0 acres under Certificate 53069.

The portion of the water right to be cancelled is described as follows:

Certificate: 53069 in the name of GRIEB FARMS, INC.
Use: SUPPLEMENTAL IRRIGATION of 2.0 ACRES
Priority Date: April 19, 1976
Amount: 0.029 cfs
Source: the waters of an UNNAMED DRAINAGEWAY, a tributary of the COLUMBIA RIVER

Place of Use to be cancelled:						
Twp	Rng	Mer	Sec	Q - Q	TL#	Acres
4 N	25 E	WM	14	NE SE	1903	2.0

23. On July 21, 2010, Edwin and Christina Brown, owners of lands to which a portion of Certificate 79941 is appurtenant, submitted an affidavit for the partial cancellation of this water right. Edwin and Christina Brown have identified a "layered" supplemental water right on the "FROM" lands and do not intend to transfer this water right with the primary water right described in Findings of Fact #13 above and submitted an affidavit for the partial cancellation of 8.0 acres under Certificate 79941.

The portions of the water rights to be cancelled are described as follows:

Certificate: 79941 issued in the name of OREGON POTATO, INC. (perfected under Permit S-31346)

Use: SUPPLEMENTAL IRRIGATION of 8.0 ACRES

Priority Date: September 23, 1966

Amount: 0.138 cfs

Source: COLUMBIA RIVER, a tributary of the Pacific Ocean

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q - Q	Lot	Measured Distances
5N	27 E	WM	15	SW NW	4	2380 Feet North and 350 Feet East from the SW Corner of Section 15.

Place of Use to be Cancelled :						
Twp	Rng	Mer	Sec	Q - Q	TL#	Acres
5N	27 E	WM	22	SW NW	802	2.0
5N	27 E	WM	22	SW NW	814	6.0

24. Notice of the application for transfer was published on January 12, 2010, pursuant to ORS 540.580 and OAR 690-385-4100. No comments were filed in response to the notice.
25. 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.
26. Water has been used within the last five years according to the terms and conditions of the rights and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
27. Diversion structures, pumps, canals, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
28. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
29. The proposed change in place of use would not result in enlargement of the rights.
30. The proposed change in place of use will not result in injury to other water rights.

Conclusions of Law

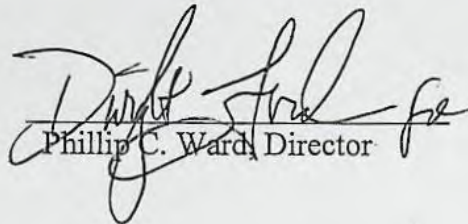
The change in place of use proposed in Transfer Application T-10998 satisfies the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed change to the District's water right evidenced by Certificates 79924, 79925, 79926, 79928 and 79929 are approved.
2. The right to the use of water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Water right certificates 79924, 79925, 79926, 79928 and 79929, any related decree and the Final Order approving T-10998.
3. A portion of the water right evidenced by Certificate 86395 is diminished from primary irrigation to supplemental irrigation as described in Findings of Fact #15.
4. A portion of the water right evidenced by water right Certificate 86394 is diminished from primary irrigation to supplemental irrigation as described in Findings of Fact #15.
5. A portion of the water right evidenced by water right Certificate 79938 is cancelled as further described in Finding of Fact #16.
6. A portion of the water right evidenced by water right Certificate 79943 is cancelled as further described in Finding of Fact #16.
7. A portion of the water right evidenced by water right Certificate 82169 is cancelled as further described in Finding of Fact #20.
8. A portion of the water right evidenced by water right Certificate 53069 is cancelled as further described in Finding of Fact #21.
9. A portion of the water right evidenced by water right Certificate 38585 is cancelled as further described in Findings of Fact #17, #18 and #19.
10. A portion of the water right evidenced by water right Certificate 79941 is cancelled as further described in Finding of Fact #24.
11. The former places of use shall no longer be irrigated as part of this water right.
12. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
13. The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2011.
14. A claim of Beneficial use (COBU) shall be submitted by West Extension Irrigation District to the Department by October 1, 2012.
15. Water right certificates 86395, 86394, 79938, 79943, 79941, 82169, 53069 and 38585 are cancelled. The Department will issue new certificates for those portions not involved in this transfer.

16. Water right certificates 79924, 79925, 79926, 79928 and 79929 are modified. The Department will issue superseding certificates describing the district's rights when it determines that is necessary for record keeping.

Dated at Salem, Oregon this 10 day of August, 2010.


Phillip C. Ward, Director

Mailing Date: AUG 11 2010

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRED WALKER
P.O. BOX 393
IRRIGON, OR 97844

confirms the right to use the waters of A WELL, within the COLUMBIA RIVER BASIN, for SUPPLEMENTAL IRRIGATION of 4.4 ACRES.

This right was perfected under Permit G-4257. The date of priority is SEPTEMBER 9, 1968. The amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.057 CUBIC FOOT 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:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
5 N	27 E	WM	19	SE SW	450 FEET NORTH AND 2150 FEET EAST FROM THE SW CORNER OF SECTION 19

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 ONE-EIGHTIETH 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 3.0 acre-feet per acre 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:

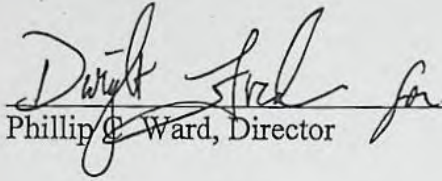
Twp	Rng	Mer	Sec	Q - Q	Acres
5 N	27 E	WM	19	SE SW	4.4

This certificate describes that portion of the water right confirmed by Certificate 38585, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 10 2010 , approving Transfer Application T-10998 and cancelling a portion of this right.

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.

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.

WITNESS the signature of the Water Resources Director, affixed AUG 10 2010.


Phillip C. Ward, Director

STATE OF OREGON
 COUNTY OF MORROW
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GRIEB FARMS, INC.
 STAR ROUTE
 LEXINGTON, OR 97839

confirms the right to use the waters of an UNNAMED DRAINAGEWAY, a tributary to the COLUMBIA RIVER, for SUPPLEMENTAL IRRIGATION of 38.0 ACRES.

This right was perfected under Permit S-41308. The date of priority is APRIL 19, 1976. The amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used and shall not exceed 0.55 CUBIC FOOT 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:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	13	NW SW	50 FEET SOUTH AND 700 FEET EAST FROM THE W¼ CORNER OF SECTION 13

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 ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. 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:

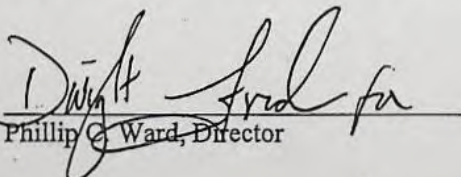
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	14	NE SE	32.9
4 N	25 E	WM	14	SE SE	5.1

This certificate describes that portion of the water right confirmed by Certificate 53069, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 10 2010, approving Transfer Application T-10998 and cancelling a portion of this right.

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.

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 Water Resources Director, affixed AUG 10 2010.


 Phillip G. Ward, Director

STATE OF OREGON
 COUNTY OF MORROW
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CRAIG PRITCHARD
 ROUTE 1 BOX 69
 BOARDMAN, OR 97818

confirms the right to use the waters of an UNNAMED DRAINAGEWAY, a tributary to the COLUMBIA RIVER, for SUPPLEMENTAL IRRIGATION of 91.5 ACRES.

This right was perfected under Permit 49571. The date of priority is AUGUST 9, 1985. The right is limited to an amount actually beneficially used and shall not exceed 1.92 CUBIC FOOT 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:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	13	NW SW	50 FEET SOUTH AND 700 FEET EAST FROM THE W¼ CORNER OF SECTION 13

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 ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer, provided further that the right allowed herein shall be limited to any deficiency in the available supply from other sources under prior existing rights for the same land and shall not exceed the limitation allowed herein.

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

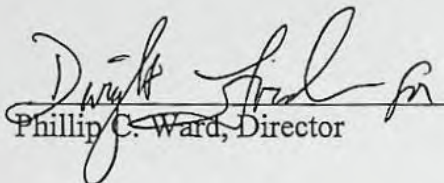
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	13	NW SW	30.0
4 N	25 E	WM	13	SW SW	18.0
4 N	25 E	WM	14	NE SE	32.9
4 N	25 E	WM	14	SE SE	10.6
TOTAL:					91.5

This certificate describes that portion of the water right confirmed by Certificate 82169, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 10 2010 , approving Transfer Application T-10998 and cancelling a portion of this right.

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.

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 Water Resources Director, affixed AUG 10 2010.


Phillip C. Ward, Director

STATE OF OREGON
 COUNTY OF MORROW
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HILLVIEW DAIRY INC.
 PO BOX 172
 BOARDMAN, OR 97818

confirms the right to use the waters of a TILE DRAIN LINE, a tributary to the COLUMBIA RIVER, for SUPPLEMENTAL IRRIGATION of 21.2 ACRES.

This right was perfected under Permit G-3231. The date of priority is MARCH 30, 1966. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.26 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	13	NE SW	810 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 13

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 ONE-EIGHTIETH 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 3.0 acre-feet per acre 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:

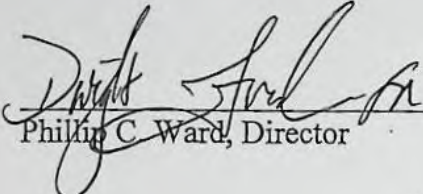
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	13	NE SW	18.2
4 N	25 E	WM	13	SE SW	1.8
4 N	25 E	WM	13	NW SE	1.2
TOTAL:					21.2

This certificate describes that portion of the water right confirmed by Certificate 79943, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 10 2010, approving Transfer Application T-10998 and cancelling a portion of this right.

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.

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 and is subject to all other conditions and limitations contained in said permit.

WITNESS the signature of the Water Resources Director, affixed AUG 10 2010.


Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF MORROW AND UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON POTATO, INC.
PO BOX 216
BOARDMAN, OR 97818

confirms the right to use the waters of the COLUMBIA RIVER , a tributary of the PACIFIC OCEAN for SUPPLEMENTAL IRRIGATION of 42.0 ACRES.

This right was perfected under Permit 31346. The date of priority is SEPTEMBER 23, 1966. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.72 CUBIC FOOT 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:

Twp	Rng	Mer	Sec	Q - Q	Lot	Measured Distances
5 N	27 E	WM	13	NW SW	4	2380 FEET NORTH AND 350 FEET EAST FROM THE SW CORNER OF SECTION 13

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 ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4½ acre-feet per acre 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:

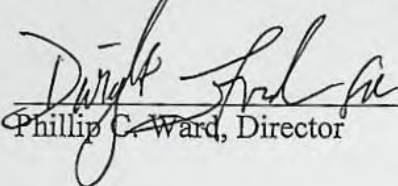
IRRIGATION							
Twp	Rng	Mer	Sec	Q - Q	TL	Acres	User
5 N	27 E	WM	22	SW NE	202	25.0	BROWN
5 N	27 E	WM	22	SE NE	202	16.2	BROWN
5 N	27 E	WM	22	SE NE	ROW	0.8	WEID
TOTAL:						42.0	

This certificate describes that portion of the water right confirmed by Certificate 79941, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 10 2010, approving Transfer Application T-10998 and cancelling a portion of this right and to correct a scrivener's error in describing the point of diversion location.

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.

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 and is subject to minimum flows established by the Water Policy Review Board with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed AUG 10 2010



Phillip C. Ward, Director

STATE OF OREGON
 COUNTY OF MORROW
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HILLVIEW DAIRY INC.
 PO BOX 172
 BOARDMAN, OR 97818

confirms the right to use the waters of a TILE DRAIN LINE, a tributary of the COLUMBIA RIVER for SUPPLEMENTAL IRRIGATION of 22.3 ACRES.

This right was perfected under Permit G-3231. The date of priority is MARCH 30, 1966. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.28 CUBIC FOOT PER SECOND , or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of appropriation is located as follows:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	13	NE SW	810 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 13

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 ONE-EIGHTIETH 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 3.0 acre-feet per acre 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:

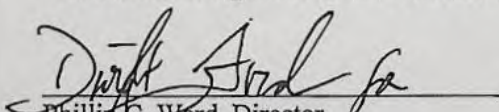
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	13	NE SW	12.9
4 N	25 E	WM	13	SE SW	9.0
4 N	25 E	WM	13	SW SE	0.4
TOTAL:					22.3

This certificate describes that portion of the water right confirmed by Certificate 79938, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 10 2010, approving Transfer Application T-10998 and cancelling a portion of this right.

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.

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 Water Resources Director, affixed AUG 10 2010.


 Phillip C. Ward, Director

STATE OF OREGON
COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GLENN S. CHOWNING
PO BOX 862
HERMISTON, OR 97838

confirms the right to use the waters of DEEP WELL NO. 2 and HILLVIEW WELL NO. 4, within the UMATILLA BASIN for IRRIGATION of 0.8 ACRES and for SUPPLEMENTAL IRRIGATION of 10.7 ACRES.

The right was perfected under G-9811. The date of priority is FEBRUARY 4, 1982. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.14 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q - Q	Measured Distances
Deep Well No. 2	4 N	25 E	WM	13	SW NE	330 FEET NORTH AND 1310 FEET EAST FROM THE C1/4 CORNER OF SECTION 13
Hillview Well No.4	4 N	25 E	WM	13	SE NE	3840 FEET NORTH AND 2440 FEET EAST FROM THE S1/4 CORNER OF SECTION 13

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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre 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:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	13	NE SE	0.7
4 N	25 E	WM	13	SE SE	0.1
TOTAL:					0.8

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 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.

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	13	NE SE	8.5
4 N	25 E	WM	13	SE SE	2.2
TOTAL:					10.7

This certificate describes that portion of the water right confirmed by Certificate 86394 State Record of Water Right Certificates, as modified by the provisions of an order of the Water Resources Director entered AUG 10 2010, approving Transfer Application T-10998 and diminishing a portion of this right.

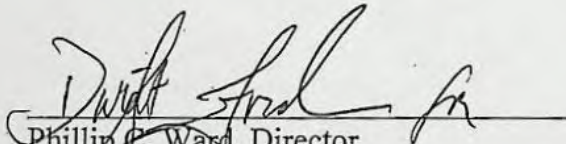
The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.

The water user shall maintain in-line flow meters or other suitable devices for measuring and recording the quantity of water appropriated.

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.

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.

WITNESS the signature of the Water Resources Director, affixed AUG 10 2010.


 Phillip C. Ward, Director
 Water Resources Department

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TERRA POMA LAND CO, LLC
GLENN CHOWNING
PO BOX 862
HERMISTON, OR 97838

confirms the right to use the waters of HILLVIEW SUMP WELL #5 in the COLUMBIA RIVER BASIN for IRRIGATION OF 11.5 ACRES and SUPPLEMENTAL IRRIGATION OF 228.9 ACRES.

This right was perfected under Permit G-13419. The date of priority is FEBRUARY 7, 1997. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and SHALL NOT EXCEED 1.5 CUBIC FEET PER SECOND (CFS), being, in any combination, no more than 0.146 cfs for IRRIGATION and 1.5 cfs for SUPPLEMENTAL IRRIGATION, or its equivalent in case of rotation, measured at the well.

The period of allowed use is March 1 through October 31 of each year.

The well is located as follows:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	13	SE NE	3800 FEET NORTH AND 2460 FEET EAST FROM THE S1/4 CORNER OF SECTION 13

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 for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre 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:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	13	NE SE	1.8
4 N	25 E	WM	13	NW SE	9.7
TOTAL:					11.5

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 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.

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	13	NE NE	4.3
4 N	25 E	WM	13	NW NE	29.4
4 N	25 E	WM	13	SW NE	34.5
4 N	25 E	WM	13	SW NE	6.9
4 N	25 E	WM	13	SE NE	16.6
4 N	25 E	WM	13	NE NW	6.5
4 N	25 E	WM	13	SE NW	8.4
4 N	25 E	WM	13	SE SW	23.5
4 N	25 E	WM	13	NE SE	20.5
4 N	25 E	WM	13	NW SE	14.9
4 N	25 E	WM	13	SW SE	32.2
4 N	25 E	WM	13	SE SE	31.2
TOTAL:					228.9

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

This certificate describes that portion of the water right confirmed by Certificate 86395 State Record of Water Right Certificates, as modified by the provisions of an order of the Water Resources Director entered AUG 10 2010 , approving Transfer Application T-10998 and diminishing a portion of this right.

If substantial interference with a senior water right occurs due to withdrawal of water from the well listed on this right, then use of water from the well shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences. The use of water shall be limited when it interferes with any prior surface or ground water rights.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

Ground water for use under this right shall be produced from no deeper than 15 feet below land surface.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at

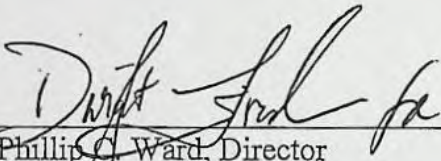
all times.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end. Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

WITNESS the signature of the Water Resources Director, affixed AUG 10 2010, 2010.


Phillip C. Ward, Director
Water Resources Department

STATE OF OREGON

COUNTY OF MORROW AND UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON POTATO, INC.
 PO BOX 216
 BOARDMAN, OR 97818

confirms the right to use the waters of the COLUMBIA RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION of 427.2 ACRES.

This right was perfected under Permit 31346. The date of priority is SEPTEMBER 23, 1966. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 7.39 CUBIC FOOT 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:

Twp	Rng	Mer	Sec	Q - Q	Lot	Measured Distances
5 N	27 E	WM	13	NW SW	4	2380 FEET NORTH AND 350 FEET EAST FROM THE SW CORNER OF SECTION 13

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 ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4½ acre-feet per acre 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:

Twp	Rng	Mer	Sec	Q - Q	Acres
5 N	27 E	WM	21	SE NE	0.4
5 N	27 E	WM	21	NE SW	4.1
5 N	27 E	WM	21	SW SW	11.4
5 N	27 E	WM	21	SE SW	25.3
5 N	27 E	WM	21	NE SE	36.0
5 N	27 E	WM	21	NW SE	22.1
5 N	27 E	WM	21	SW SE	40.0
5 N	27 E	WM	21	SE SE	39.6
5 N	27 E	WM	22	NE SW	40.0
5 N	27 E	WM	22	NW SW	40.0
5 N	27 E	WM	22	SW SW	37.5
5 N	27 E	WM	22	SE SW	37.4
5 N	27 E	WM	22	NE SE	18.8

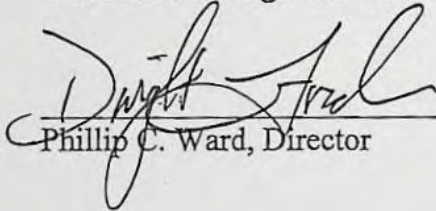
Twp	Rng	Mer	Sec	Q - Q	Acres
5 N	27 E	WM	22	NW SE	40.0
5 N	27 E	WM	22	SW SE	20.0
5 N	27 E	WM	22	SE SE	0.7
5 N	27 E	WM	28	NE NE	7.8
5 N	27 E	WM	28	NW NE	6.1
TOTAL:					427.2

This certificate is issued to correct a scrivener's error in the description of the point of diversion location and supersedes the water right confirmed by Certificate 79936, 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.

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 and is subject to minimum flows established by the Water Policy Review Board with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed AUG 10 2010.


 Phillip C. Ward, Director

S-237

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application) FINAL ORDER APPROVING
T-10875, Umatilla County) 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

WEST EXTENSION IRRIGATION DISTRICT
P.O. BOX 100
IRRIGON, OR 97844

Findings of Fact

Background

1. On May 11, 2009, WEST EXTENSION IRRIGATION DISTRICT filed an application to temporarily change the place of use under Certificates 79924, 79926, 79928, 79929 and 79930 for a period of one year. The Department assigned the application number T-10875.
2. On July 10, 2009, the Department received amendments correcting the transfer maps and application. Pursuant to OAR 690-385-3110, West Extension Irrigation District specified water use on the "FROM" lands and proposed "TO" lands under existing Certificates 44107, 62156, 79940, 82169, 53069 and Permit G-12054 will not be used or transferred during the course of the 2009 Irrigation Season, and are fully described in Findings of Facts #6, #8, #11 and #14.
3. The portion of the FIRST primary right and its layered supplemental water right to be transferred are as follows:
 - Certificate:** 79924 in the name of WEST EXTENSION IRRIGATION DISTRICT (confirmed by the Umatilla River Decree)
 - Use:** IRRIGATION of 31.1 ACRES
 - Priority Date:** APRIL 14, 1893
 - Rate:** 0.39 CUBIC FOOT PER SECOND (cfs)

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 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 60days 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	Q - Q	Measured Distances
5 N	28 E	WM	28	SW SW	1100 FEET NORTH AND 520 FEET EAST FROM THE SW CORNER OF SECTION 28

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

Use: SUPPLEMENTAL IRRIGATION of 31.1 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate/Duty: 0.33 CUBIC FOOT PER SECOND (cfs), limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79924 (IR)	Certificate 79929 (IS)	
5 N	26 E	WM	36	NE SW	400	10.50	10.50	McNamee
5 N	26 E	WM	36	SE SW	400	6.30	6.30	McNamee
5 N	26 E	WM	36	NW SE	400	14.30	14.30	McNamee
TOTAL:						31.10	31.10	

4. Transfer Application T-10875 proposes to temporarily change the place of use of the rights to:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79924 (IR)	Certificate 79929 (IS)	
5 N	26 E	WM	26	NE SW	400	0.25	0.25	McNamee
5 N	26 E	WM	26	SE SW	400	20.25	20.25	McNamee
5 N	26 E	WM	26	NW SE	400	1.60	1.60	McNamee
5 N	26 E	WM	26	SW SE	400	9.00	9.00	McNamee
TOTAL:						31.1	31.1	

5. The portion of the SECOND primary right and its layered supplemental water right to be transferred are as follows:

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

Use: IRRIGATION OF 36.4 ACRES

Priority Date: MARCH 28, 1909

Rate & Duty: 2.61 CFS per acre and shall be further limited to a diversion of not to exceed 2.0 ACRE-FEET PER ACRE IN ANY 30 DAY PERIOD and NOT TO EXCEED 10.0 ACRE-FEET per acre throughout the irrigation season

Source: UMATILLA RIVER, a tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

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

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

Use: SUPPLEMENTAL IRRIGATION of 34.4 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate/Duty: 0.37 CUBIC FOOT PER SECOND (cfs), limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79926 (IR)	Certificate 79929 (IS)	
4 N	24 E	WM	23	NE NE	100	0.30	0.30	Morrow County
4 N	24 E	WM	23	NW NE	200	0.25	0.25	Morrow County
4 N	24 E	WM	23	NE NW	300	0.30	0.30	Morrow County
4 N	24 E	WM	23	NW NW	400	0.15	0.15	Morrow County
4 N	24 E	WM	23	NW NW	401	0.10	0.10	Morrow County
4 N	24 E	WM	24	NE NE	100	0.30	0.30	Morrow County
4 N	24 E	WM	24	NW NE	200	0.30	0.30	Morrow County
4 N	24 E	WM	24	NE NW	300	0.30	0.30	Morrow County
4 N	24 E	WM	24	NW NW	400	0.30	0.30	Morrow County
4 N	24 E	WM	24	SW NW	500	20.0	20.0	Suter
4 N	24 E	WM	24	NW SW	500	1.40	1.40	Suter
4 N	25 E	WM	14	NE SE	1905	1.80	** 1.80	G. Neal
4 N	25 E	WM	14	NE SE	1906	1.80	** 1.80	G. Neal
4 N	25 E	WM	14	NE SE	1907	1.50	** 1.50	G. Neal
4 N	25 E	WM	19	NE NE	100	0.30	0.30	Morrow County
4 N	25 E	WM	19	NW NE	100	0.30	0.30	Morrow County
4 N	25 E	WM	19	NE NW	100	0.30	0.30	Morrow County
4 N	25 E	WM	19	NW NW	100	0.30	0.30	Morrow County
4 N	25 E	WM	19	NW NW	200	0.10	0.10	Morrow County
4 N	25 E	WM	19	NW NW	201	0.10	0.10	Morrow County

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79926 (IR)	Certificate 79929 (IS)	
4 N	25 E	WM	20	NW NW	1000	0.10	0.10	Morrow County
4 N	25 E	WM	20	NW NW	1200	0.20	0.20	Morrow County
5 N	26 E	WM	36	NE SW	400	1.70	* --	McNamee
5 N	26 E	WM	36	NW SE	400	0.30	* --	McNamee
5 N	26 E	WM	36	SW SE	400	3.90	3.90	McNamee
TOTAL:						36.40	34.40	

6. West Extension Irrigation District has stated in the transfer application that portions of water right Certificates 79940, 82169 and 53069 for supplemental irrigation, existing on the "FROM" lands will not be used or transferred during the term of this temporary transfer. The affected rights are described as follows:

* Supplemental Irrigation Under Certificate 79940 - Portion not to be used during 2009 Irrigation Season						
Twp	Rng	Mer	Sec	Q - Q	TL	Acres
5 N	26 E	WM	36	NE SW	400	1.7
5 N	26 E	WM	36	NW SE	400	0.3

** Primary Irrigation Under Certificate 82169 and Supplemental Irrigation Under Certificate 53069 - Portions not to be used during 2009 Irrigation Season						
Twp	Rng	Mer	Sec	Q - Q	TL	Acres
4 N	25 E	WM	14	NE SE	1905	1.8
4 N	25 E	WM	14	NE SE	1906	1.8
4 N	25 E	WM	14	NE SE	1907	1.5

7. Transfer Application T-10875 proposes to temporarily change the place of use of the rights to:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79926 (IR)	Certificate 79929 (IS)	
4 N	24 E	WM	13	NW NW	I-84 RW	3.10	*3.10	ODOT Rest Area
4 N	24 E	WM	13	SW NW	I-84 RW	2.00	*2.00	ODOT Rest Area
4 N	25 E	WM	20	SW NE	7300	3.40	3.40	K. Smith
4 N	25 E	WM	20	SE NW	101	0.80	0.80	K. Smith
4 N	25 E	WM	20	NE SW	802	8.20	8.20	K. Smith
4 N	25 E	WM	20	NE SE	802	6.60	**6.60	K. Smith
4 N	25 E	WM	20	NW SE	802	6.40	**6.40	K. Smith
5 N	26 E	WM	26	SE SW	400	5.90	3.90	McNamee
TOTAL:						36.40	34.40	

8. West Extension Irrigation District has stated in the transfer application that portions of water right Certificates 62156 and 44107 for primary irrigation and Permit G-12054 for supplemental irrigation existing on the "TO" lands will not be used or transferred during the term of this temporary transfer. The affected rights are described as follows:

* Primary Irrigation Under Certificate 62156 - Suppl. Irrigation Under Permit G-12054 - Portions not to be used during 2009 Irrigation Season						
Twp	Rng	Mer	Sec	Q - Q	TL	Acres
4 N	24 E	WM	13	NW NW	400	3.1
4 N	24 E	WM	13	SW NW	400	2.0

** Primary Irrigation Under Certificate 44107 - Portion not to be used during 2009 Irrigation Season						
Twp	Rng	Mer	Sec	Q - Q	TL	Acres
4 N	25 E	WM	20	NE SE	802	6.60
4 N	25 E	WM	20	NW SE	802	6.40

9. The portion of the THIRD primary right and its layered supplemental water right to be transferred are as follows:

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

Use: IRRIGATION of 150.9 ACRES

Priority Date: September 12, 1968

Rate & Duty: 3.77 CUBIC FEET PER SECOND (cfs), limited to ONE-FORTIETH of one cfs and 4.5 acre-feet for each acre irrigated during the irrigation season of each year

Source: UMATILLA RIVER, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

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

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

Use: SUPPLEMENTAL IRRIGATION of 150.9 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate/Duty: 1.59 CUBIC FEET PER SECOND (cfs), limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79928 (IR)	Certificate 79929 (IS)	
4 N	25 E	WM	16	SW SW	500	0.10	0.10	Morrow County
4 N	26 E	WM	4	NE NE	101	7.60	7.60	Kaizen Holdings
4 N	26 E	WM	4	NW NE	101	8.60	8.60	Kaizen Holdings
4 N	26 E	WM	4	SW NE	101	11.80	11.80	Kaizen Holdings
4 N	26 E	WM	4	SE NE	101	12.00	12.00	Kaizen Holdings
5 N	26 E	WM	36	SW SE	800	4.00	4.00	Anacapa Land Co.
5 N	26 E	WM	36	SE SE	800	16.40	16.40	Anacapa Land Co.
5 N	27 E	WM	31	NE NE	100	14.90	14.90	Anacapa Land Co.
5 N	27 E	WM	31	NW NE	100	7.30	7.30	Anacapa Land Co.
5 N	27 E	WM	31	SW NE	100	9.60	9.60	Anacapa Land Co.
5 N	27 E	WM	31	SE NE	100	11.10	11.10	Anacapa Land Co.
5 N	27 E	WM	31	SE NW	100	3.70	3.70	Anacapa Land Co.
5 N	27 E	WM	31	NE SW	100	4.80	4.80	Anacapa Land Co.
5 N	27 E	WM	31	NW SW	100	11.10	11.10	Anacapa Land Co.
5 N	27 E	WM	31	SW SW	100	2.20	2.20	Anacapa Land Co.
5 N	27 E	WM	31	SE SW	100	7.50	7.50	Anacapa Land Co.
5 N	27 E	WM	31	SE SW	101	1.00	1.00	City of Irrigon
5 N	27 E	WM	31	NE SE	100	4.60	4.60	Anacapa Land Co.
5 N	27 E	WM	31	NW SE	100	0.30	0.30	Anacapa Land Co.
5 N	27 E	WM	31	SW SE	100	4.30	4.30	Anacapa Land Co.
5 N	27 E	WM	31	SE SE	100	8.00	8.00	Anacapa Land Co.
TOTAL:						150.90	150.90	

10. Transfer Application T-10875 proposes to temporarily change the place of use of the rights to:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79928 (IR)	Certificate 79929 (IS)	
4 N	25 E	WM	20	NE SE	802	13.30	*13.30	K. Smith
4 N	25 E	WM	20	NW SE	802	32.70	*32.70	K. Smith
4 N	25 E	WM	20	SW SE	802	32.40	*32.40	K. Smith
4 N	25 E	WM	20	SE SE	802	32.50	*32.50	K. Smith
4 N	26 E	WM	4	SW SE	201	1.50	1.50	Kaizen Holdings
4 N	26 E	WM	4	SE SE	201	18.20	18.20	Kaizen Holdings
4 N	26 E	WM	9	NE NE	100	18.80	18.80	Kaizen Holdings
4 N	26 E	WM	9	NW NE	100	1.50	1.50	Kaizen Holdings
TOTAL:						150.90	150.90	

11. As part of transfer application T-10875, West Extension Irrigation District stated that a portion of water right Certificate 44107 for primary irrigation, existing on the "TO" lands will not be used or transferred during the term of this temporary transfer. The affected right is described as follows:

* Primary Irrigation Under Certificate 44107 - Portion not to be used during 2009 Irrigation Season						
Twp	Rng	Mer	Sec	Q - Q	TL	Acres
4 N	25 E	WM	20	NE SE	802	13.30
4 N	25 E	WM	20	NW SE	802	32.70
4 N	25 E	WM	20	SW SE	802	32.40
4 N	25 E	WM	20	SE SE	802	32.50

12.

The portion of the FOURTH primary right and its layered supplemental water right to be transferred are as follows:

Certificate: 79930, issued in the name of WEST EXTENSION IRRIGATION DISTRICT
(perfected under Permit S-33883)

Use: IRRIGATION OF 12.5 ACRES

Priority Date: FEBRUARY 26, 1969

Rate & Duty: 0.31 CUBIC FOOT PER SECOND (cfs), limited to ONE-FORTIETH of one cfs and 4.5 acre-feet for each acre irrigated during the irrigation season of each year

Source: UMATILLA RIVER, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

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

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

Use: SUPPLEMENTAL IRRIGATION of 12.5 ACRES

Priority Date: SEPTEMBER 12, 1968

Rate/Duty: 0.13 CUBIC FOOT PER SECOND (cfs), limited to ONE-FORTIETH of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion on not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year

Source: COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

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

Authorized Places of Use:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79930 (IR)	Certificate 79929 (IS)	
4 N	25 E	WM	13	SW SW	400	12.50	12.50	Bailey

13. Transfer Application T-10875 proposes to temporarily change the place of use of the rights to:

IRRIGATION (IR) and SUPPLEMENTAL IRRIGATION (IS)								
Twp	Rng	Mer	Sec	Q - Q	Tax Lot	ACRES		User
						Certificate 79930 (IR)	Certificate 79929 (IS)	
4 N	25 E	WM	20	NE SE	802	12.50	*12.50	K. Smith

14. West Extension Irrigation District has stated in the transfer application that a portion of water right Certificate 44107 for primary irrigation, existing on the "TO" lands, will not be used or transferred during the term of this temporary transfer. The affected right is as follows:

* Primary Irrigation Under Certificate 44107 - Portion not to be used during 2009 Irrigation Season						
Twp	Rng	Mer	Sec	Q - Q	TL	Acres
4 N	25 E	WM	20	NE SE	802	12.50

15. Notice of the application for transfer was published on May 26, 2009, pursuant to ORS 540.570 and OAR 690-385-3400. No comments were filed in response to the notice.
16. Water has been used within the last five years according to the terms and conditions of the rights and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
17. Diversion structures, pumps, canals, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
18. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
19. The proposed changes would not result in enlargement of the rights.
20. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.570(6) if the Department later finds that the transfer is causing injury to any existing water right.
21. The district temporary transfer application satisfies the criteria of OAR 690-385-3000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.

Conclusions of Law

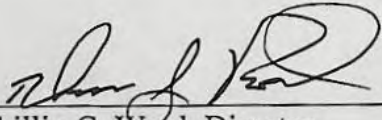
The temporary changes in place of use proposed in Transfer Application T-10875 are consistent with the requirements of ORS 540.570 and OAR 690-385-3000.

Now, therefore, it is ORDERED:

1. The proposed, temporary changes to the water rights evidenced by Certificates 79924, 79926, 79928, 79929 and 79930 are approved.
2. The temporary transfer is effective for the 2009 irrigation season.

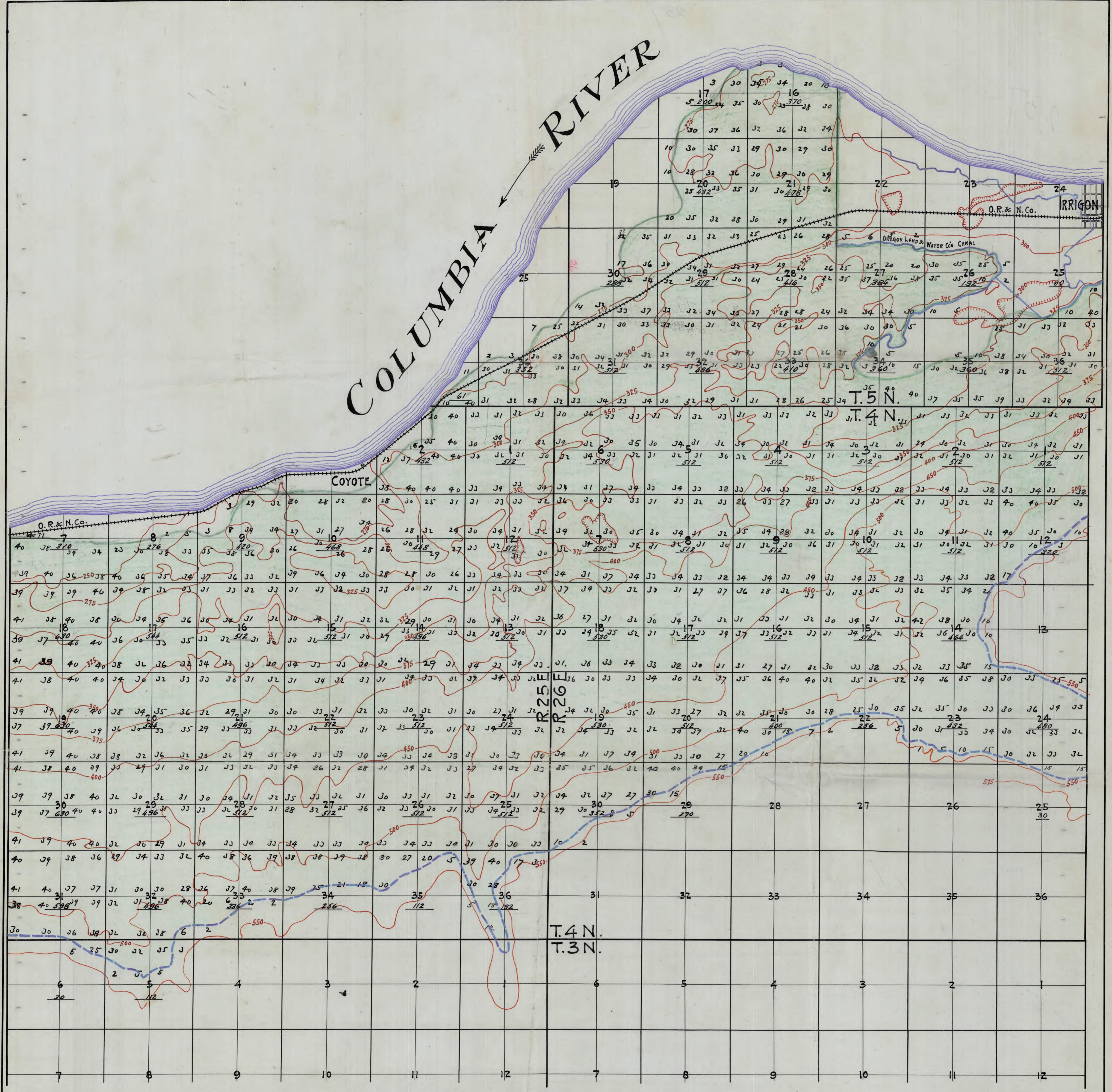
3. The former places of use **shall not** be irrigated as part of these water rights during the 2009 irrigation season.
4. At the end of the 2009 irrigation season all use of water under this temporary transfer shall automatically revert to the terms and conditions of the original water right permit, certificates or adjudication as evidenced by a court decree.
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. A subsequent application for permanent transfer of Certificates 79924, 79926, 79928, 79929 and 79930 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 79924, 79926, 79928, 79929 and 79930.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
9. The portions of Certificates 44107, 62156, 79940, 82169 53069 and water use Permit G-12054 described in Findings of Fact #6, #8, #11 and #14 will not be used or transferred during the 2009 irrigation season.
10. The use of the remaining water rights described by Certificates 79924, 79926, 79928, 79929 and 79930 shall continue to be in accordance with the terms and conditions of Certificates 79924, 79926, 79928, 79929 and 79930.
11. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.

Dated at Salem, Oregon this 27 day of August, 2009.


Phillip C. Ward, Director

Mailing Date: AUG 31 2009

COLUMBIA RIVER



IRRIGABLE ACREAGES IN:

T3NR25E =	142 ACRES
T4NR25E =	14,954 ..
T5NR25E =	413 ..
T4NR26E =	11,680 ..
T5NR26E =	5,982 ..
TOTAL =	33,171 ..

Application No. 237
Permit No. 408

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
EXTENSION OF
WEST UMATILLA PROJECT - OREGON
IRRIGABLE ACREAGES IN T.3 N. R.S. 25^{AND} 26 E.,
T.4 N. R.S. 25^{AND} 26 E., AND T.5 N. R.S. 25^{AND} 26 E.

HERMISTON, OREGON. SCALE 2 IN = 1 MILE
SEPTEMBER, 1909. SHEET #2

LEGEND-

TOTAL IRRIGABLE ACREAGE IN EACH SECTION SHOWN THUS- 322.
IRRIGABLE LANDS SHOWN THUS
Small figures in corners of 1/4 sections indicate irrigable areas in corresponding 40 acre tracts.

CERTIFICATE OF SURVEYOR
State of Oregon }
County of Multnomah } S.S.
I, E. G. Hopson of Portland Ore. hereby certify that this map was made from notes taken during actual surveys made under my immediate supervision during 1906, 1907, 1908, and 1909 and that it correctly represents the works described in the accompanying application, together with the location of streams and other ditches in the immediate vicinity.
E. G. Hopson
Supervising Engineer, U.S. Reclamation Service

Subscribed and sworn to before me this 16th day of September 1909

Shirley Rust
Notary Public

Map to accompany application No. 237

COLUMBIA RIVER



IRRIGABLE ACREAGE IN:

T4NR27E = 1990 ACRES
 T5NR27E = 2326 ..
 T4NR28E = 2998 ..
 T5NR28E = 980 ..
TOTAL = 8294 ..

CERTIFICATE OF SURVEYOR

State of Oregon,)
 County of Multnomah,) s.s.
 I, E.G. Hopson, of Portland, Ore., hereby certify that this map was made from notes taken during actual surveys made under my immediate supervision during 1906, 1907, 1908 and 1909, and that it correctly represents the works described in the accompanying application, together with the location of streams and other ditches in the immediate vicinity.

E.G. Hopson
 Supervising Engineer, U.S. Reclamation Service.

Subscribed and sworn to before me this 14th day of September, 1909.

Notary Public for Oregon.

LEGEND-

TOTAL IRRIGABLE ACREAGE IN EACH SECTION SHOWN THUS- 123.

IRRIGABLE LANDS SHOWN THUS-

Small figures in corners of 1/4 sections indicate irrigable areas in corresponding 40-acre tracts.

DEPARTMENT OF THE INTERIOR

UNITED STATES RECLAMATION SERVICE
 EXTENSION OF
 WEST UMATILLA PROJECT - OREGON

IRRIGABLE ACREAGES IN T.4 N. RS. 27^{AND} 28 E.
 AND T.5 N. RS. 27^{AND} 28 E.

HERMISTON, OREGON.

SCALE 2 IN = 1 MILE
 SHEET #1

SEPTEMBER, 1909.

Application No. 408
 Permit No. 237

CERTIFICATE OF SURVEYOR
 State of Oregon }
 County of Multnomah }
 I, E. G. Hapson, of Portland, Ore., hereby certify that
 this map was made from notes taken during actual surveys made
 under my immediate supervision during 1906, 1907, 1908, and 1909
 and that it correctly represents the works described in the
 accompanying application, together with the location of streams and
 other ditches in the immediate vicinity.
 E. G. Hapson
 Supervising Engineer U.S. Reclamation Service
 Subscribed and sworn to before me this 16th day of September 1909.
 Shirley Buck
 Notary Public

DEPARTMENT OF THE INTERIOR
 UNITED STATES RECLAMATION SERVICE
 EXTENSION OF
 WEST UMATILLA PROJECT - OREGON

IRRIGABLE ACREAGES IN T. 3 N. R. 22, 23 AND 24 E.
 AND T. 4 N. R. 22, 23 AND 24 E.

HERMISTON, OREGON. SCALE 2 IN = 1 MILE
 SHEET #3 SEPTEMBER, 1909.

TOTAL IRRIGABLE ACREAGE IN:

T4N R22E = 365 ACRES
 T3N R23E = 644 ..
 T4N R23E = 6836 ..
 T3N R24E = 1056 ..
 T4N R24E = 9484 ..
 TOTAL = 18385 ..

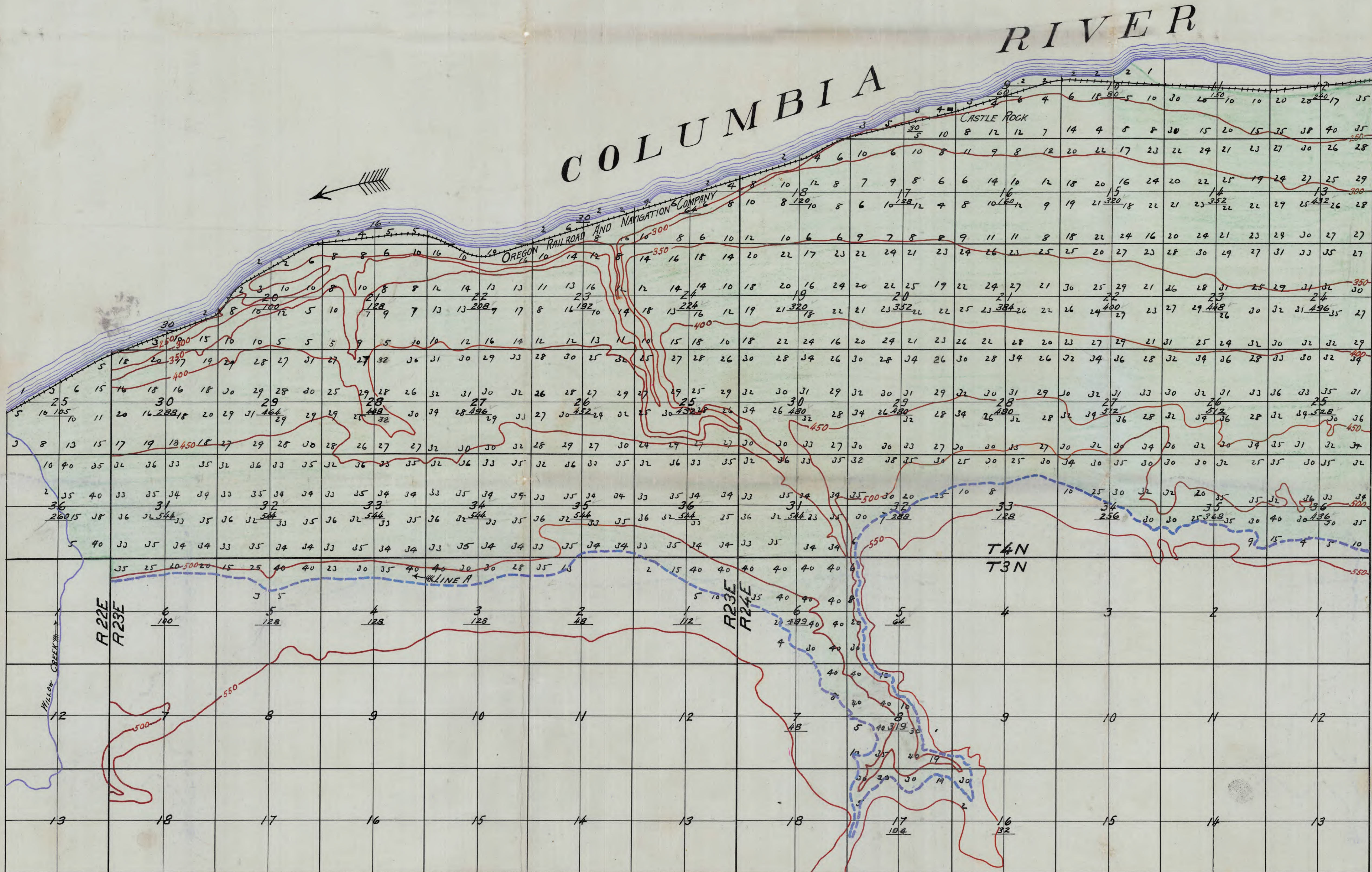
LEGEND-

TOTAL IRRIGABLE ACREAGE IN EACH SECTION SHOWN THUS: 123

IRRIGABLE LAND SHOWN THUS: [Green Box]

Small figures in corners of 1/4 sections indicate
 irrigable areas in corresponding 40 acre tracts.

Application No. 2387
 Permit No. 7408



Total acreage 4883.0
 Vol 83
 Cancel 35 426 - 14.8
 36 485 - 24.0
 - 8.0
 Remaining Total 4836.2

STATE OF OREGON
 COUNTY OF UMATILLA

148 ac.
 part Cancelled - sp. or Rec. Vol. 35 P. 426
 See T 3559 transferred 148 ac.
 from NW⁴SW⁴ to SW⁴SW⁴ Sec 14
 T. 4 N 25 E

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, That the UNITED STATES RECLAMATION SERVICE of Portland, State of Oregon, has made proof to the satisfaction of the State Engineer of Oregon, of a right to the use of the waters of the Umatilla River for the purpose of irrigation under Permit No. 408 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 28, 1909; that the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid, is limited to an amount beneficially used for said purposes, and shall not exceed 550 = 0.0716772 cfs cubic feet per second and shall be further limited to not to exceed 2 acre feet per acre in any one 30 day period and not to exceed 10 acre feet per acre throughout the irrigation season. The point of diversion is located in the SW¹SW¹ of Section 28, Township 5 North, Range 28 East, W. M. 13.951437 P. 200

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

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall not exceed the quantity specified above for each acre irrigated, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose) is as follows:

- | | |
|---|---|
| 30 acres in the NE-SW ¹ ,
30 acres in the NW-SW ¹ ,
30 acres in the NE-SE ¹ ,
30 acres in the NW-SE ¹ ,
20 acres in the SW-SE ¹ ,
20 acres in the SE-SE ¹ ,
Section 12, | 34 acres in the NE-NE ¹ ,
40 acres in the NW-NE ¹ ,
38 acres in the SW-NE ¹ ,
37 acres in the SE-NE ¹ ,
38 acres in the NE-NW ¹ ,
40 acres in the NW-NW ¹ ,
40 acres in the SW-NW ¹ ,
40 acres in the SE-NW ¹ ,
2 acres in the NW-SW ¹ ,
5 acres in the NE-SW ¹ ,
5 acres in the NW-SE ¹ ,
5 acres in the NE-SE ¹ ,
Section 24,
Township 4 North, Range 24 East, W. M. |
| 34 acres in the SW-NE ¹ ,
53 acres in the SE-NE ¹ ,
15 acres in the SW-NW ¹ ,
35 acres in the SE-NW ¹ ,
40 acres in the NE-SW ¹ ,
35 acres in the NW-SW ¹ ,
35 acres in the SW-SW ¹ ,
34 acres in the SE-SW ¹ ,
40 acres in the NE-SE ¹ ,
35 acres in the NW-SE ¹ ,
30 acres in the SW-SE ¹ ,
40 acres in the SE-SE ¹ ,
Section 15, | 18 acres in Lot 2,
18 acres in Lot 3,
12 acres in Lot 4,
25 acres in Lot 5,
28 acres in the NE-SW ¹ ,
12 acres in the SE-SW ¹ ,
40 acres in the NE-SE ¹ ,
22 acres in the NW-SE ¹ ,
Section 7, |
| 30 acres in the SW-SW ¹ ,
20 acres in the SE-SW ¹ ,
20 acres in the SE-SE ¹ ,
Section 14, | 20 acres in Lot 3,
20 acres in Lot 4,
30 acres in the NE-SW ¹ ,
39 acres in the NW-SW ¹ ,
40 acres in the SW-SW ¹ ,
39 acres in the SE-SW ¹ ,
31 acres in the NW-SE ¹ ,
25 acres in the SW-SE ¹ ,
20 acres in the SE-SE ¹ ,
Section 8, |
| 40 acres in the NE-NE ¹ ,
37 acres in the NW-NE ¹ ,
38 acres in the SE-NE ¹ ,
40 acres in the NE-NW ¹ ,
40 acres in the NW-NW ¹ ,
15 acres in the SW-NW ¹ ,
37 acres in the SE-NW ¹ ,
Section 23, | |

Cancelled - sp. or Rec. Vol. 36 P. 465
 T-3349

(1) T-5067 A POV 20-26

Checked
To Here
GIN

-5157 A POU 6⁷ 40 acres in the SE¹NE¹,
Section 10,

-4780 A POU
6.8-72 40 acres in the SW¹NW¹,
40 acres in the NE¹SW¹,
25 acres in the NW¹SW¹,
22 acres in the SE¹SW¹,
40 acres in the SW¹SE¹,
Section 11,

360
35 acres in the NW¹NW¹,
40 acres in the SW¹NW¹,
7 acres in the SE¹NW¹,
15 acres in the NE¹SW¹,
40 acres in the NW¹SW¹,
18 acres in the SW¹SW¹,
Section 13,

259
28 acres in the NE¹NW¹,
39 acres in the SW¹NW¹,
40 acres in the SE¹NW¹,
40 acres in the NE¹SW¹,
31 acres in the NW¹SW¹,
16 acres in the SE¹SW¹,
35 acres in the NE¹SE¹,
25 acres in the NW¹SE¹,
5 acres in the SE¹SE¹,
Section 14,

430
31 acres in the SW¹NE¹,
40 acres in the SE¹NE¹,
30 acres in the SW¹NW¹,
35 acres in the SE¹NW¹,
37 acres in the NE¹SW¹,
38 acres in the NW¹SW¹,
39 acres in the SW¹SW¹,
39 acres in the SE¹SW¹,
40 acres in the NE¹SE¹,
40 acres in the NW¹SE¹,
37 acres in the SW¹SE¹,
24 acres in the SE¹SE¹,
Section 15,

32 acres in the SE¹NE¹,
20 acres in the SE¹SE¹,
Section 16,

T-4651-10
T#3651-152
T#3651-111
228
25 acres in the NE¹NW¹,
25 acres in the NW¹NW¹,
25 acres in the SW¹NW¹,
25 acres in the SE¹NW¹,
15 acres in the NE¹SW¹,
30 acres in the NW¹SW¹,
31 acres in the SW¹SW¹,
Section 17,

302
33 acres in the NE¹NE¹,
22 acres in the NW¹NE¹,
40 acres in the SW¹NE¹,
33 acres in the SE¹NE¹,
47 acres in Lot 2,
35 acres in the SE¹NW¹,
52 acres in Lot 3,
40 acres in the NE¹SW¹,
Section 18,

55 acres in Lot 4,
40 acres in the SE¹SW¹,
20 acres in the NE¹SE¹,
35 acres in the NW¹SE¹,
25 acres in the SW¹SE¹,
39 acres in the SE¹SE¹,
214
Section 18,

370
40 acres in the NE¹NE¹,
30 acres in the NW¹NE¹,
40 acres in the SW¹NE¹,
40 acres in the SE¹NE¹,
40 acres in the NE¹NW¹,
55 acres in Lot 1,
55 acres in Lot 2,
40 acres in the SE¹NW¹,
370
Section 19,

100
29 acres in the NE¹NE¹,
22 acres in the NW¹NE¹,
32 acres in the NE¹NW¹,
35 acres in the NW¹NW¹,
36 acres in the SW¹NW¹,
12 acres in the SE¹NW¹,
100
Section 20,

15 acres in the NW¹NW¹,
Section 21,

7 acres in the NW¹NE¹,
19 acres in the NE¹NW¹,
19 acres in the NW¹NE¹,
Section 22,

Township 4 North, Range 25 East, W. M.

10 acres in the NE¹NW¹,
20 acres in the NW¹NW¹,
Section 1,

40 acres in Lot 10,
54 acres in Lot 9,
184
Section 2,

5 acres in the SW¹NE¹,
25 acres in the SE¹NE¹,
15 acres in the SW¹SW¹,
15 acres in the SE¹SW¹,
20 acres in the NW¹SE¹,
80
Section 3,

Township 4 North, Range 26 East, W. M.

35 acres in Lot 3,
5 acres in Lot 4,
Section 15,

1 acre in Lot 6,
6 acres in Lot 7,
2 acres in the NE¹SW¹,
3 acres in the NW¹SW¹,
2 acres in the NE¹SE¹,
2 acres in the NW¹SE¹,
Section 23,

25 acres in the NE¹SE¹,
81
Section 26,

T-4280-POU 15' ac

A T#3559
APOU H&B ac
to SW¹SW¹
Cancelled
Sp. Or. V35P426

* see Strapp # 237
any change (1/13/75)

10142

35 acres in the SE-SE₄,
Section 35,

30 acres in the SW-SW₄,
20 acres in the SE-SW₄,
38 acres in the NE-SE₄,
20 acres in the NW-SE₄,
27 acres in the SW-SE₄,
170 Section 36,

Township 5 North, Range 26 East, W. M.

20 acres in Lot 1, ✓
4 acres in Lot 2, ✓
12 acres in the SW-SW₄, ✓
14 acres in the SE-SW₄, ✓
12 acres in the SW-SE₄, ✓
Section 13,

8 acres in the SE-SW₄, Canceled
Section 20, See 52764
Sp or V40P87

6 acres in the SE-NE₄,
14 acres in the NE-SW₄, 191A T#3597
11 acres in the NW-SW₄,
5 acres in the SW-SW₄,
6 acres in the NE-SE₄,
7 acres in the NW-SE₄,
123 Section 21,

23 acres in the NE-NE₄,
14 acres in the NW-NE₄,
21 acres in the SW-NE₄,
7 acres in the SW-NW₄,
24 acres in the SE-NW₄,
89 Section 22,

7 acres in the NE-NE₄,
8 acres in the NW-NE₄,
18 acres in the NE-NW₄,
18 acres in the NW-NW₄,
Section 23,

Township 5 North, Range 27 East, W. M.

21 acres in the NE-SW₄,
6 acres in the SW-SW₄,
24 acres in the SE-SW₄,
30 acres in the SW-SE₄,
132 Section 17,

5 acres in Lot 2,
20 acres in Lot 3,
5 acres in Lot 4,
7 acres in the NE-SW₄,
8 acres in the NW-SW₄,
9 acres in the SW-SW₄,
6 acres in the SE-SW₄,
5 acres in the NW-SE₄,
4 acres in the SW-SE₄,
Section 18,

10 acres in the NW-NE₄,
79 Section 20,

Township 5 North, Range 28 East, W. M.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

This certificate is to correct and supersede that certain water right certificate issued by the State Engineer on July 28, 1933, to the United States Reclamation Service, which certificate is recorded in State Record of Water Right Certificates, Volume 9, Page 10090.

WITNESS the signature of the State Engineer,
affixed this 26th day of August, 1933.

CHAS. E. STRICKLIN
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, Page 10142.

T 3065
T# 3616
T# 3651

David L. Laska
Friedel 2-4-97
ESU

	LOCATED	AC	IN	SEC	13 + 14	COMBINED
	269.00					
which →	141.20	AC	IN	SEC	13 + 14	UTL

TOTAL ACREAGE (PLAT)
2,406.20

TOTAL ACREAGE (MAPS)
2,108.60
Total
→ # 297.60
underage

Sec 11 = UTL SE SW & SW SE
Sec. 13 & 14 Combined = UTL 130.20 AC.

237 overlaps following Rights - G-11992
G-68481
S-61029

TOTAL UNDERAGE OF 297.60 AC,
UTL = POB

S - 237

408

10142

T4N R24E

(IR) { NE SE SEC 12[#] = 10 ac. average
 SE SE " " = " " "

(IR) { SW NE SEC 13[#] = 1 ac average
 SE NE " " = 7 ac average
 SW NW " " = 15.0 average
 NW SW " " = 3.0 undrained
 SW SW " " = 5.0 average
 SE SW " " = 6.0 average
 NW SE " " = 5.0 average
 SW SE " " = 10.0 average

SEC 14[#]

(IR) { SE SW " = 10.0 average
 SE SE " = 19.0 average

SEC 23[#]

(IR) { NW NE " = 1.4 average
 SW NW " = 20.0 average
 SE NW " = 1.0 average

SEC # 24

	NE NE	6. ⁰	over
	SW NE	2. ⁰	over
(IR)	SE NE	3. ⁰	over
	NE NW	2. ⁰	over
	SW NW	12. ⁰	over
	SE NW	12. ⁰	over
	NE SW	5. ¹	over
	NW SW	. 20	under
	NE SE	5. ⁴	over
	NW SE	1. ⁰	over

4N24E

" " " MAP = $\frac{180.0}{20.0}$ } (IR)
 TOTAL ACREAGE CALLED BY PLAT = $\frac{160.0}{20.0}$ }
 average in SE $\frac{1}{4}$ SEC 12
 PLAT CARD

OVERAGES
 ("TOTALLED TOTALS")

averages

SEC #	12	—	20.00
"	13	—	52.20
"	14	—	29.00
"	23	—	22.40
"	24	—	88.30
			<u>211.90</u>

("TOTALLED TOTALS")

—	160.00
—	406.00
—	70.00
—	247.00
—	300.00
<u>1183.00 *</u>	

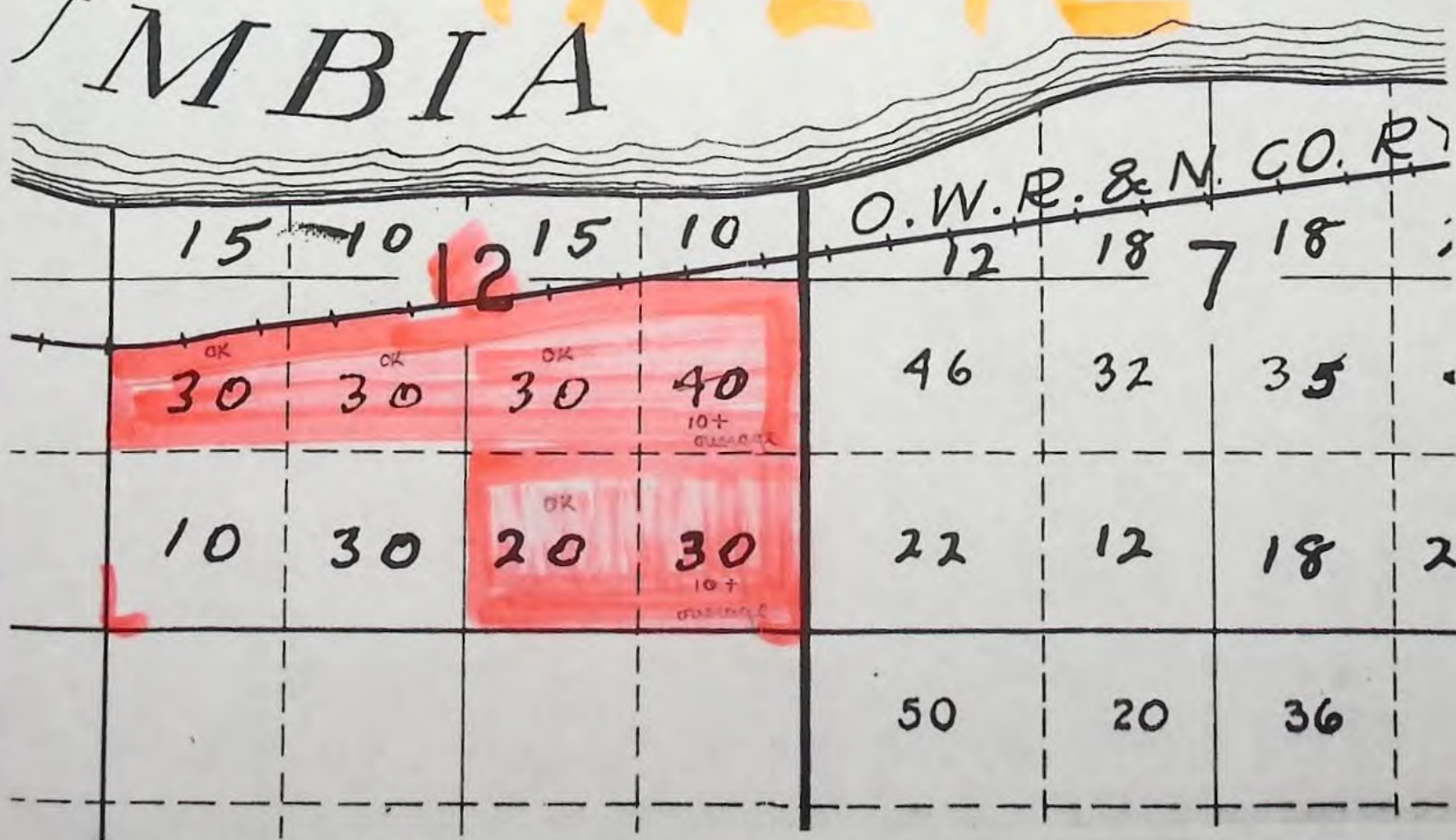
acreage

$\frac{211.90}{3.40} = \text{underage}$
208 50

Copy

4N 24E

T M B I A



0 15 10 12 15 10 0

COMM

4 N 24 E

30 30 30 40
10 30 20 30

SEC #13 MAP CALCS " 458.20 AC }
PLAT CARD CALCS FOR 406.0 AC. } average of 52.20 AC.

SEC #14 MAP CALCS " 99.0 AC }
PLAT CARD " 70.0 AC. } average of 29.50 AC.

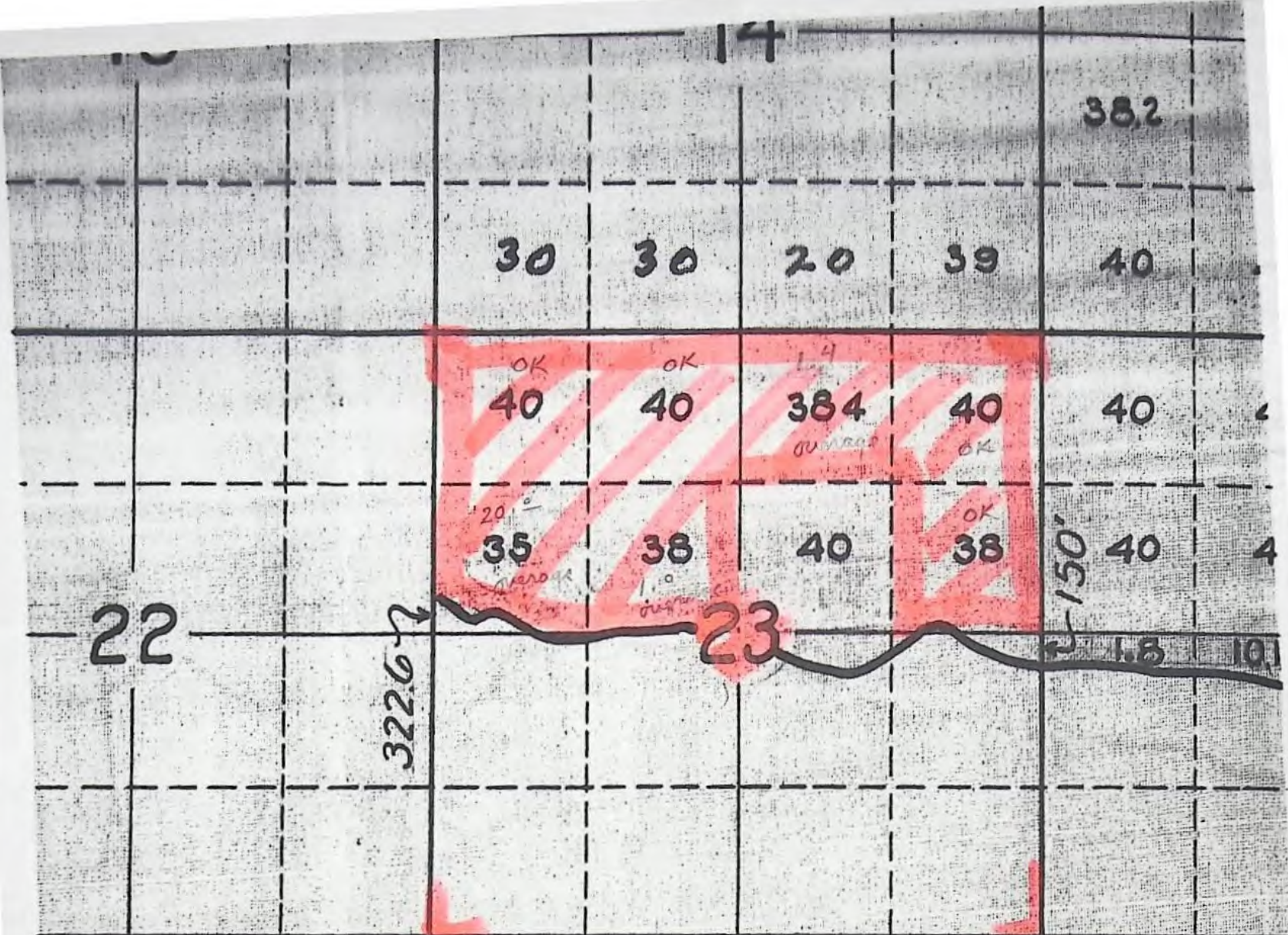
15 14 13

30 35 35 40
38.2 40 40 40
30 39 40 40 40 40
10.0
19.0

40 40 38.4 40 40 40 40 40

R 24 E
R 25 E

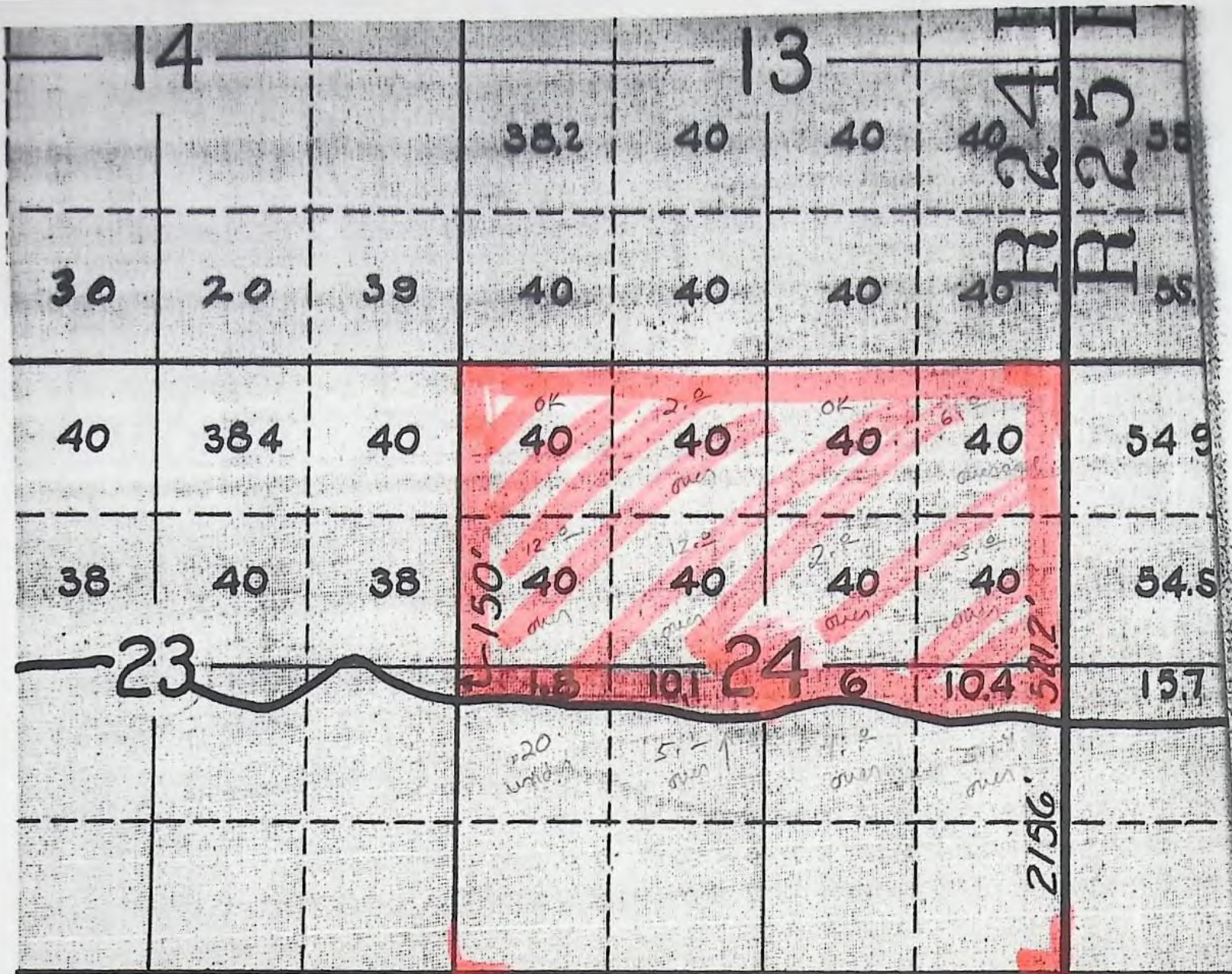
40 40



Copy

(IR) SEC # 23 MAP CALLS FOR TOTAL AC. 269.40 } average of 22.40
 PLAT CARD " 247.00 }

4N24E



SEC # 24
 MAP CALLS FOR TOTAL AC. 388. ³⁰ }
 PLAT CARD " " " 300. ⁰⁰ } 88. ³⁰ average

4N24E

4N 25 E

4N 25 E

SEC # 8

PLAT CARD

(IR)	NE SW	30. ⁰⁰
	NW SW	39. ⁰⁰
	SW SW	40. ⁰⁰
	SE SW	39. ⁰⁰
	NW SE	31. ⁰⁰
	SW SE	25. ⁰⁰
	SE SE	20. ⁰⁰

SEC # 13

PLAT CARD

NW NW	35. ⁰⁰	✓
SW NW	40. ⁰⁰	✓
SE NW	7. ⁰⁰	(IR)
NE SW	15. ⁰⁰	
NW SW	40. ⁰⁰	✓
SW SW	18. ⁰⁰	

SEC # 7

PLAT CARD

(IR)	NE SW	26. ⁰⁰
	SE SW	12. ⁰⁰
	NE SE	40. ⁰⁰
	NW SE	22. ⁰⁰

SEC # 14

PLAT CARD

NE NW	28. ⁰⁰	
SW NW	39. ⁰⁰	✓
SE NW	40. ⁰⁰	✓
NE SW	40. ⁰⁰	✓
NW SW	16. ⁰⁰	UTL
SE SW	16. ⁰⁰	
NE SE	35. ⁰⁰	✓
NW SE	25. ⁰⁰	
SE SE	5. ⁰⁰	

SEC # 10

PLAT CARD

(IR)	SE NE	40. ⁰⁰
------	-------	-------------------

SEC # 11

PLAT CARD

(IR)	SW NW	40. ⁰⁰
	NE SW	40. ⁰⁰
	NW SW	25. ⁰⁰
	SE SW	22. ⁰⁰
	SW SE	40. ⁰⁰

overlap G-11992

THIS SET COMPLETE

UTL undersize of 62.⁰⁰

II
SEC # 15 PLAT

SW NE	31.00
SE NE	40.00
SW NW	30.00
SE NW	35.00
NE SW	37.00
NW SW	38.00
(IR) SW SW	39.00
SE SW	39.00
NE SE	40.00
NW SE	40.00
SW SE	37.00
SE SE	24.00

SEC # 18 PLAT

NE NE	33.00
NW NE	22.00
SW NE	40.00
SE NE	33.00
SE NW	35.00
NE SW	40.00
SE SW	40.00
NE SE	20.00
NW SE	35.00
SW SE	25.00
SE SE	39.00

SEC # 16 PLAT

SE NE	32.00
SE SE	20.00

SEC # 17 PLAT

NE NW	25.00
NW NW	25.00
SW NW	25.00
SE NW	25.00
NE SW	15.00
NW SW	30.00
SW SW	21.00

7.10 10 1

SEC # 19 PLAT

NE NE	40.00
NW NE	30.00
(IR) SW NE	40.00
SE NE	40.00
NE NW	40.00
SE NW	40.00

SEC # 20 PLAT

NE NE	29.00
NW NE	22.00
NE NW	32.00
NW NW	35.00
SW NW	36.00
SE NW	12.00

SEC # 21 NW NW 15.00

SEC # 22 NW NE 7.00
NE NW 19.00
NW NW 19.00

RIVER

22 33 33 30 39 40 32

Messner

10 30 40 40 40

9

10

CORN

25 30 20 30 15 15

40 40 40 32 40 40 40 40

16

15

29 40 40 30 40 40 40 40

0 40 40 40 40 40 37.9 24.1

6 34 333

1098

19.1 CANAL

18.75 7.25

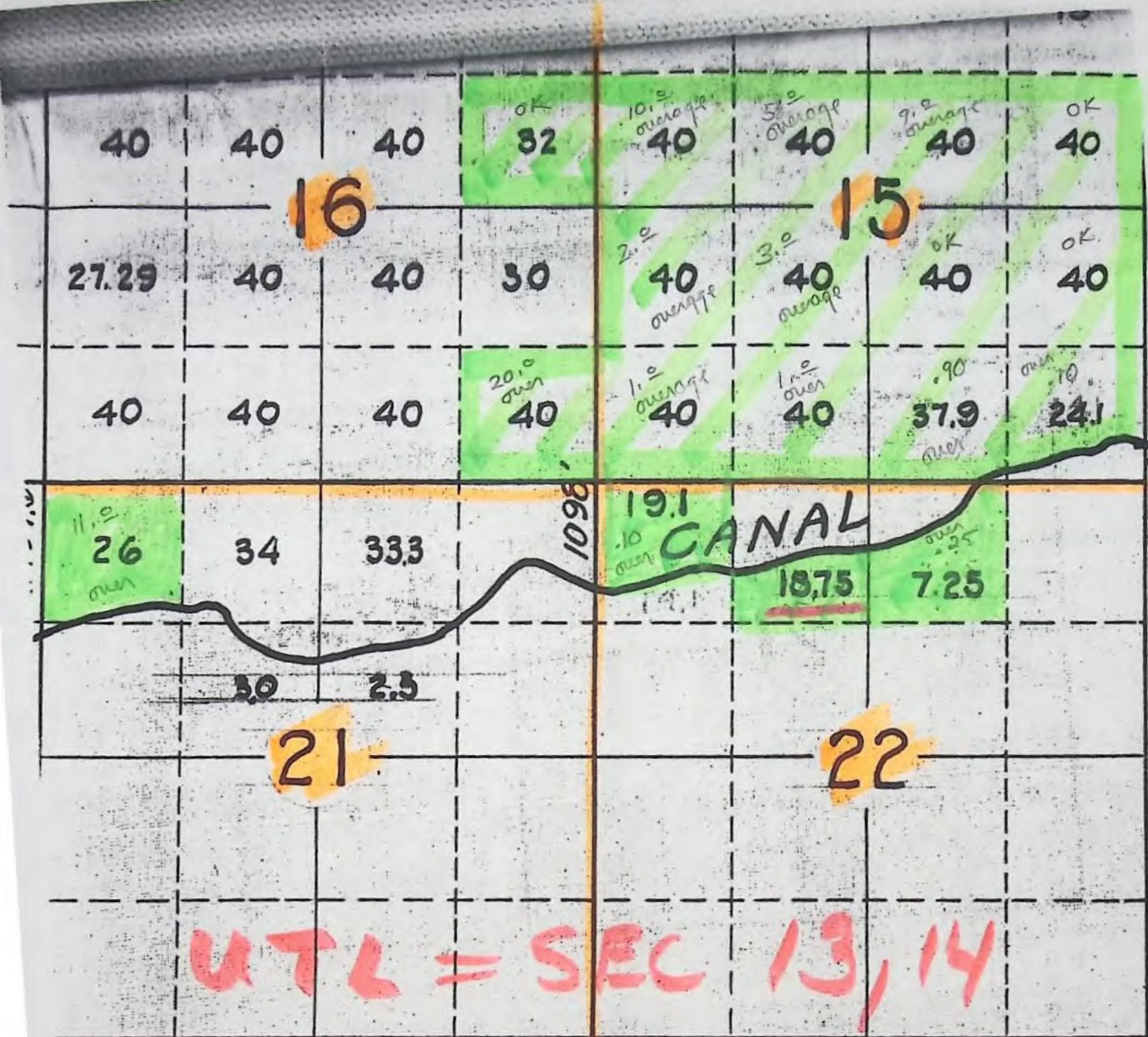
492.5

4N25E

RIN

O.W.R. & N. CO. RY.				266		Boardman		22
12	18	7	18	20		30	25	
46	32 <small>26.0 average of 6.0</small>	35 <small>22.0 average of 13.0</small>	40 <small>OK</small>	392 <small>0.20 average</small>	30 <small>OK</small>	30.5 <small>0.50 average</small>	40	
22	12 <small>OK</small>	18	25	40 <small>OK</small>	40 <small>1.0 average</small>	25 <small>OK</small>	32 <small>12.0 average</small>	
50	20	36	40	40	40			
553	40	40	40	40	40			
25	18				17			
55.19	40	40	40	40	14.1			

333



UTL = SEC 13, 14

4N 25E

OK

DCOM

	22	12	18	25	40	40	25	32
	50	20	14.0 36 over	7.0 40 over	15.0 40 over	15.0 40 overage		
55.3	5.0 over 40	OK 40	7.0 40 over	15.0 40 over	15.0 40 over			40
55.19	OK 40	18 5.0 40 over	20.0 40 over	10.0 40 overage	17 14.1 under			27.29
55.06	OK 40	15.0 40 over	1.0 40 over	9.0 40 over	40			40
54.93	OK 40	10.0 40 over	OK 40	5.0 40 over	6.6 386 over	22.2	29.3	26
54.5	OK 40	over 40	OK 40	40 36.4 over	.80 11.2	33	MAINZ	
15.7	7.8	19	11	17	20			
			712.5					
								4N255

R25

3

1434.6

MAINZ

4N255

NOTICE OF INTEREST IN WATER RIGHT

RECEIVED

AUG 8 1985

WATER RESOURCES DEPT.
SALEM, OREGON

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

This is to notify you of an interest in the following described water right:

Loan Number M04476
Borrower's Name PHILIPPI, Roy J.
Mailing Address _____

Property being served by the water:

Township 4 N Township _____ Township _____
Range 24 E Range _____ Range _____
Section 24 Section _____ Section _____
Tract _____ Tract _____ Tract _____

Water Right Numbers: 237 9668 45384
Permit Number(s) 408 7400 33883
Certificate Number(s) 10090 sur 53086
supp
Irrigation District West Extension I. D.

Covered by Dist.

*DM
9-3-85*

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

Attention: Butch Gehley, Appraisal Coordinator

Attachments:

- Legal Descriptions
- Plat Map
- Please return copy to ODVA

SECTION 24 T4N. R24E. W.M.
MORROW COUNTY

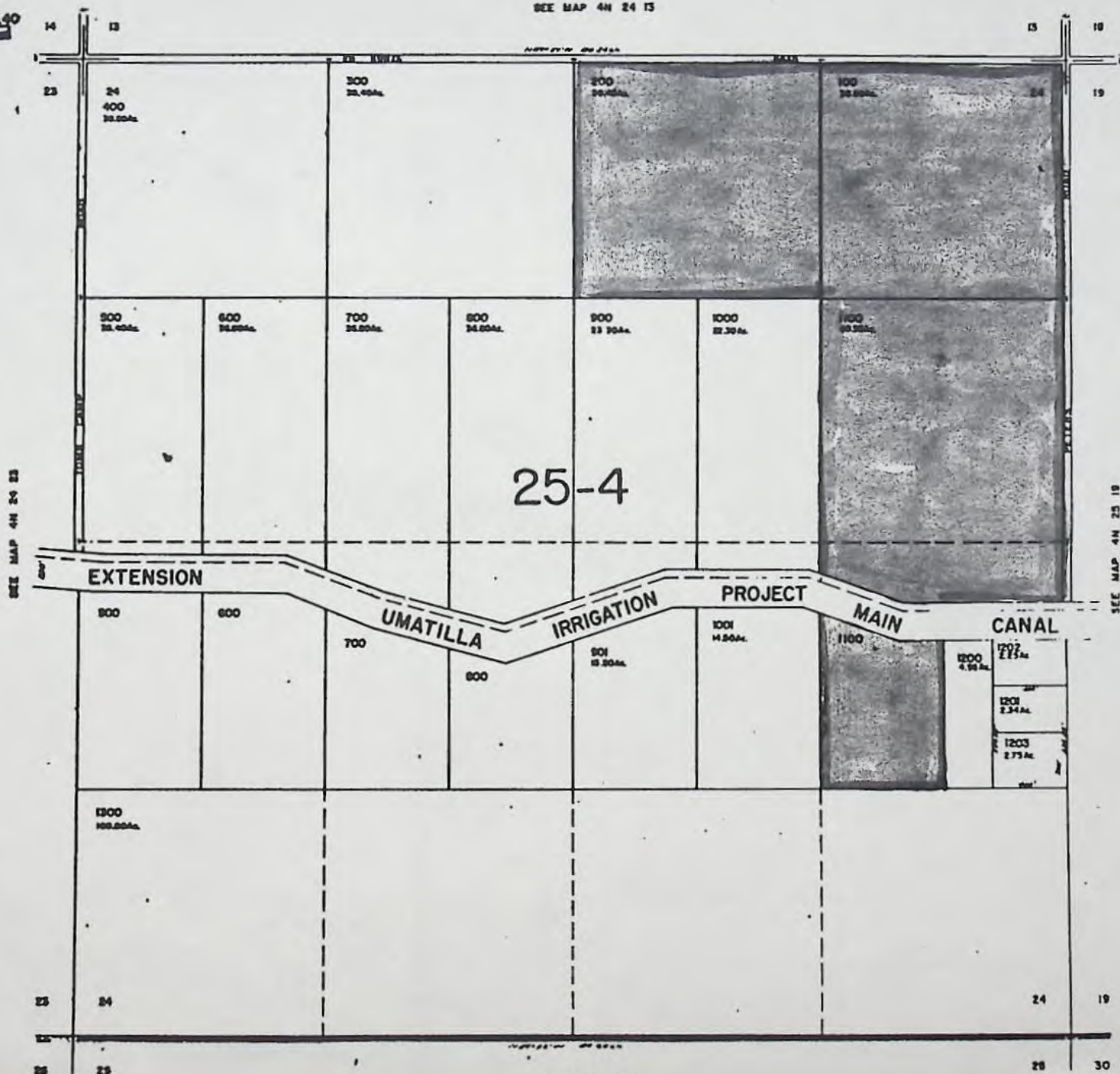
4N 24 24

1" = 400'

SCALE 1:9600



SEE MAP 4N 24 13



SEE MAP 4N 24 23

SEE MAP 4N 25 19

SEE MAP 4N 24

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT IN)
THE NAME OF UNITED STATES)
RECLAMATION SERVICE)

ORDER

On April 7, 1975, Howard S. and Verna G. Stone of PO Box 1097, Walla Walla, Washington 99362 submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is a portion of the right described by the certificate recorded at page 10142, Volume 9, State Record of Water Right Certificates, in the name of United States Reclamation Service, and is for the use of not to exceed 0.57 cubic foot per second of water from Umatilla River, with a date of priority of March 28, 1909, for irrigation of 8.0 acres in SE 1/4 SW 1/4, Section 20, Township 5 North, Range 27 East, WM.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 10142, Volume 9, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 26th day of March, 1986.

William H. Young
WILLIAM H. YOUNG
Director

Note: The above order is issued by the Director pursuant to authority delegated by the Water Resources Commission pursuant to ORS 536.025(2).

0337/c
3651D



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE (503) 378-8453

April 2, 1986

Howard S. & Verna G. Stone
P.O. Box 1097
Walla Walla, WA 99362

Dear Mr. & Mrs. Stone:

REFERENCE: File A-237

Enclosed is a copy of the order, Volume 40, page 87, entered March 26, 1986, canceling a part of the water right evidenced by Certificate 10142, as authorized by your affidavit.

Sincerely,

MYRON V. BISH
Supervisor
Adjudication Section

cc: Mr. Michael Ladd, Watermaster, Dist. #5

MVB/as

Enclosure

USER

A 237
C-10090
10142

RECEIVED
APR 7 1975
STATE ENGINEER
SALEM, OREGON

A F F I D A V I T

STATE OF OREGON)
) ss.
County of Umatilla)

We, Howard S. and Verna G. Stone, being first duly sworn, depose and say that we are the owners of a water right and the land to which it is appurtenant, which is for the use of not to exceed 0.58 cubic foot of water per second from the Umatilla River for the irrigation of 8.0 acres in the SE¼ SW¼ of Section 20, Township 5 North, Range 27 East, W.M., under a priority date of March 28, 1909, as evidenced by the certificate recorded at Page 10142, Volume 9, State Record of Water Right Certificates; that we, subject to the approval of our application No. 52764 by the issuance of a permit for the use of water from the Columbia River, abandoned any and all interests in and to said water right and request same be canceled.

IN WITNESS WHEREOF, we have hereunto set our hands this

3rd day of April, 1975.

Howard S. Stone

Verna G. Stone

Subscribed and sworn to before me this 3rd day of April, 1975.

Lyle S. Smith
Notary Public for ~~Oregon~~ Washington

My commission expires 12-1-78

Notary Public, in and for the State of Washington,
residing at Walla Walla. Commission Expires 12-1-78

Application No 52764
Permit No.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

May 5, 2005

James P. and Leslie L. Suter
74777 Toms Camp Road
Boardman, OR 97818

Dear Mr. and Mrs. Suter:

Your attorney, Chris Cauble, notified me you have reached a settlement regarding the cancellation of water rights appurtenant to your property and are withdrawing the cancellation affidavits you submitted to the Department. Given this, I am returning to you the affidavits and supporting documentation.

Sincerely,

Greg Nelson
Field Services Division

enclosure

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

In the Matter of Cancellation of a Portion)
of a Perfected and Developed Water Right)
in the Name of U.S. Bureau of Reclamation)
– Certificate 79926)
)
)

RECONSIDERATION OF FINAL
ORDER

ORDER CANCELING A PERFECTED
AND DEVELOPED WATER RIGHT

OAR Chapter 137, Division 004, describes the process for reconsideration of an order in other than contested case.

Affiant

James and Leslie Suter
74777 Toms Camp Road
Boardman, OR 97818

Findings of Fact

1. On January 31, 2005, the Department received an affidavit from James and Leslie Suter, stating they are the owner of lands and the water right appurtenant as evidenced by Water Right Certificate 79926. The affidavit stated a portion of the water right appurtenant to their property has been abandoned and requested the certificate be canceled.
2. Pursuant to ORS 540.621 and OAR Division 690, Chapter 017, the Director issued an order on March 21, 2005, canceling the appurtenant water right. The order is recorded in Special Order Volume 63, Page 468.
3. The period in which the Department may, on its own initiative, reconsider a final order has not yet closed.

Conclusions of Law

Pursuant to OAR Chapter 137, Division 004, the Department may reconsider a final order it has issued.

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW OR RECONSIDERATION

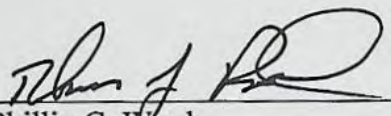
This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review 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.

file: 237

Now, therefore, it is ORDERED:

The order canceling a portion of Water Right Certificate 79926 entered at Special Order Volume 63, Page 468 is withdrawn.

Dated at Salem, Oregon this 24th day of March, 2005.


For Phillip C. Ward
Acting Director

Mailing date: MARCH 24, 2005

CANCELLATION CHECKLIST

RECORD MARKING					
<input type="checkbox"/> File Folder <u>5-237</u>	<input type="checkbox"/> Permit Number _____	<input type="checkbox"/> Certificate Number <u>79926</u>			
_____	_____	_____			
_____	_____	_____			
_____	_____	_____			
<input type="checkbox"/> Special Order		<input type="checkbox"/> Decree			
Volume _____ Page _____	Volume _____ Page _____	Volume _____ Page _____	Volume _____ Page _____		
Volume _____ Page _____	Volume _____ Page _____	Volume _____ Page _____	Volume _____ Page _____		

COPIES MADE			
<input checked="" type="checkbox"/> Order () Certificate		<u>JUSTUS</u>	
<input checked="" type="checkbox"/> () File	<input checked="" type="checkbox"/> () Data Center	<input checked="" type="checkbox"/> () Watermaster	<input checked="" type="checkbox"/> () Affiant
<input checked="" type="checkbox"/> () Water Availability Section	<input type="checkbox"/> () Water Use Reporting		
<input checked="" type="checkbox"/> () Other <u>U.S. BUREAU OF RECLAMATION</u>		<input type="checkbox"/> () Other _____	
<input checked="" type="checkbox"/> () Other <u>WEST EXTENSION ID</u>		<input type="checkbox"/> () Other _____	

LETTER TO:	
<input checked="" type="checkbox"/> Affiant	_____
<input type="checkbox"/> Other	_____
<input type="checkbox"/> Other	_____

ENCLOSURES	
<input checked="" type="checkbox"/> Special Order	<input type="checkbox"/> Certificate
Volume <u>63</u> Page <u>468</u>	_____
Volume _____ Page _____	_____
<input type="checkbox"/> Decree	_____
Volume _____ Page _____	_____
Volume _____ Page _____	_____

DATE SIGNED: <u>3-21-2005</u>

NOTES:

- ① Please perform usual magic
- ② Addresses for U.S. BOR & WEID is in folder
- ③ Place affidavit & materials in file folder

Hanks
GREG

**BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
MORROW AND UMATILLA COUNTIES**

IN THE MATTER OF CANCELLATION OF A)
PORTION OF A PERFECTED AND)
DEVELOPED WATER RIGHT IN THE NAME) FINAL O R D E R
OF U.S. BUREAU OF RECLAMATION -)
CERTIFICATE 79926)

ORS 540.621 directs the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. On January 31, 2005, the Department received an affidavit from James and Leslie Suter, stating they are the owner of lands and the water right appurtenant as evidenced by Certificate 79926, State Record of Water Right Certificates. The affidavits further state a portion of the water right appurtenant to their property has been abandoned and request the certificate be canceled.
2. Pursuant to OAR 690-017-0100(3), on February 1, 2005, the Department provided notice to the U. S. Bureau of Reclamation and West Extension Irrigation District of receipt of the affidavit.
3. Pursuant to OAR 690-017-0100(2)(a), the Department has determined that James and Leslie Suter are the record owners, as established by county deed records, of property to which a portion of the water right evidenced by Certificate 79926 is appurtenant.
4. Certificate 79926 allows for the use of up to 295.67 cubic feet per second (cfs) of water from the Umatilla River, tributary to the Columbia River, for irrigation of 4,121.70 acres within West Extension Irrigation District. The date of priority is March 28, 1909.
5. The portion of Certificate 79926 which has been abandoned is for the use of 1.54 cfs for irrigation of 21.40 acres described as follows:

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW OR RECONSIDERATION

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.

TWP		RNG		MER	SEC	¼	¼	DLC	LOT	TAX LOT	ACRES
4	N	24	E	WM	24	SW	NW			0500	20.00
4	N	24	E	WM	24	NW	SW			0500	1.40
											21.40

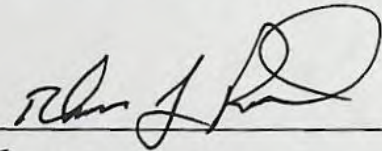
Conclusions of Law

The Director of the Water Resources Department concludes that a portion of the right evidenced by Water Right Certificate 79926 has been abandoned in accordance with the provisions of ORS 540.621 and shall be canceled.

Now, therefore, it is ORDERED:

1. The water rights appurtenant to the lands described in Finding of Fact #4 are canceled and the Department's records shall be modified accordingly.
2. The Department shall issue a new water right certificate on a determination that it is necessary to produce a certificate describing the water right.

Dated at Salem, Oregon this 21st day of March, 2005.



Phillip C. Ward, Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
MORROW AND UMATILLA COUNTIES

IN THE MATTER OF CANCELLATION OF A)
PORTION OF A PERFECTED AND)
DEVELOPED WATER RIGHT IN THE NAME) FINAL ORDER
OF U.S. BUREAU OF RECLAMATION -)
CERTIFICATE 79926)

ORS 540.621 directs the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. On January 31, 2005, the Department received an affidavit from James and Leslie Suter, stating they are the owner of lands and the water right appurtenant as evidenced by Certificate 79926, State Record of Water Right Certificates. The affidavits further state a portion of the water right appurtenant to their property has been abandoned and request the certificate be canceled.
2. Pursuant to OAR 690-017-0100(3), on February 1, 2005, the Department provided notice to the U. S. Bureau of Reclamation and West Extension Irrigation District of receipt of the affidavit.
3. Pursuant to OAR 690-017-0100(2)(a), the Department has determined that James and Leslie Suter are the record owners, as established by county deed records, of property to which a portion of the water right evidenced by Certificate 79926 is appurtenant.
4. Certificate 79926 allows for the use of up to 295.67 cubic feet per second (cfs) of water from the Umatilla River, tributary to the Columbia River, for irrigation of 4,121.70 acres within West Extension Irrigation District. The date of priority is March 28, 1909.
5. The portion of Certificate 79926 which has been abandoned is for the use of 1.54 cfs for irrigation of 21.40 acres described as follows:

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW OR RECONSIDERATION

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.

TWP		RNG		MER	SEC	¼	¼	DLC	LOT	TAX LOT	ACRES
4	N	24	E	WM	24	SW	NW			0500	20.00
4	N	24	E	WM	24	NW	SW			0500	1.40
											21.40

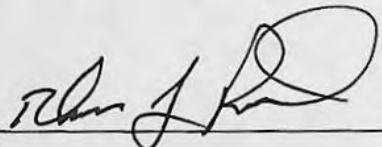
Conclusions of Law

The Director of the Water Resources Department concludes that a portion of the right evidenced by Water Right Certificate 79926 has been abandoned in accordance with the provisions of ORS 540.621 and shall be canceled.

Now, therefore, it is ORDERED:

1. The water rights appurtenant to the lands described in Finding of Fact #4 are canceled and the Department's records shall be modified accordingly.
2. The Department shall issue a new water right certificate on a determination that it is necessary to produce a certificate describing the water right.

Dated at Salem, Oregon this 21st day of March, 2005.



 Phillip C. Ward, Director



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

March 22, 2005

To File
AFFIDAVIT WITHDRAWAL
05-05-2005
I returned to Suter
G. Nelson

James & Leslie Suter
74777 Toms Cam Road
Boardman, Oregon 97818

RE: Certificate 79926

Pursuant to your request Certificate 79926 has been partially canceled by order of the Director of the Water Resources Department. This cancellation is recorded in Special Order Volume 63, Page 468. Enclosed is a copy of this order.

If you have any questions, please contact Greg Nelson at 503-986-0883.

Sincerely,

Sarah Henderson

Sarah Henderson
Executive Support

cc: Tony Justus, Watermaster
Water Availability Section
Greg Nelson, Field Services Division
US Bureau of Reclamation
West Extension Irrigation District

**BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
MORROW AND UMATILLA COUNTIES**

IN THE MATTER OF CANCELLATION OF A)
PORTION OF A PERFECTED AND)
DEVELOPED WATER RIGHT IN THE NAME) FINAL O R D E R
OF U.S. BUREAU OF RECLAMATION -)
CERTIFICATE 79926)

ORS 540.621 directs the Commission to enter an order canceling a water right whenever the owner of a perfected and developed water right certifies under oath to the Commission that the water right has been abandoned and the owner desires to cancel the right.

Findings of Fact

1. On January 31, 2005, the Department received an affidavit from James and Leslie Suter, stating they are the owner of lands and the water right appurtenant as evidenced by Certificate 79926, State Record of Water Right Certificates. The affidavits further state a portion of the water right appurtenant to their property has been abandoned and request the certificate be canceled.
2. Pursuant to OAR 690-017-0100(3), on February 1, 2005, the Department provided notice to the U. S. Bureau of Reclamation and West Extension Irrigation District of receipt of the affidavit.
3. Pursuant to OAR 690-017-0100(2)(a), the Department has determined that James and Leslie Suter are the record owners, as established by county deed records, of property to which a portion of the water right evidenced by Certificate 79926 is appurtenant.
4. Certificate 79926 allows for the use of up to 295.67 cubic feet per second (cfs) of water from the Umatilla River, tributary to the Columbia River, for irrigation of 4,121.70 acres within West Extension Irrigation District. The date of priority is March 28, 1909.
5. The portion of Certificate 79926 which has been abandoned is for the use of 1.54 cfs for irrigation of 21.40 acres described as follows:

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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.

TWP		RNG		MER	SEC	¼	¼	DLC	LOT	TAX LOT	ACRES
4	N	24	E	WM	24	SW	NW			0500	20.00
4	N	24	E	WM	24	NW	SW			0500	1.40
											21.40

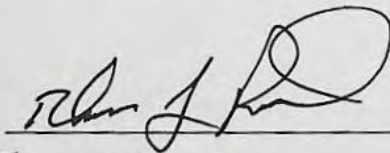
Conclusions of Law

The Director of the Water Resources Department concludes that a portion of the right evidenced by Water Right Certificate 79926 has been abandoned in accordance with the provisions of ORS 540.621 and shall be canceled.

Now, therefore, it is ORDERED:

1. The water rights appurtenant to the lands described in Finding of Fact #4 are canceled and the Department's records shall be modified accordingly.
2. The Department shall issue a new water right certificate on a determination that it is necessary to produce a certificate describing the water right.

Dated at Salem, Oregon this 21st day of March, 2005.



Phillip C. Ward, Director



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

March 1, 2005

James P. and Leslie L. Suter
74777 Toms Camp Road
Boardman, OR 97818

Dear Mr. and Mrs. Suter:

On January 31, 2005, the Department received your affidavit requesting cancellation of the water right appurtenant to your land. The Department published notice of the request to cancel the water right in our weekly public notice dated February 8, 2005.

In accordance with Oregon Administrative Rules Chapter 690, Division 17, the Department notified West Extension Irrigation District and the U.S. Bureau of Reclamation of receipt of the affidavit requesting the cancellation of a water right issued in the name of U.S. Bureau of Reclamation.

The Department will proceed to process your request to cancel the water right in accordance with ORS 540.621. However, please be aware that cancellation of the appurtenant water right may not release you from certain obligations or assessments of the district or the U.S. Bureau of Reclamation.

The Department cancels water rights by issuance of an administrative order. You will receive a copy of such order following its issuance.

Please feel free to contact me with any questions you may have about this process. I can be reached by telephone at 503-986-0888, or by email at Greg.L.Nelson@ wrd.state.or.us.

Sincerely,

Greg Nelson
Field Services Division

c: Tony Justus, District 5 Watermaster
Bev Bridgewater, WEID
Ruth Page, U.S. Bureau of Reclamation

Water Right Cancellations

ORS 540.621 authorizes the Director to issue an order canceling a perfected and developed water right whenever the owner certifies under oath that the right has been abandoned and requests a cancellation of the right.

The Department has received affidavits from owners of land to which a water right is appurtenant stating the owner has abandoned the water right and request the Department to cancel portions of the right appurtenant to the land.

The Department proposes to issue orders canceling all or a portion of the following water right(s):

County: Morrow
Water Right Certificate: 79926, in the name of U.S. Bureau of Reclamation
Landowner: James & Leslie Suter
Address: 74777 Toms Camp Road, Boardman, OR
Use: Irrigation
Quantity: 1.50 cfs
Source: Umatilla R > Columbia R
Priority : March 28, 1909
Acreage: 21.4 Acres
Location: Tax Lot 500, SWNW, NWSW, Section 24, T4N, R24E

County: Baker
Water Right Certificate: 57147, in the name of Gordon B. Paustian
Landowner: Walter & Karla Hawkins
Address: 44247 Lone Pine Rd., Baker City, OR
Use: Supplemental Irrigation
Quantity: 0.08 cfs
Source: Well > Powder R
Priority : November 16, 1976
Acreage: 11.62 Acres
Location: NWSE, SWSE, Section 18, T8N, R39E

County: Coos
Water Right Certificate: 7700, in the name of James Jackson
Landowner: Crook Timberlands LLC
Address: 1820 Lincoln Rd, Coos Bay, OR
Use: Domestic & Irrigation
Quantity: 0.13 cfs
Source: Unnmaed St > Cuniff Cr
Priority : February 25, 1928
Acreage: 2.0 Acres
Location: Tax Lot 1900, SWSW, Section 6, T37S, R14W

Feb 28 => Bar Budgeter

- protest / comment on affidavit*
- submit transfer w/o authorization of off landowner in response to prevent loss to district*

To: rpape@pn.usbr.gov, bbridge@oregontrail.net
From: Greg Nelson <Greg.L.NELSON@wrд.state.or.us>
Subject: Notice of Receipt of Request to Cancel Water Right
Cc:
Bcc:
Attached: M:\docs\cancellations\Scanned Affs\Suter-c79926-cancel aff.pdf;

Attached are the scanned images of an affidavit and supporting documents requesting the cancellation of Certificate 79926, issued in the name of the U.S. Bureau of Reclamation, appurtenant to 21.4 acres within WEID.

Consistent with our recently revised administrative rules for cancellation of water rights (Division17), I'm providing you notice of receipt of the affidavit.

I anticipate the notice will be published in the Department's weekly notice on February 8, 2005. I drafted the notice this morning, and I'm confident I was too late to have it included in today's notice.

Please see attached .pdf file.

Greg Nelson, Field Services Division
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1271
(503) 986-0888
FAX (503) 986-0903
<http://www.wrд.state.or.us/>

DESCRIPTION OF WORKS

9. (a) If a dam has been constructed, give description: Height, 74 ft.; length on top, 800 ft.; length on bottomft.; material used and character of construction, reinforced concrete multiple arch

(b) Give description of headgate: Width, 3-5-3" ft.; depth, 7-4" ft.; material used and character of construction, headgate structure of reinforced concrete, gates of steel

(c) Size of canal: Width on top (at waterline) 22 ft.; width on bottom, 2 ft.; depth of water, 5 ft.; grade, 0.1 ft. fall per 1,000 ft. Actual capacity, 350 sec.-ft. Give general description: Slope 1 1/2:1 concrete lining varies from 1 1/2 to 5"
Length of canal 26 miles.

(d) Pipe line: Description of intake,
.....
Length of pipe,ft.; size at intake,in.; size atft. from intake,in.; size at place of use,in. Difference in elevation between intake and place of use,ft. Is grade uniform? Actual capacity of pipe line, sec.-ft. Give general description:
(Material: Steel, wrought, cast iron, wood stave, etc.)

(e) Pumping plant: Give size and type of pump,
Suction lift,ft.; discharge lift,ft. Type of motor used
Horse power rating,H. P. Actual capacity of pump, sec.-ft.

10. During what months is water beneficially used April 1 to October 1. Stock water about 2 months longer.

11. State character of soil Porous
Kind of crops raised

12. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? Yes.

13. If not, wherein is such map in error?

14. Domestic use: Give number of families actually using water at this time 189

15. If for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give extent and method of such use

AFFIDAVIT OF APPROPRIATOR

STATE OF OREGON,

County of Umatilla } ss.

I, C. L. Tice, Reservoir Superintendent, McKay Dam being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of December, 1932.

C. L. Tice

Subscribed and sworn to before me this 19 day of Dec, 1932

D. A. Newberry

Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires July 13 1935

AFFIDAVIT OF WITNESSES

STATE OF OREGON,

County of _____ } ss.

We, _____, and _____

of _____, being first duly sworn, depose and say that we are well acquainted with the facts and conditions set forth in the foregoing statement relative to proof of appropriation of water under Permit No. _____; that we and each of us have been over and upon each tract described in said proof, and from such personal inspection have knowledge that all necessary ditches, dams and other diversion and distributing works have been constructed, and water used as stated therein; that we have carefully read such proof of appropriation, and that each and every statement contained therein is true to the best of our knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 193_____

Notary Public for Oregon

[NOTARIAL SEAL]

My commission expires _____

REPORT OF PERSON MAKING INSPECTION

(For use by representative of State Engineer)

I,, do hereby certify that I have made an inspection of the works described herein and in Permit No....., on the day of, 193....., and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of and I recommend the issuance of a water right certificate for this amount.

(Quantity of water in second-feet or acre-feet)

NOTE TO INSPECTORS

If conditions do not justify the above report by you, please return the proof without your signature, with a full report by letter.

.....
(Name)
.....
(Title)

PROOF OF APPROPRIATION

Permit No.

Recording fee paid

Receipt No.

STATE ENGINEER
RECEIVED

DEC 29 1932

RAJEEV DIXIT

STATE ENGINEER

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF TRANSFER APPLICATION)
3349 IN THE NAME OF LAVERN PARTLOW)
(WEST EXTENSION IRRIGATION DISTRICT))

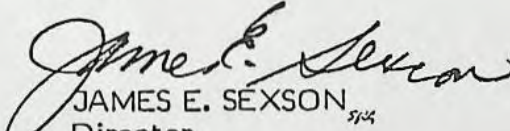
LOSS OF RIGHT

Transfer Application 3349, in the name of LaVern Partlow, proposed a change in place of use of water from Umatilla River under a certain right with a priority date of March 28, 1909, to irrigate a certain 12.0 acres in NE 1/4 SW 1/4 and 12.0 acres in NW 1/4 SW 1/4, Section 24, Township 4 North, Range 24 East, WM.

The order of the Water Resources Director, entered January 8, 1979, approving Transfer Application 3349, provided: "...that said water so transferred shall be applied to beneficial use on or before October 1, 1980."

The applicant has failed to make proof to the satisfaction of the Water Resources Director that the proposed change was accomplished within the provisions of the order, therefore, the subject water right was lost.

Dated at Salem, Oregon this 15th day of September, 1982.


JAMES E. SEXSON
Director

2594B

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
UMATILLA COUNTY

IN THE MATTER OF TRANSFER)
APPLICATION 3559 IN THE NAME)
OF EASTREGAARD, INCORPORATED)

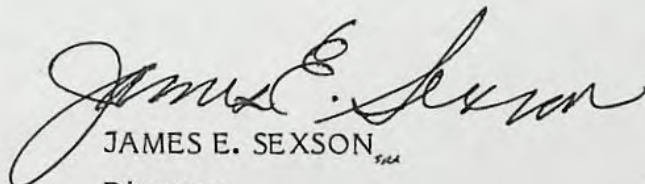
LOSS OF RIGHT

Transfer Application 3559, in the name of Eastregaard, Incorporated, proposed a change in place of use of water from Umatilla River under a certain right with a priority date of March 28, 1909, to irrigate a certain 14.8 acres in SW 1/4 SW 1/4, Section 14, Township 5 North, Range 28 East, WM.

The order of the Water Resources Director, entered August 15, 1977, approving Transfer Application 3559, provided: "...that said water so transferred shall be applied to beneficial use on or before October 1, 1979."

The applicant has failed to make proof to the satisfaction of the Water Resources Director that the proposed change was accomplished within the provisions of the order, therefore, the subject water right was lost.

Dated at Salem, Oregon this 11th day of December, 1981.


JAMES E. SEXSON, SRA
Director

8459A

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres. Actually Irrigated			
4 N.	24 E.	12	Lot 1	10	0			
			Lot 2	15	0			
			Lot 3	10	0			
			Lot 4	15	0			
			NE-SW	30	30			
			NW-SW	30	30			
			SW-SW	10	0			
			SE-SW	30	0			
			NE-SE	40	30			
			NW-SE	30	30			
			SW-SE	20	20			
			SE-SE	30	20			
			SW-NE	35	34			
			SE-NE	40	33			
4 N.	24 E.	13	SW-NW	30	15			
			SE-NW	35	35			
			NE-SW	40	40			
			NW-SW	38	35			
			SW-SW	40	35			
			SE-SW	40	34			
			NE-SE	40	40			
			NW-SE	40	35			
			SW-SE	40	30			
			SE-SE	40	40			
			4 N.	24 E.	14	SW-SW	30	30
						SE-SW	50	20
						SW-SE	20	0
						SE-SE	39	20
4 N.	24 E.	23	NE-NE	40	40			
			NW-NE	39	37			
			SW-NE	40	0			
			SE-NE	38	38			
			NE-NW	40	40			
			NW-NW	40	40			
			SW-NW	35	15			
			SE-NW	38	37			
4 N.	24 E.	24	NE-NE	40	34			
			NW-NE	40	40			
			SW-NE	40	38			
			SE-NE	40	37			
			NE-NW	40	38			
			NW-NW	40	40			
			SW-NW	40	40			
			SE-NW	40	40			
			NW-SW	2	2			
			NE-SW	11	5			
			NW-SE	6	5			
NE-SE	11	5						

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated			
4 N.	25 E.	1	Lot 2	32	0			
			Lot 3	40	0			
			Lot 4	40	0			
			SW ¹ / ₄ NW ¹ / ₄	30	0			
			SE ¹ / ₄ NW ¹ / ₄	30	0			
			NW ¹ / ₄ SW ¹ / ₄	32	0			
4 N.	25 E.	2	Lot 1	40	0			
			Lot 2	40	0			
			Lot 3	25	0			
			SW ¹ / ₄ NE ¹ / ₄	35	0			
			SE ¹ / ₄ NE ¹ / ₄	40	0			
			NE ¹ / ₄ SW ¹ / ₄	37	0			
			NE ¹ / ₄ SE ¹ / ₄	40	0			
			NW ¹ / ₄ SE ¹ / ₄	40	0			
4 N.	25 E.	3	SW ¹ / ₄ SW ¹ / ₄	30	0			
			SE ¹ / ₄ SW ¹ / ₄	30	0			
4 N.	25 E.	4	Lot 1	30	0			
			Lot 2	20	0			
4 N.	25 E.	7	Lot 1	20	0			
			Lot 2	18	18			
			Lot 3	18	18			
			Lot 4	12	12			
			Lot 5	46	25			
			Lot 6	22	0			
			NE ¹ / ₄ SW ¹ / ₄	32	26			
			SE ¹ / ₄ SW ¹ / ₄	12	12			
			NE ¹ / ₄ SE ¹ / ₄	40	40			
			NW ¹ / ₄ SE ¹ / ₄	35	22			
			SW ¹ / ₄ SE ¹ / ₄	18	0			
			SE ¹ / ₄ SE ¹ / ₄	25	0			
			4 N.	25 E.	8	Lot 1	25	0
						Lot 2	30	0
Lot 3	40	20						
Lot 4	29	20						
NE ¹ / ₄ SW ¹ / ₄	30	30						
NW ¹ / ₄ SW ¹ / ₄	39	39						
SW ¹ / ₄ SW ¹ / ₄	40	40						
SE ¹ / ₄ SW ¹ / ₄	40	39						
NE ¹ / ₄ SE ¹ / ₄	40	0						
NW ¹ / ₄ SE ¹ / ₄	31	31						
SW ¹ / ₄ SE ¹ / ₄	25	25						
SE ¹ / ₄ SE ¹ / ₄	32	20						
4 N.	25 E.	9	NE ¹ / ₄ NE ¹ / ₄	33	0			
			NW ¹ / ₄ NE ¹ / ₄	33	0			
			Lot 1	22	0			
4 N.	25 E.	10	SE ¹ / ₄ NE ¹ / ₄	10	0			
			NE ¹ / ₄ NE ¹ / ₄	10	0			
			NW ¹ / ₄ NE ¹ / ₄	40	0			
			SW ¹ / ₄ NE ¹ / ₄	40	0			
			SE ¹ / ₄ NE ¹ / ₄	40	40			
			NE ¹ / ₄ NW ¹ / ₄	39	0			
			NW ¹ / ₄ NW ¹ / ₄	30	0			
			SW ¹ / ₄ NW ¹ / ₄	30	0			
SE ¹ / ₄ NW ¹ / ₄	40	0						

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated			
4 N.	25 E.	11	SW-NE	16	0			
			NE-NW	25	0			
			NW-NW	40	0			
			SW-NW	40	40			
			SE-NW	40	0			
			NE-SW	40	40			
			NW-SW	25	25			
			SE-SW	25	22			
			NW-SE	40	0			
			NE-SE	20	0			
			SW-SE	40	40			
			SE-SE	40	0			
			4 N.	25 E.	12	NE-SW	40	0
						NW-SW	40	0
SW-SW	35	0						
SE-SW	40	0						
NE-SE	40	0						
NW-SE	40	0						
SW-SE	35	0						
SE-SE	20	0						
4 N.	25 E.	13				NW-NE	1	0
						NE-NW	18	0
			NW-NW	40	25			
			SW-NW	40	40			
			SE-NW	12	7			
			NE-SW	36	15			
			NW-SW	40	40			
			SW-SW	19	18			
			SE-SW	9	0			
			SW-SE	1	0			
4 N.	25 E.	14	NE-NE	40	0			
			NW-NE	40	0			
			SW-NE	40	0			
			SE-NE	40	0			
			NE-NW	28	28			
			NW-NW	40	0			
			SW-NW	40	39			
			SE-NW	40	40			
			NE-SW	40	40			
			NW-SW	38	31			
			SW-SW	20	0			
			SE-SW	17	16			
			NE-SE	36	35			
			NW-SE	26	25			
			SW-SE	5	0			
			SE-SE	11	5			

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	25 E.	15	NE $\frac{1}{4}$ NE $\frac{1}{4}$	15	0
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	15	0
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	31
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	30	0
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	20	0
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	25
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	37
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	38
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	39
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	39
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	38	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	24	37
4 N.	25 E.	16	NE $\frac{1}{4}$ NE $\frac{1}{4}$	30	24
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	25	0
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	32	32
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	0
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	0
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	28	0
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	50	0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	0
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	20
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	25
SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	25			
SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	25			
NE $\frac{1}{4}$ SW $\frac{1}{4}$	15	25			
NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	15			
SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	30			
SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	31			
4 N.	25 E.	18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	0
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	36	33
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	22
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	20	33
			Lot 1	50	0
			Lot 2	55	0
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	47
			Lot 3	55	35
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	52
			Lot 4	55	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	55
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	20
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	35
	40	25			
	40	39			

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	25 E.	19	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	30
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			Lot 1	55	55
			Lot 2	55	55
			SE 1/4 NW 1/4	40	55
			Lot 3	16	40
			NE 1/4 SW 1/4	8	0
			NE 1/4 SE 1/4	17	0
4 N.	25 E.	20	NW 1/4 SE 1/4	11	0
			NE 1/4 NE 1/4	30	29
			NW 1/4 NE 1/4	23	22
			SW 1/4 NE 1/4	33	0
			NE 1/4 NW 1/4	39	32
			NW 1/4 NW 1/4	40	35
			SW 1/4 NW 1/4	37	36
			SE 1/4 NW 1/4	12	12
			NW 1/4 NE 1/4	34	0
			SW 1/4 NE 1/4	2	0
			NE 1/4 NW 1/4	34	0
4 N.	25 E.	22	NW 1/4 NW 1/4	26	15
			SE 1/4 NW 1/4	3	0
			NW 1/4 NE 1/4	8	7
			NE 1/4 NW 1/4	19	19
			NW 1/4 NW 1/4	19	19
4 N.	26 E.	1	NW 1/4 NE 1/4	11	19
			NE 1/4 NW 1/4	27	10
			NW 1/4 NW 1/4	27	20
4 N.	26 E.	2	Lots 5 & 6	38	0
			Lot 2	40	0
			SW 1/4 NE 1/4	17	0
			SE 1/4 NE 1/4	14	0
			Lot 10	54	40
			Lot 9	55	54
			SW 1/4 NE 1/4	40	5
4 N.	26 E.	3	SE 1/4 NE 1/4	40	25
			SW 1/4 NW 1/4	35	0
			SE 1/4 NW 1/4	40	0
			NE 1/4 SW 1/4	40	0
			NW 1/4 SW 1/4	40	0
			SW 1/4 SW 1/4	27	15
			SE 1/4 SW 1/4	22	15
			NE 1/4 SE 1/4	22	15
			NW 1/4 SE 1/4	38	0
			SW 1/4 SE 1/4	4	0
			NE 1/4 NE 1/4	40	0
			NW 1/4 NE 1/4	40	0
			SW 1/4 NE 1/4	40	0
			SE 1/4 NE 1/4	40	0
			NE 1/4 SW 1/4	20	0
4 N.	26 E.	7	NW 1/4 SW 1/4	35	0
			SW 1/4 SW 1/4	12	0
			NE 1/4 SE 1/4	15	0
			NW 1/4 SE 1/4	10	0

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated			
4 N.	26 E.	8	NE 1/4 NE 1/4	40	0			
			NW 1/4 NE 1/4	40	0			
			SW 1/4 NE 1/4	20	0			
			NE 1/4 NW 1/4	40	0			
			NW 1/4 NW 1/4	35	0			
			SW 1/4 NW 1/4	40	0			
			SE 1/4 NW 1/4	38	0			
			NE 1/4 SE 1/4	40	0			
5 N.	25 E.	25	SE 1/4 SE 1/4	40	0			
			NE 1/4 SE 1/4	40	0			
5 N.	25 E.	35	Lot 3	15	0			
5 N.	25 E.	36	NE 1/4 NE 1/4	25	0			
			NW 1/4 NE 1/4	40	0			
			SW 1/4 NE 1/4	30	0			
			SE 1/4 NE 1/4	40	0			
			NE 1/4 NW 1/4	40	0			
			SE 1/4 NW 1/4	30	0			
			NE 1/4 SW 1/4	40	0			
			NW 1/4 SW 1/4	30	0			
			SW 1/4 SW 1/4	40	0			
			SE 1/4 SW 1/4	40	0			
			NE 1/4 SE 1/4	40	0			
			NW 1/4 SE 1/4	40	0			
			SW 1/4 SE 1/4	40	0			
			SE 1/4 SE 1/4	38	0			
			5 N.	26 E.	15	Lot 1	19	0
						Lot 2	20	0
Lot 3	36	0						
Lot 4	12	5						
SW 1/4 SW 1/4	40	0						
SE 1/4 SW 1/4	40	0						
NE 1/4 SW 1/4	40	0						
5 N.	26 E.	16	Lot 1	33	0			
			Lot 2	15	0			
			Lot 3	41	0			
			Lot 4	41	0			
			Lot 5	40	0			
			Lot 6	25	0			
			Lot 7	41	0			
			Lot 8	41	0			
			Lot 9	41	0			
			Lot 10	41	0			
			Lot 11	41	0			
			Lot 12	41	0			
			Lot 13	41	0			
			Lot 14	41	0			
5 N.	26 E.	17	Lot 1	35	0			
			Lot 2	15	0			
			NE 1/4 SW 1/4	20	0			
			NE 1/4 SE 1/4	40	0			
			NW 1/4 SE 1/4	40	0			
			SW 1/4 SE 1/4	37	0			
			SE 1/4 SE 1/4	40	0			

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	26 E.	19	Lot 1	37	0
			Lot 2	15	0
			Lot 3	25	0
			Lot 6	25	0
			Lot 7	15	0
			SW 1/4 NE 1/4	40	0
			SE 1/4 NE 1/4	40	0
			NE 1/4 SW 1/4	38	0
			SW 1/4 SW 1/4	40	0
			SE 1/4 SW 1/4	40	0
			NE 1/4 SE 1/4	40	0
			NW 1/4 SE 1/4	40	0
			SW 1/4 SE 1/4	40	0
			SE 1/4 SE 1/4	40	0
5 N.	26 E.	20	Lot 1	40	0
			Lot 2	35	0
			Lot 3	30	0
			Lot 4	10	0
			SW 1/4 NE 1/4	40	0
			SE 1/4 NE 1/4	40	0
			SW 1/4 NW 1/4	40	0
			SE 1/4 NW 1/4	40	0
			NE 1/4 SW 1/4	40	0
			NW 1/4 SW 1/4	40	0
			SW 1/4 SW 1/4	40	0
			SE 1/4 SW 1/4	40	0
			NE 1/4 SE 1/4	40	0
			NW 1/4 SE 1/4	40	0
SW 1/4 SE 1/4	40	0			
SE 1/4 SE 1/4	40	0			
5 N.	26 E.	21	Lot 1	29	0
			Lot 2	34	0
			Lot 3	42	0
			Lot 4	17	0
			Lot 5	30	0
			Lot 6	47	0
			Lot 7	31	0
			Lot 8	24	0
			SW 1/4 NW 1/4	40	0
			NE 1/4 SW 1/4	40	0
			NW 1/4 SW 1/4	40	0
			SW 1/4 SW 1/4	40	0
			SE 1/4 SW 1/4	40	0
			NE 1/4 SE 1/4	40	0
NW 1/4 SE 1/4	40	0			
SW 1/4 SE 1/4	39	0			
SE 1/4 SE 1/4	38	0			
5 N.	26 E.	23	Lot 6	1	0
			Lot 7	6	0
			NE 1/4 SW 1/4	2	0
			NW 1/4 SW 1/4	3	0
			NE 1/4 SE 1/4	2	0
NW 1/4 SE 1/4	2	0			

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	26 E.	26	NE-SE	25	25
5 N.	26 E.	28	NW-NE	40	00
			SW-NE	24	00
			NE-NW	59	00
			NW-NW	58	00
			SW-NW	27	00
			SE-NW	29	00
5 N.	26 E.	29	NE-NE	38	00
			NW-NE	40	00
			SW-NE	59	00
			SE-NE	32	00
			NE-NW	40	00
			NW-NW	40	00
			SW-NW	59	00
			SE-NW	58	00
			NE-SW	31	00
			NW-SW	33	00
			NW-SE	31	00
5 N.	26 E.	30	NE-NE	40	00
			NW-NE	40	00
			SW-NE	40	00
			SE-NE	40	00
			NE-NW	40	00
			NW-NW	25	00
			SW-NW	40	00
			SE-NW	40	00
			NE-SW	40	00
			NW-SW	40	00
			SW-SW	40	00
			SE-SW	39	00
			NE-SE	40	00
			NW-SE	39	00
			SW-SE	40	00
			SE-SE	40	00
5 N.	26 E.	31	NE-NE	40	00
			NW-NE	40	00
			SW-NE	37	00
			SE-NE	32	00
			NE-NW	40	00
			NW-NW	40	00
			SW-NW	40	00
			SE-NW	40	00
			NE-SW	32	00
			NW-SW	31	00
			SW-SW	32	00
5 N.	26 E.	32	NW-NW	38	00
			SW-NW	32	00
5 N.	26 E.	35	NE-SE	40	00
			NW-SE	40	00
			SW-SE	40	00
			SE-SE	40	25

Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	26 E.	36	NE 1/4 SW 1/4	40	0
			NW 1/4 SW 1/4	40	0
			SW 1/4 SW 1/4	40	30
			SE 1/4 SW 1/4	40	20
			NE 1/4 SE 1/4	58	38
			NW 1/4 SE 1/4	25	20
			SW 1/4 SE 1/4	27	27
5 N.	27 E.	13	Lot 1	20	20
			Lot 2	4	4
			SW 1/4 SW 1/4	12	12
			SE 1/4 SW 1/4	14	14
			SW 1/4 SE 1/4	12	12
			SE 1/4 SE 1/4	6	0
			SE 1/4 SW 1/4	8	8
5 N.	27 E.	20	SW 1/4 SE 1/4	16	0
			SE 1/4 SE 1/4	31	0
			SE 1/4 NE 1/4	6	6
5 N.	27 E.	21	NE 1/4 SW 1/4	27	14
			NW 1/4 SW 1/4	20	11
			SW 1/4 SW 1/4	10	5
			NE 1/4 SE 1/4	6	6
			NW 1/4 SE 1/4	18	7
			NE 1/4 NE 1/4	23	23
			NW 1/4 NE 1/4	14	14
5 N.	27 E.	22	SW 1/4 NE 1/4	21	21
			NE 1/4 NW 1/4	9	0
			SW 1/4 NW 1/4	26	7
			SE 1/4 NW 1/4	24	24
			NE 1/4 NE 1/4	7	7
			NW 1/4 NE 1/4	8	8
			NE 1/4 NW 1/4	18	18
5 N.	28 E.	17	NW 1/4 NW 1/4	18	18
			NE 1/4 SW 1/4	21	21
			SW 1/4 SW 1/4	6	6
			SE 1/4 SW 1/4	24	24
5 N.	28 E.	18	SW 1/4 SE 1/4	30	30
			SE 1/4 SE 1/4	7	0
			Lot 2	10	5
			Lot 3	48	20
			Lot 4	34	5
			NE 1/4 SW 1/4	7	7
			NW 1/4 SW 1/4	8	8
			SW 1/4 SW 1/4	9	9
			SE 1/4 SW 1/4	6	6
			NW 1/4 SE 1/4	5	5
5 N.	28 E.	20	SW 1/4 SE 1/4	4	4
			NW 1/4 NE 1/4	10	10

4,879 Acres
4,883

RECEIVED

JUL 24 1991

WATER RESOURCES DEPT.
SALEM, OREGON

DEPARTMENT OF
VETERANS'
AFFAIRS

July 19, 1991

Oregon Department of Water Resources
3850 Portland Rd NE
Salem, OR 97310

The following accounts are now paid-in-full and the Oregon Department of Veterans' Affairs no longer has any interest in the status of the water rights.

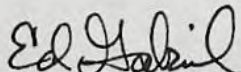
<u>ODVA ACCOUNT#</u>	<u>APPLICATION #</u>	<u>PERMIT#</u>	<u>CERTIFICATE#</u>
C06544	953	571	
	3263	19628	26050
	1343	624	26051
	37241	27841	
	Decree	V16 P188	26508
			31410
			31412
L48319	237	408	10142
	9668	7400	
	45384	33883	53086
L59016	T3372		48927
	33514	26508	33794
	64088	63840	39116
	65547	64953	39117
L78585	66700	48106	65734
L85084	10762	7867	15719
	21304	46707	15808
	16497	29882	
L86726	31431	24764	65149
L93204	55748	43324	
M17051	G6945	G6460	56805

BARBARA ROBERTS
Governor



Oregon Veterans' Building
700 Summer Street NE
Salem, OR 97310-1201

M31278			29052
	H162	V14 P332	
	13180	23256	
	32641	25991	
M66779	55856	42257	65294
M69429	G7419	G6922	57622
M70350	G7621	G7092	65925
M75656	7813	5003	6071
	61811	45933	
	17066	12800	12278
P13309	30584	24088	41763
	17704	13405	19999
P14154	G7609	G7360	53613
P27618	61672	45965	
	59876	44995	
	56597	42555	
P30097	38749	28839	38405
	138	46	1015
	7404	4686	3775
	G9908	G9058	Cancelled
	Powder River Dec	V6 P386	4155
P57127	57577	43328	65582
P57479	G2579	G2414	
	G7963	G7797	
	55574	48427	
P61541	52636	37751	55361
	John Day River	V10 P526	25327


ED GABRIEL, Manager
Appraisal Coordination Unit
373-2369

ab



Department of Veterans' Affairs

NOTICE OF INTEREST IN WATER RIGHT

TO: Director of Water Resources 3850 Portland Road N.E. Salem, Oregon 97310	DATE SENT TO WATER RESOURCES 5-16-86	DATE REC'D BY WATER RESOURCES RECEIVED MAY 28 1986 WATER RESOURCES DEPT. SALEM, OREGON
	DATE RETURNED TO DVA	

This is to notify you of an interest in the following described water right:

Completed by DVA	LOAN NUMBER L48319	FIELD OFFICE Pendleton	COUNTY MORROW	ACREAGE IRRIGATED: ORIGINAL APPRAISAL _____ ACTUAL _____
	NAME OF BORROWER (LAST, FIRST, M.I.) SKOUBO, Ralph K.			
	MAILING ADDRESS: _____			
	COMMENTS _____			

PROPERTY AND WATER RIGHT INFORMATION

Completed by WATER RESOURCES	TOWNSHIP	4N		
	RANGE	25E		
	SECTION	14		
	APPLICATION NUMBER:	237	9668	45384
	PERMIT NUMBER:	408	7400	33883
	PERMIT ACRES:		BC88	
	PERMIT STATUS:			
	CERTIFICATE NUMBER:	10142		53086
	CERTIFICATE ACRES:			
	IRRIGATION DISTRICT	NUMBER: West Extension Irrigation District.		
DOMESTIC WATER	NUMBER: _____			
COMMENTS Covered by District.				
6-2-86 DM				

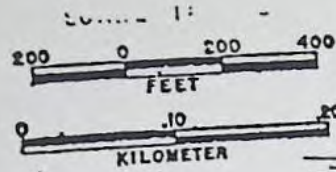
The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above-described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon 97310 Attention: Butch Gehley, Operations Compliance Manager.

Attachments:

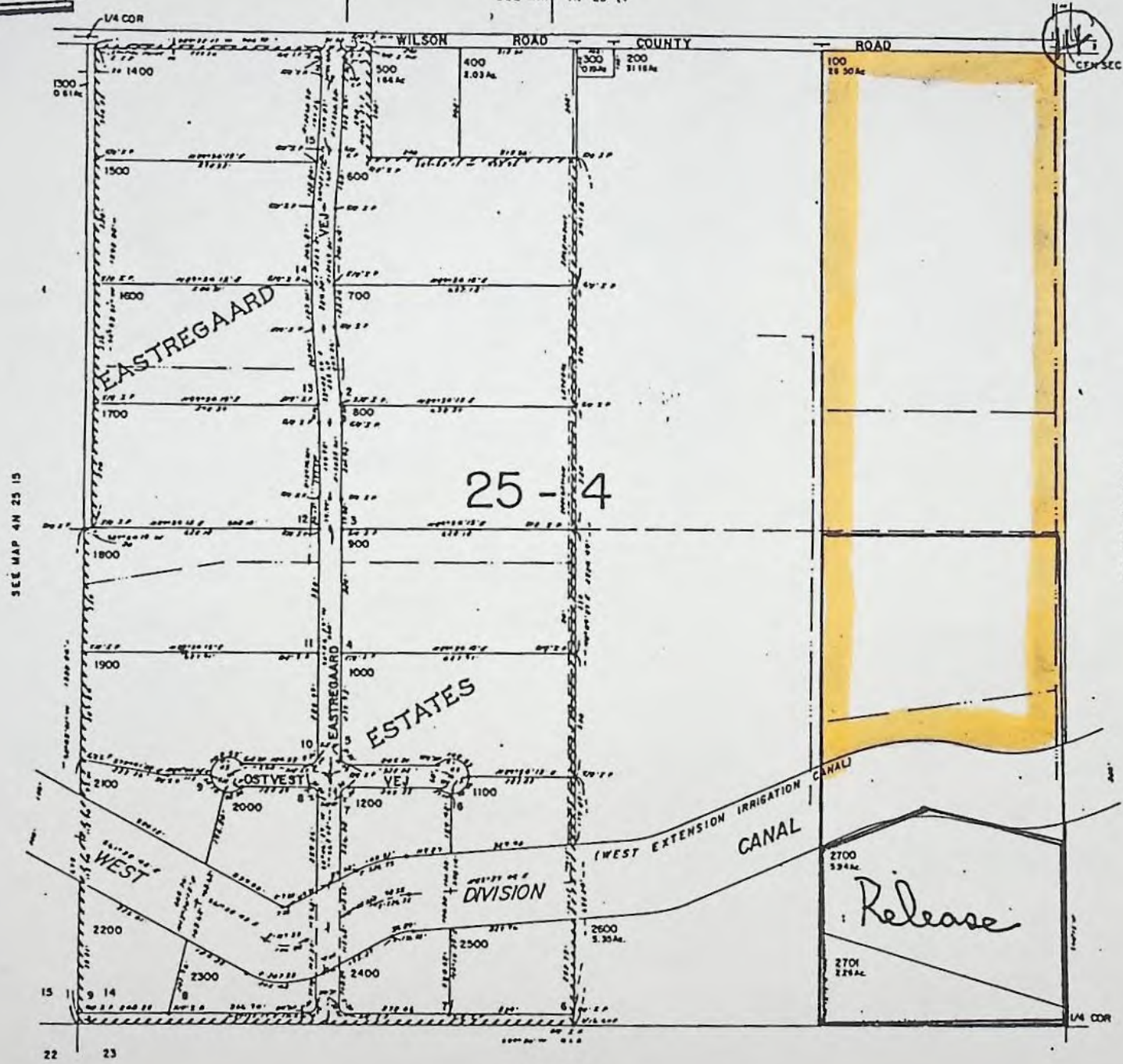
- Legal Descriptions
 Plat Maps
 Please return copy to ODVA

SW1/4 SEC. 14 T. 4N. R. 25E. W.M.
MORROW COUNTY
1" = 200'

4N 25 14C



SEE MAP 4N 25 14



SEE MAP 4N 25 15

SEE MAP 4N 25 14

SEE MAP 4N 25

PO/Morrow

NOTICE OF INTEREST IN WATER RIGHT

RECEIVED SEP 20 1985

SEP 28 1985

WATER RESOURCES DEPT
SALEM, OREGON

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

This is to notify you of an interest in the following described water right:

Loan Number C02342
Borrower's Name GRADY, John L.
Mailing Address _____

Property being served by the water:

Township <u>4 N</u>	Township _____	Township _____
Range <u>25 E</u>	Range _____	Range _____
Section <u>15</u>	Section _____	Section _____
Tract _____	Tract _____	Tract _____

Water Right Numbers:	<u>237</u>	<u>9668</u>	<u>45384</u>
Permit Number(s)	<u>408</u>	<u>7400</u>	<u>33883</u>
Certificate Number(s)	<u>10090</u>	<u>BC85</u>	<u>53883</u>
Irrigation District	<u>West Extension I. D.</u>		

covered by Dist.

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

DM

10-2-85

Attention: Butch Gehley, Appraisal Coordinator

Attachments:

- Legal Descriptions
- Tax Lot Maps
- Please return copy to ODVA

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SECTION 15. T.4N. R.25E. W.M.
MORROW COUNTY

SCALE 1:9600.

4N 25 15

T-400

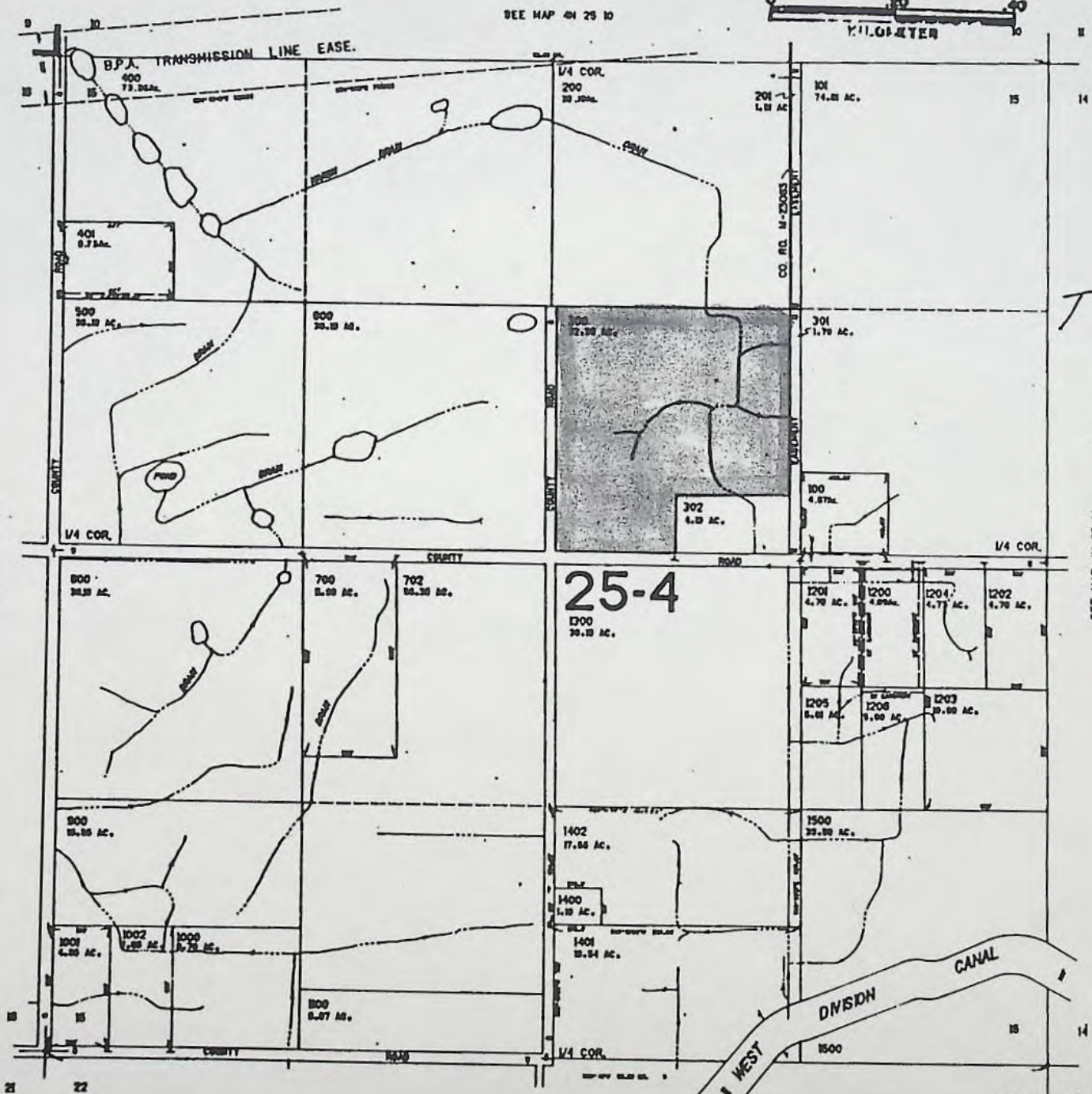


CANCELLED NOS.
701

SEE MAP 4N 25 10

SEE MAP 4N 23 10

SEE MAP 4N 23 14



T 4N R 25E
Sec 15

SEE MAP 4N 26

22 23

DEC 28 1984

NOTICE OF INTEREST IN WATER RIGHT

RECEIVED

DEC 28 1984

WATER RESOURCES DEPT
SALEM, OREGON

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

This is to notify you of an interest in the following described water right:

Loan Number P02603 - *V
Borrower's Name GILBERTSON, RANDOLPH P.
Mailing Address _____

Property being served by the water:

Township 4 N Township _____ Township _____
Range 25 E Range _____ Range _____
Section 18 Section _____ Section _____
Tract _____ Tract _____ Tract _____

SE 1/4 SW 1/4

Water Right Numbers:

Permit Number(s)	<u>237</u> <u>408</u>	<u>9668</u> <u>7400</u>	<u>45384</u> <u>33883</u>
Certificate Number(s)	<u>10142</u>	<u>USBR.</u>	<u>53086</u>
Irrigation District	<u>West Extension Irrigation District All Covered</u>		
	<u>IFDAC</u>	<u>20 Ac.</u>	<u>40 sup.</u>

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

DM
6-11-85

Attention: Foreclosure

Attachments:

- Legal Descriptions
- Plat Map
- Please return copy to ODVA

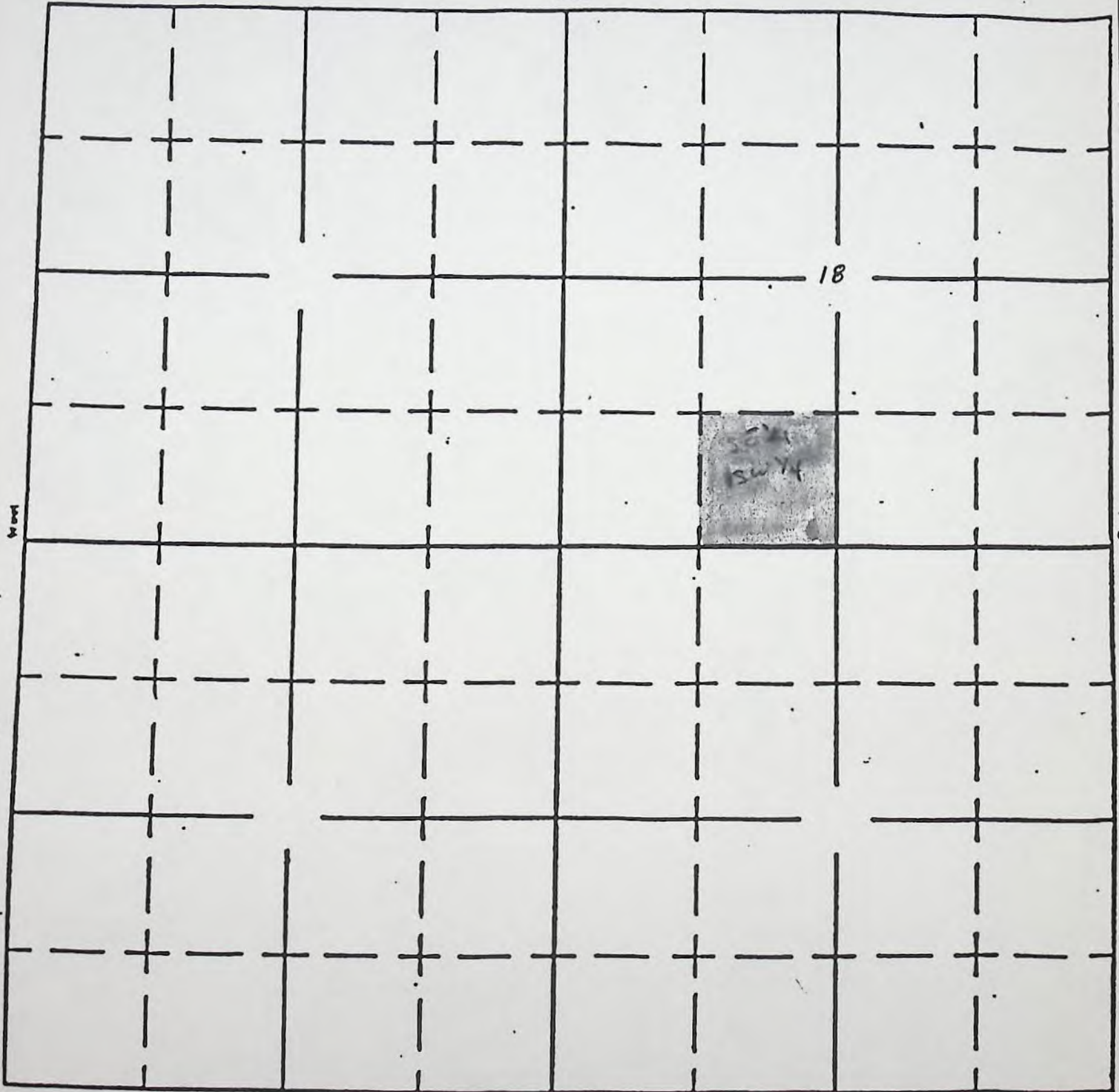
Department of Veterans' Affairs Worksheet
Date 1/15/85
Plat Card SCB
File THW
Stream Index SMW
Certificate (Permit) SMW

SECTION

18

TOWNSHIP 4N, RANGE 25E, W. M.

North



South

APPLICATION No.

PERMIT No.

237
45384
53419
61090

WEST EXTENSION IRRIGATION DISTRICT

Irrigon, Oregon 97844

RECEIVED

APR 22 1981

WATER RESOURCES DEPT
SALEM, OREGON

April 20, 1981

Water Rights Division
Water Resources Dept.
555 - 13th St. N.E.
Salem, Oregon 97310

Sirs;

Acting on a decision of the Board of Directors of the West Extension Irrigation District, we would like to be notified of any new water right application upstream from the 3 Mile Diversion Dam on the Umatilla River.

Sincerely,

Marie Johnson
Marie Johnson
Secretary
WEST EXTENSION
IRRIGATION DISTRICT

Entered in
Stream Index
4-22-81

DONALD G. MORRISON
ATTORNEY AT LAW
242 EAST MAIN STREET
P. O. BOX 32
HERMISTON, OREGON 97838
TELEPHONE (503) 567-5564
October 14, 1974

RECEIVED
OCT 16 1974
STATE ENGINEER
SALEM, OREGON

West Extension Irrigation District
Irrigon, Oregon 97841

State Engineer
1178 Chemeketa Street, N.E.
Salem, Oregon 97310

Re: Morris V. Stubbs

Gentlemen:

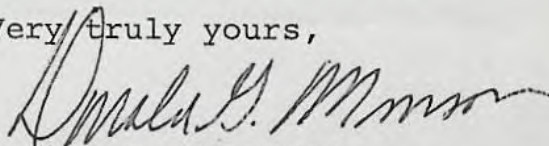
I represent Mr. Marcus Morris of P. O. Box 301, Irrigon, Oregon. Mr. Morris is a tenant in common with Mr. Henry Lee Stubbs of the property which is described on a copy enclosed herewith.

Mr. Stubbs denies Mr. Morris' ownership and a law suit is now pending to determine this along with other matters.

The purpose of this letter is:

1. To specifically inform you of Mr. Morris' interest and claim.
2. To request that you make no transfers concerning the water rights on this property without Mr. Morris' consent or until a legal determination has been made.

Very truly yours,



DONALD G. MORRISON

DGM:jrs
cc: Mr. Marcus Morris

Total acreage 4883.0
 Vol 35 426
 Cancel 35 426 - 14.8
 36 485 - 24.0
 - 8.0
 Remaining Total 4836.2

14.8 ac.
 part Cancelled - sp. or Rec. Vol. 35 P. 426
 See T 3559 transferred 14.8 ac.
 from NW¹SW⁴ to SW⁴SW⁴ Sec. 14
 T. 4N 25E

STATE OF OREGON
 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, That the UNITED STATES RECLAMATION SERVICE of Portland, State of Oregon, has made proof to the satisfaction of the State Engineer of Oregon, of a right to the use of the waters of the Umatilla River for the purpose of irrigation under Permit No. 408 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 28, 1909; that the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid, is limited to an amount beneficially used for said purposes, and shall not exceed 550 cubic feet per second and shall be further limited to not to exceed 2 acre feet per acre in any one 30 day period and not to exceed 10 acre feet per acre throughout the irrigation season. The point of diversion is located in the SW¹SW⁴ of Section 28, Township 5 North, Range 28 East, W. M.

550 = 0.0716772 cfs/acre
 or
 13.951437 per acre

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

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall not exceed the quantity specified above for each acre irrigated, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose) is as follows:

30 acres in the NE¹SW¹,
 30 acres in the NW¹SW¹,
 30 acres in the NE¹SE¹,
 30 acres in the NW¹SE¹,
 20 acres in the SW¹SE¹,
 20 acres in the SE¹SE¹,
 Section 12,

34 acres in the NE¹NE¹,
 40 acres in the NW¹NE¹,
 38 acres in the SW¹NE¹,
 37 acres in the SE¹NE¹,
 38 acres in the NE¹NW¹,
 40 acres in the NW¹NW¹,
 40 acres in the SW¹NW¹,
 40 acres in the SE¹NW¹,
 2 acres in the NW¹SW¹,
 5 acres in the NE¹SW¹,
 5 acres in the NW¹SE¹,
 5 acres in the NE¹SE¹,
 Section 24,

Cancelled - sp. or Rec. Vol. 36 P. 465
 T-3349
 -12°
 -12°

34 acres in the SW¹NE¹,
 33 acres in the SE¹NE¹,
 15 acres in the SW¹NW¹,
 35 acres in the SE¹NW¹,
 40 acres in the NE¹SW¹,
 35 acres in the NW¹SW¹,
 35 acres in the SW¹SW¹,
 34 acres in the SE¹SW¹,
 40 acres in the NE¹SE¹,
 35 acres in the NW¹SE¹,
 30 acres in the SW¹SE¹,
 40 acres in the SE¹SE¹,
 Section 15,

Township 4 North, Range 24 East, W. M.

18 acres in Lot 2,
 18 acres in Lot 3,
 12 acres in Lot 4,
 25 acres in Lot 5,
 26 acres in the NE¹SW¹,
 12 acres in the SE¹SW¹,
 40 acres in the NE¹SE¹,
 22 acres in the NW¹SE¹,
 Section 7,

30 acres in the SW¹SW¹,
 20 acres in the SE¹SW¹,
 20 acres in the SE¹SE¹,
 Section 14,

20 acres in Lot 3,
 20 acres in Lot 4,
 30 acres in the NE¹SW¹,
 39 acres in the NW¹SW¹,
 40 acres in the SW¹SW¹,
 39 acres in the SE¹SW¹,
 31 acres in the NW¹SE¹,
 25 acres in the SW¹SE¹,
 20 acres in the SE¹SE¹,
 Section 8,

40 acres in the NE¹NE¹,
 37 acres in the NW¹NE¹,
 38 acres in the SE¹NE¹,
 40 acres in the NE¹NW¹,
 40 acres in the NW¹NW¹,
 15 acres in the SW¹NW¹,
 37 acres in the SE¹NW¹,
 Section 23,

(1) T-5067 A POV 20-26

4N 25E
 DVA Notification 10142

Check Map

-5157 A POU 6² 40 acres in the SE¹/₄ NE¹/₄, Section 10,

-470 A POU 6² 40 acres in the SW¹/₄ NW¹/₄, Section 11,

40 acres in the NE¹/₄ SW¹/₄,
25 acres in the NW¹/₄ SW¹/₄,
22 acres in the SE¹/₄ SW¹/₄,
40 acres in the SW¹/₄ SE¹/₄,

35 acres in the NW¹/₄ NW¹/₄,
40 acres in the SW¹/₄ NW¹/₄,
7 acres in the SE¹/₄ NW¹/₄,
15 acres in the NE¹/₄ SW¹/₄,
40 acres in the NW¹/₄ SW¹/₄,
18 acres in the SW¹/₄ SW¹/₄,

28 acres in the NE¹/₄ NW¹/₄,
39 acres in the SW¹/₄ NW¹/₄,
40 acres in the SE¹/₄ NW¹/₄,
40 acres in the NE¹/₄ SW¹/₄,
51 acres in the NW¹/₄ SW¹/₄,
16 acres in the SE¹/₄ SW¹/₄,
55 acres in the NE¹/₄ SE¹/₄,
25 acres in the NW¹/₄ SE¹/₄,
5 acres in the SE¹/₄ SE¹/₄,

31 acres in the SW¹/₄ NE¹/₄,
40 acres in the SE¹/₄ NE¹/₄,
50 acres in the SW¹/₄ NW¹/₄,
55 acres in the SE¹/₄ NW¹/₄,
57 acres in the NE¹/₄ SW¹/₄,
58 acres in the NW¹/₄ SW¹/₄,
59 acres in the SW¹/₄ SW¹/₄,
59 acres in the SE¹/₄ SW¹/₄,
40 acres in the NE¹/₄ SE¹/₄,
40 acres in the NW¹/₄ SE¹/₄,
57 acres in the SW¹/₄ SE¹/₄,
24 acres in the SE¹/₄ SE¹/₄,

52 acres in the SE¹/₄ NE¹/₄,
20 acres in the SE¹/₄ SE¹/₄,
25 acres in the NE¹/₄ NW¹/₄,
25 acres in the NW¹/₄ NE¹/₄,
25 acres in the SW¹/₄ NW¹/₄,
15 acres in the SE¹/₄ NW¹/₄,
30 acres in the NE¹/₄ SW¹/₄,
51 acres in the SW¹/₄ SW¹/₄,

33 acres in the NE¹/₄ NE¹/₄,
22 acres in the NW¹/₄ NE¹/₄,
40 acres in the SW¹/₄ NE¹/₄,
33 acres in the SE¹/₄ NE¹/₄,
47 acres in Lot 2,
55 acres in the SE¹/₄ NW¹/₄,
52 acres in Lot 3,
40 acres in the NE¹/₄ SW¹/₄,

A 7#3559
POU 428 ac
to SW¹/₄ SW¹/₄
Cancelled
Sp. Dr. V35 P426

55 acres in Lot 4,
40 acres in the SE¹/₄ SW¹/₄,
20 acres in the NE¹/₄ SE¹/₄,
35 acres in the NW¹/₄ SE¹/₄,
25 acres in the SW¹/₄ SE¹/₄,
39 acres in the SE¹/₄ SE¹/₄,
Section 18,

40 acres in the NE¹/₄ NE¹/₄,
30 acres in the NW¹/₄ NE¹/₄,
40 acres in the SW¹/₄ NE¹/₄,
40 acres in the SE¹/₄ NE¹/₄,
40 acres in the NE¹/₄ NW¹/₄,
55 acres in Lot 1,
55 acres in Lot 2,
40 acres in the SE¹/₄ NW¹/₄,
Section 19,

29 acres in the NE¹/₄ NE¹/₄,
22 acres in the NW¹/₄ NE¹/₄,
32 acres in the NE¹/₄ NW¹/₄,
35 acres in the NW¹/₄ NW¹/₄,
36 acres in the SW¹/₄ NW¹/₄,
12 acres in the SE¹/₄ NW¹/₄,
Section 20,

15 acres in the NW¹/₄ NW¹/₄,
Section 21,
7 acres in the NW¹/₄ NE¹/₄,
19 acres in the NE¹/₄ NW¹/₄,
19 acres in the NW¹/₄ NW¹/₄,
Section 22,

Township 4 North, Range 25 East, W. M.
10 acres in the NE¹/₄ NW¹/₄,
20 acres in the NW¹/₄ NW¹/₄,
Section 1,

40 acres in Lot 10,
54 acres in Lot 9,
Section 2,

5 acres in the SW¹/₄ NE¹/₄,
25 acres in the SE¹/₄ NE¹/₄,
15 acres in the SW¹/₄ SW¹/₄,
15 acres in the SE¹/₄ SW¹/₄,
20 acres in the NW¹/₄ SE¹/₄,
Section 3,

Township 4 North, Range 26 East, W. M.
35 acres in Lot 3,
5 acres in Lot 4,
Section 15,

1 acre in Lot 6,
6 acres in Lot 7,
2 acres in the NE¹/₄ SW¹/₄,
5 acres in the NW¹/₄ SW¹/₄,
2 acres in the NE¹/₄ SE¹/₄,
2 acres in the NW¹/₄ SE¹/₄,
Section 23,

25 acres in the NE¹/₄ SE¹/₄,
Section 26,

See Sample # 23113
with survey
11/2/75

T-4651-162
T#3651-152

T#3651 911

T-4280 POU 15' ac
Section 18,

1581

1065

10142

35 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 35,
30 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
20 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
38 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
20 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
27 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
170 Section 36,
Township 5 North, Range 26 East, W. M.

20 acres in Lot 1,
4 acres in Lot 2,
12 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
14 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
12 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 13,

8 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Cancelled
Section 20, See 52764.
Sp or V40P87

6 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
14 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 191A T#3597
11 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
6 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
7 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
123 Section 21,

23 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
14 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
21 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
7 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
24 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
89 Section 22,

7 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
8 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
18 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
18 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 23,
Township 5 North, Range 27 East, W. M.

21 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
6 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
24 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
50 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
132 Section 17,

5 acres in Lot 2,
20 acres in Lot 3,
5 acres in Lot 4,
7 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
8 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
9 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
6 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
4 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 18,

10 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
79 Section 20,
Township 5 North, Range 28 East, W. M.

The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

This certificate is to correct and supersede that certain water right certificate issued by the State Engineer on July 28, 1933, to the United States Reclamation Service, which certificate is recorded in State Record of Water Right Certificates, Volume 9, Page 10090.

WITNESS the signature of the State Engineer,
affixed this 26th day of August, 1935.

CHAS. E. STRICKLIN
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, Page 10142.

T 3065
T#3616
T#3651

January 13, 1975

Mr. Donald G. Morrison
Attorney at Law
P. O. Box 32
Hermiston, Oregon 97838

Dear Mr. Morrison:

Some time ago you wrote regarding property of Marcus Morris and Henry Lee Stubbs. We have not yet received an application for change in place of use involving this property. There is only one perfected right appurtenant to it. The others are inchoate rights evidenced by permits and not subject to transfer.

I will mark our records so you will be notified if such an application is filed and would appreciate being advised when the suit is concluded.

Very truly yours,

Trevor Jones
Assistant

TJ:whh

RECEIVED

OCT 16 1974

STATE ENGINEER
SALEM, OREGON

Handwritten numbers: 2, 3, 7, 9, 6, 8, 4, 3, 9, 5, 6, 4, 4, 5, 3, 8, 4. An arrow points to the number 4.

The Southwest quarter of the Southwest quarter (SW¹SW¹) of Section Three (3), Township Four (4) North, Range 26, E1M, lying North of the West Extension Irrigation Canal; the Southwest quarter of the Southwest quarter (SW¹SW¹) of Section Three (3), Township 4 North, Range 26, E1M, lying South of the West Extension Irrigation Canal, and the Northwest quarter of the Southwest quarter (NW¹SW¹) of Section Three (3) Township Four (4) North, Range 26, E1M., Morrow County, State of Oregon.

STATE
ENGINEER

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378 3

I. M. McCALL
DIRECTOR

C. J. WHEELER
State Engineer

July 31, 1974

FILED

2

Nagl & Sons, Inc.
P.O. Box 196
Aurora, OR 97002

Gentlemen:

Our records show that certificate of water right recorded at Page 10142, Volume 9, State Record of Water Right Certificates; has been issued for the use of 350 cubic feet of water per second from the Umatilla River for the irrigation of 4,853 acres under a priority date of March 28, 1909. The SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 4 North, Range 25 East, W.M. is included under this right. 4883 Total

A perfected water right, such as the previously mentioned certificate, remains valid indefinitely provided the water is used as described on the certificate. It is subject to forfeiture by failure to exercise the right for a period of five successive years.

The State Engineer has also issued permit numbered 33883 to the West Extension Irrigation District for the use of 160 cubic feet of water per second from the Umatilla River for the irrigation of 3,984.8 acres and the use of 90 cubic feet of water per second from the Columbia River for the supplemental irrigation of 10,038.9 acres. The priority dates from September 12, 1968. The SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 4 North, Range 25 East, W.M. is also included under this permit.

The District has advised us that water has been beneficially used. We will probably make a final proof inspection of the project in a year or so.

Very truly yours,

THOMAS E. SHOOK
Assistant

TES:cdp

November 5, 1965

Mr. R. B. Rands
Boardman
Oregon

Dear Mr. Rands:

In response to your recent request, the rights held by the West Extension Irrigation District are included in part as vested rights and determined by decree of the court which is limited to a diversion of not to exceed 6 acre feet per acre during the irrigation season of March 1 to November 1 of each year.

A secondary right was acquired under permit issued by the State Engineer which permitted the diversion of not to exceed up to a total of 10 acre feet per acre irrigated during the irrigation season of each year.

Under the terms of this right, you would not legally be entitled to use any water outside of this or after a total of 10 acre feet has been diverted for the district's use. As of the first of November of this year, the district had diverted approximately 11 acre feet per acre. Therefore, they had exceeded their legally authorized use.

Increasing pressure and public demand for water remaining in the stream for fishery and recreational purposes will require closer and closer regulations as time goes by. In order to serve its users, districts such as the West Extension will be required to exercise a reasonable degree of care in distribution of the water allotted.

In the past year the district has opened headgates and taken a full canal throughout the entire season without regulating back when some users did not need or had not used the water. This practice has resulted in thousands of acre feet passing from the river into the canal down the canal and back into either the Columbia River or the Umatilla River at strategically located wasteways without any attempt to apply this water to the land.

Mr. R. B. Rands

2

November 5, 1965

Only a minimal amount of expense would be necessary to substantially reduce the waste which has occurred through this means.

As stated to you over the phone, when demands are made, I have no choice but to comply with the law and deliver water strictly in accordance with existing rights. My sympathies are with the district in this matter, but I feel sure that with a reasonable amount of care an adequate supply will be available for the district's needs.

Very truly yours,

CHRIS L. WHEELER
State Engineer

CLW:ch

December 17, 1962

West Extension Irrigation District
Irrigon,
Oregon

Gentlemen:

This letter is being written in response to a request by Mr. Allan C. Langenwalter.

A search of our records discloses no existing water right of record for irrigation of lands located within the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 12, Township 4 North, Range 25 East, W.M.

Water right permit No. 408, which was issued to the U. S. Reclamation Service on September 13, 1910, authorized the appropriation of water from the Umatilla River for irrigation of several thousand acres of land, among other lands, most of the S $\frac{1}{2}$ of Section 12, Township 4 North, Range 25 East.

At the time final proof of appropriation was received in the early 1930's, no use of water was claimed for the said Section 12. Therefore, the lands in Section 12 were not included in the tabulation in the certificate of water right which is recorded at page 10142, State Record of Water Rights Certificates.

Permit No. 7400, which was issued to the U. S. Bureau of Reclamation authorizing the appropriation of stored water from McKay Reservoir for irrigation of lands already having a partial water right (supplemental irrigation), appears to include lands in Section 12, Township 4 North, Range 25 East, W.M. However, since proof was not made for use of water on the said lands under the primary right, water could not be used on the lands under the provisions of permit No. 7400.

Very truly yours,

CHRIS L. WHEELER, State Engineer

By
James W. Carver, Jr., Assistant

JWC:eh
cc - Mr. Allan C. Langenwalter

ALLAN C. LANGENWALTER
CERTIFIED PUBLIC ACCOUNTANT
POST OFFICE BOX 1027
HERMISTON, OREGON
JORDAN 7-6438

RECEIVED
DEC 10 1962
STATE ENGINEER
SALEM, OREGON

December 6, 1962

State Engineer
Salem, Oregon

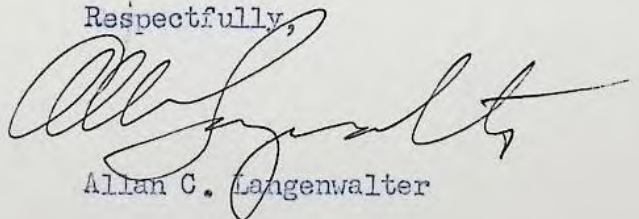
Gentlemen:

I am writing for the account of the West Extension Irrigation District for whom I am at present serving as office manager. A discussion has arisen in the District's meetings as to the water rights for the area generally around Boardman and with particular reference at this time to the $N\frac{1}{2}$ of the $SE\frac{1}{4}$ in Section 12, Township 4N, Range 25E. I have spent some time with the records in the District office and they seem to reflect applications for water rights in 1918 and 1919 in this general area. I fail to find any tie between these applications and any water right adjudication or State Engineers permits. I have likewise looked at the records in Jerry Haines's office in Pendleton and can find nothing there relative to the general area in and around Boardman. The District question is this: Have water rights been properly filed in the State Engineer's Office for the lands presently being irrigated by the West Extension Irrigation District in and around Boardman, Oregon? If so, where are the records for us to trace to and if not, what further step or steps are necessary to get water rights attached to the land being irrigated.

Your reply should be addressed to the West Extension Irrigation District at Irrigon, Oregon, with a carbon copy to the undersigned at the address on this letterhead.

Thank you in advance for your trouble and help.

Respectfully,



Allan C. Langenwalter

al:cj

cc: West Extension Irrigation District
Irrigon, Oregon

December 17, 1962

Cunha and Mosgrove
Attorneys at Law
P. O. Box 806
Pendleton, Oregon.

Attention Mr. Mosgrove

Gentlemen:

In reply to your letter of December 12, a search of our records discloses no existing water right of record for irrigation of lands located within the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 12, Township 4 North, Range 25 East, W.M.

Water right permit No. 408, which was issued to the U. S. Reclamation Service on September 13, 1910, authorized the appropriation of water from the Umatilla River for irrigation of several thousand acres of land, among other lands, most of the S $\frac{1}{2}$ of Section 12, Township 4 North, Range 25 East.

At the time final proof of appropriation was received in the early 1930's, no use of water was claimed for the said Section 12. Therefore, the lands in Section 12 were not included in the tabulation in the certificate of water right which is recorded at page 10142, State Record of Water Rights Certificates.

Permit No. 7400, which was issued to the U. S. Bureau of Reclamation authorizing the appropriation of stored water from McKay Reservoir for irrigation of lands already having a partial water right (supplemental irrigation), appears to include lands in Section 12, Township 4 North, Range 25 East, W.M. However, since proof was not made for use of water on the said lands under the primary right, water could not be used on the lands under the provisions of permit No. 7400.

Very truly yours,

CHRIS L. WHEELER, State Engineer

By

James W. Carver, Jr., Assistant

RECEIVED
DEC 13 1962
STATE ENGINEER
SALEM, OREGON

CUNHA & MOSGROVE
ATTORNEYS AT LAW
216 TITLE INSURANCE BUILDING
POST OFFICE BOX 806
PENDLETON, OREGON

TELEPHONE
CRESTVIEW 6-7511

ALFRED F. CUNHA
THOMAS M. MOSGROVE
ROBERT E. O'ROURKE

December 12, 1962

237
9664

State Engineer
Salem, Oregon

Dear Sir:

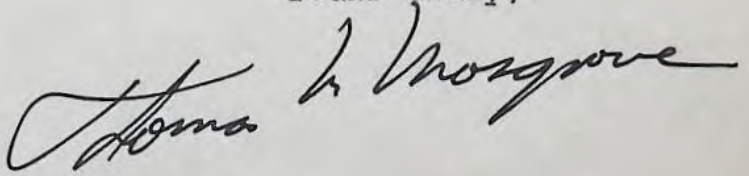
This office represents the West Extension Irrigation District which is the owner of the following described real property, to-wit:

The North Half of the Southeast Quarter of Section 12 Township 4 North, Range 25 E. W. M. in Morrow County, Oregon.

The Irrigation District is under the impression that there is a water right appurtenant to this land. I have checked the 1916 Umatilla River Adjudication and find no water right was granted to this land in that adjudication. I wonder if you could check your records and advise us whether a permit has been issued for water right appurtenant to the above described land. I am under the impression that it probably would be quite an early water right sometime between 1910 and 1920 although I am not certain that that is the case.

We would appreciate hearing from you at your earliest convenience as we are trying to negotiate a settlement of a lawsuit concerning this land and the information will make some difference in our negotiations. Thank you for what I know will be your prompt attention to this.

Yours truly,



TMM:b

March 15, 1935

Mr. A. C. Houghton, Secretary
West Extension Irrigation District
Irrigon, Oregon

Dear Sir:

In response to the request contained in your letter of March 13, I am inclosing a copy of water right Certificate No. 10142, which was issued in confirmation of Permit No. 408.

Our records indicate that the original certificate was forwarded to Mr. Stouteneger after recording in the county records and he undoubtedly has it.

The law provides that the state Engineer collect a fee of 10 cents for each one hundred words or portion thereof for preparing copies, and the fee for preparing the inclosed copy is, therefore, \$1.00. I presume, therefore, that it is necessary that I ask that you make a remittance in that amount at your convenience.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

By
V. S. Bovelie, Ass't.

WEST EXTENSION IRRIGATION DISTRICT
IRRIGON, OREGON

March 13, 1935

Mr. Chas. E. Stricklin,
State Engineer,
Salem, Oregon.

RECEIVED
MAR 14 1935
STATE ENGINEER
SALEM, OREGON

Dear Mr. Stricklin:

In going over my files relating to water rights, etc., I note that I do not have a copy of the Water Right Certificate issued (as amended) in August, 1933, relating to Permit No. 408.

May I have a copy of this certificate--

Very truly yours,

A. C. Houghton
Secretary

WEST EXTENSION IRRIGATION DISTRICT
IRRIGON, OREGON

August 24,,1933

Mr. Chas. E. Stricklin,
State Engineer,
Salem, Oregon.

STATE ENGINEER
RECEIVED

AUG 25 1933

SALEM, OREGON

Dear Mr. Stricklin:

I am informed by Mr. Stoutemyer, our District Counsel, that we owe your office \$ 1.00 re the filing of recent Water Permit concering former Permit 408. The \$ 1.00 is inclosed herewith.

Secretary

A. C. Houghton

*Rec. Dist
8-26-33*

August 25, 1936.

Mr. B. E. Stoutenyer, District Counsel,
Bureau of Reclamation,
603 Post Office Building,
Portland, Oregon.

Dear Sir:

This will acknowledge receipt of your letter of August 23rd with which you returned Certificate No. 10090, in the name of the U. S. Reclamation Service, for correction.

A correction certificate is being issued eliminating the limitation which was objected to in your letter of August 10th and is being forwarded to the County Clerk for recording in the county records. He will forward the certificate to you after recording it. Certificate No. 10090 is being cancelled on our records and the County Clerk will be requested to cancel it on his records also.

In response to your request, a copy of the Attorney General's opinion relative to this matter is enclosed.

Very truly yours,

CHAS. E. STRICKLIN,
State Engineer.

By
V. S. Dovel, Assistant.

VSD:LN
encl.

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

603 Postoffice Building
Portland, Oregon
August 23, 1933

STATE ENGINEER
RECEIVED

AUG 24 1933

SALEM, OREGON

Mr. Chas. E. Stricklin,
State Engineer,
Salem, Oregon.

My dear Mr. Stricklin:

Referring to our letter of August 10, in regard to Permit No. 408 for 350 second-feet of the waters of Umatilla River for use on the lands of the West Extension division of the Umatilla reclamation project, and your reply of August 16:

From our discussion of this subject when you were in the office on last Monday, it is my understanding that you now have an opinion from the Attorney General and that the Attorney General agrees with us in the opinion that the act of 1927 (sec. 47-508, Oregon Code) was not intended to be retroactive and therefore that it is unnecessary to insert the objectionable paragraph, referred to in our letter, in certificates issued under permits which were secured prior to the date of this act.

In compliance with your suggestion, we are now returning the certificate in question for the elimination of the paragraph quoted in my letter of August 10.

We would be very much interested in seeing the Attorney General's opinion on this question and would be much obliged to you if you will send us a copy.

Thanking you for your courtesy in this matter,

Very truly yours,

encl

*Issue
Correction Part x
Administrative Section
marked x*

B. E. Stoutemyer
B. E. Stoutemyer
District Counsel

August 17, 1933

Hon. I. H. Van Winkle
Attorney General
SUPREME COURT BUILDING

Dear Mr. Van Winkle:

Your opinion on the following matter will be appreciated:

On September 12, 1910, the State Engineer issued to the United States Reclamation Service a Permit No. 408, under an application submitted by them on March 28, 1909. This was subsequently followed by the issuance of Certificate No. 10000 in confirmation thereof on July 28, 1932. This certificate was in the form provided in Section 47-508, Oregon Code 1930, and contained therein the provision or limitation which is quoted in the copy of a letter from Mr. Stoutemyer, District Counsel, which is inclosed.

You will note that Mr. Stoutemyer states that the United States cannot accept a certificate with this limitation. Section 5728 Oregon Laws (Section 47-508 Oregon Code 1930) was amended in 1927, (Chapter 87, Section 1, General Laws of Oregon 1927) and it appears to be his opinion that such amendment cannot be retroactive. This section of Oregon Laws prior to 1927 provided that a limitation similar to the above should be placed in certificates for water right permits for power purposes only, while the 1927 amendment would seem to include all uses.

Your opinion is respectfully requested as to whether or not the State Engineer has authority to issue a certificate to the United States Government without the above limitation. Your opinion is also requested as to whether or not in view of the fact that the application under which this permit was issued was made prior to 1927, that this limitation should be placed in the certificate.

Very truly yours

CRAS. E. STRICKLIN
State Engineer

By V. S. Bovelie, Ass't.

VSB EL

August 16, 1933

Mr. B. E. Stoutemyer, District Counsel
Bureau of Reclamation
603 Postoffice Building
Portland, Oregon

Dear Mr. Stoutemyer:

This will acknowledge receipt of your letter of August 10, pertaining to Permit No. 408, in which you state that the Certificate No. 10090 is not acceptable with the limitation which you have quoted in your letter.

Section 47-508, Oregon Code, makes provision for the issuance of certificates by the State Engineer. Since that section requires that each certificate shall contain a recovery clause or limitation, it does not appear that the State Engineer has authority to issue a certificate without such limitation or condition. The matter has, however, been referred to the Attorney General for an opinion and you will be further advised when he has given his opinion.

Very truly yours

CHAS. E. STRICKLIN
State Engineer

By V. S. Bovelle, Ass't.

VSB EL

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION
603 Postoffice Building
Portland, Oregon
August 10, 1933

Mr. Chas. E. Stricklin,
State Engineer,
Salem, Oregon.

My dear Mr. Stricklin:

We are in receipt of your water right certificate in connection with Permit No. 408 for 350 second-feet of the waters of Umatilla River for use on lands lying under the West Extension Canal of the Umatilla reclamation project.

We notice that you have inserted in this certificate a paragraph reading as follows:

"After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of Section 47-508, Oregon Code 1930."

We cannot accept the certificate with this provision written into it and would like to have your suggestion as to the best way to handle the matter.

As you probably know, all the waters of the Umatilla River were withdrawn by the federal government under the law of 1905 for use in connection with the Umatilla project, concerning which the Supreme Court of this state said, in the case entitled In Re Waters of Umatilla River:

"We may well doubt if there was any water left which could be applied to this 12,747.48-acre tract after the appropriation by the United States, for its notice demanded all the then unappropriated waters of the Umatilla river, and the statute in question expressly stated that waters 'unappropriated at the date of the filing thereof shall not be subject to further appropriation under the laws of this state, but shall be deemed to have been appropriated by the United States.' Under the provisions of the act it would seem that the decree was more favorable to the appellant than it could ask, but the general government has not appealed from the decree, and hence no further notice will be taken of that feature."

In Re Waters of Umatilla River, 168 P. 925

The filing upon which Permit No. 408 was issued was made by the United States in 1909.

The act authorizing the insertion of the clause quoted above appears to have been passed in 1927, which was some years after the date when Permit No. 408 was issued and also several years after the canal had been constructed and the water applied to beneficial use.

I think the act of 1927 was intended to apply to rights acquired in the future but not to those where the permits had been issued, ditches constructed, and water applied to beneficial use prior to that date. At any rate, I do not believe that anyone will argue that the State can acquire the right to take federal property by inserting such a provision in the state law. The canals and other irrigation works involved in this case are the property of the United States, constructed under the federal reclamation law.

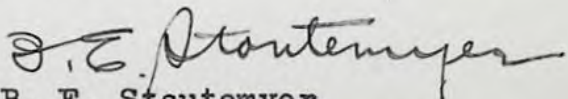
In view of the withdrawal of all of the unappropriated waters of the Umatilla river by the federal

government under the act of 1905 referred to in the case of *In Re Waters of Umatilla River*, as quoted above, and in view of the further fact that the water used on the West Extension of the Umatilla project is all return flow water from other divisions of the project, except for a short time in the spring when some flood water may be available, and the right of the government to such return flow water is established by decision of the Supreme Court of the United States in the case of *Ide v. United States*, 263 U.S. 497, 68 L.ed. 407, the certificate under Permit No. 408 is probably not of very much importance to the project. However, we would like to have the matter closed and have a certificate issued if it is issued in a form which the United States can accept, but obviously we could not accept a certificate which gives the state a right to take over the dams and other irrigation structures which are the property of the United States.

If nothing else can be done, it may be best to have the certificate revoked and an extension of time granted. At any rate, it should be made plain on the record that the United States does not accept the certificate with the condition inserted therein in regard to the taking over of the dam and other irrigation structures which are the property of the United States, by the state or municipal subdivisions of the state.

I will be much obliged if you will look this over in view of the facts above referred to and suggest what you think it would be best to do under the circumstances.

Very truly yours,


B. E. Stoutemyer
District Counsel

237
Sec 5728 Oregon laws

1909-

(Ch 216 Sec 53)
(General laws of Oregon)

Panor purposes only
40 years

Sec 5728 Oregon laws

Amended 1923 (Ch 283 Sec 10)
General laws of Oregon

Panor purposes
only 40 years

Amended 1927 (Ch 87 Sec 1) General
laws of Oregon

All purposes 50 years

Recd 3/28/09,
Issued 9/13/10,

STATE ENGINEER
RECEIVED

AUG 1 1933

STATE OF OREGON
COUNTY OF UMATILLA

SALEM, OREGON

ABSTRACT OF CERTIFICATE OF WATER RIGHT NO. 10090.

United States Reclamation Service of Portland, State of Oregon, has made proof to the satisfaction of the State Engineer of Oregon, of a right to the use of the waters of the Umatilla River for the purpose of irrigation under Permit No. 408 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 28, 1909; that the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid, is limited to an amount beneficially used for said purposes, and shall not exceed 350 cubic feet per second and shall be further limited to not to exceed 2 acre feet per acre in any one 30 day period and not to exceed 10 acre feet per acre throughout the irrigation season. The point of diversion is located in the $SW\frac{1}{4}SE\frac{1}{4}$ of Section 28, Township 5 North, Range 28 East, W. M.

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

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall ~~not~~ *be limited on the quantity* ~~exceed~~ *of one cubic foot per second per acre*, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose) is as follows:

30 acres in the $NE\frac{1}{4}SW\frac{1}{4}$,
30 acres in the $NW\frac{1}{4}SW\frac{1}{4}$,
30 acres in the $NE\frac{1}{4}SE\frac{1}{4}$,
30 acres in the $NW\frac{1}{4}SE\frac{1}{4}$,
20 acres in the $SW\frac{1}{4}SE\frac{1}{4}$,
20 acres in the $SE\frac{1}{4}SE\frac{1}{4}$,
Section 12,

34 acres in the $SW\frac{1}{4}NE\frac{1}{4}$,
33 acres in the $SE\frac{1}{4}NE\frac{1}{4}$,
15 acres in the $SW\frac{1}{4}NW\frac{1}{4}$,
35 acres in the $SE\frac{1}{4}NW\frac{1}{4}$,
40 acres in the $NE\frac{1}{4}SW\frac{1}{4}$,
35 acres in the $NW\frac{1}{4}SW\frac{1}{4}$,
35 acres in the $SW\frac{1}{4}SW\frac{1}{4}$,
34 acres in the $SE\frac{1}{4}SW\frac{1}{4}$,
40 acres in the $NE\frac{1}{4}SE\frac{1}{4}$,
35 acres in the $NW\frac{1}{4}SE\frac{1}{4}$,
30 acres in the $SW\frac{1}{4}SE\frac{1}{4}$,
40 acres in the $SE\frac{1}{4}SE\frac{1}{4}$,
Section 13,

50 acres in the $SW\frac{1}{4}SW\frac{1}{4}$,
20 acres in the $SE\frac{1}{4}SW\frac{1}{4}$,
20 acres in the $SE\frac{1}{4}SE\frac{1}{4}$,
Section 14,

40 acres in the $NE\frac{1}{4}NE\frac{1}{4}$,
37 acres in the $NW\frac{1}{4}NE\frac{1}{4}$,
38 acres in the $SE\frac{1}{4}NE\frac{1}{4}$,
40 acres in the $NE\frac{1}{4}NW\frac{1}{4}$,
40 acres in the $NW\frac{1}{4}NW\frac{1}{4}$,
15 acres in the $SW\frac{1}{4}NW\frac{1}{4}$,
37 acres in the $SE\frac{1}{4}NW\frac{1}{4}$,
Section 23,

34 acres in the $NE\frac{1}{4}NE\frac{1}{4}$,
40 acres in the $NW\frac{1}{4}NE\frac{1}{4}$,
38 acres in the $SW\frac{1}{4}NE\frac{1}{4}$,
37 acres in the $SE\frac{1}{4}NE\frac{1}{4}$,
38 acres in the $NE\frac{1}{4}NW\frac{1}{4}$,
40 acres in the $NW\frac{1}{4}NW\frac{1}{4}$,
40 acres in the $SW\frac{1}{4}NW\frac{1}{4}$,
40 acres in the $SE\frac{1}{4}NW\frac{1}{4}$,
2 acres in the $NW\frac{1}{4}SW\frac{1}{4}$,
5 acres in the $NE\frac{1}{4}SW\frac{1}{4}$,
5 acres in the $NW\frac{1}{4}SE\frac{1}{4}$,
5 acres in the $NE\frac{1}{4}SE\frac{1}{4}$,
Section 24,

Township 4 North, Range 24 East, W. M.

18 acres in Lot 2,
18 acres in Lot 3,
12 acres in Lot 4,
25 acres in Lot 5,
26 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
12 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
40 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
22 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 7,

20 acres in Lot 3,
20 acres in Lot 4,
30 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
39 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
39 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
31 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
25 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 8,

40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 10,

40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
25 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
22 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
40 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 11,

35 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
7 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
15 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
18 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 13,

28 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
39 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
31 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
16 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
35 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
25 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
5 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 14,

31 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
30 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
35 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
37 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
38 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
39 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
39 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
40 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
40 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
37 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
24 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 15,

32 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 16,

25 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
25 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
25 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
25 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
15 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
30 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
31 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 17,

33 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
22 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
33 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
47 acres in Lot 2,
35 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
52 acres in Lot 3,
40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
55 acres in Lot 4,
40 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
20 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
35 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
25 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
39 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 18,

40 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
30 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
40 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
40 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
40 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
55 acres in Lot 1,
55 acres in Lot 2,
40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 19,

Township 4 North, Range 25 East, W. M.

29 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
22 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
32 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
55 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
36 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
12 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 20,

15 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 21,

7 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
19 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
19 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 22,

Township 4 North, Range 25 East, W. M.

10 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
20 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 1,

40 acres in Lot 10,
54 acres in Lot 9,
Section 2,

5 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
25 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
15 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
15 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
20 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 3,

Township 4 North, Range 26 East, W. M.

35 acres in Lot 3,
5 acres in Lot 4,
Section 15,

Township 5 North, Range 26 East, W. M.

1 acre in Lot 6,
6 acres in Lot 7,
2 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
3 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
2 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
2 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 23,

25 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 26,

35 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 35,

30 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
20 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
38 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
20 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
27 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 36,

Township 5 North, Range 26 East, W. M.

20 acres in Lot 1,
4 acres in Lot 2,
12 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
14 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
12 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 13,

8 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 20,

6 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
14 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
11 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
6 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
7 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 21,

25 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
14 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
21 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
7 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
24 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
~~7 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,~~
Section 22,

7 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
8 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
18 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
18 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 25,

Township 5 North, Range 27 East, W. M.

21 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
6 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
24 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
30 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 17,

5 acres in Lot 2,
20 acres in Lot 3,
5 acres in Lot 4,
7 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
8 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
9 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
6 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
4 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 18,
10 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 20,

Township 5 North, Range 28 East, W. M.

J. M. Spencer, Watermaster
Ed Nunn, Assistant
W. C. Mason, Assistant

Water Distribution
Hydrographic Surveys
Snow Surveys

WATER RESOURCES DEPARTMENT
STATE OF OREGON

OFFICE OF
WATER DISTRICT NO. 5
PENDLETON, OREGON

July 27, 1933

Chas. E. Stricklin, State Eng.
Salem, Oregon

W. S. Lovelle

STATE ENGINEER
RECEIVED

JUL 29 1933

SALEM, OREGON

Dear Sir; Herewith I am returning abstracts of Certificates
10081, 10103, 10103, 10109, 10124, 10129, and 10127.

Note that Permit 10353 Certificate 10129 is from
a Spring and not from a stream.

In regard to Certificate 10090 there seems to be
two or three points that should be looked into before the
Certificate is issued. One three acre tract and one two acre
tract are situated in subdivisions entirely covered by the
1893 decreed right and may be in error. I will go over the
ground with Youlton as soon as I am down that way. The
water duty is rather confusing as outlined in the abstract.
I do not understand how the delivery allowed in the first para-
graph can be arrived at with the limitation of 1/30 of a sec ft.
per acre in the second paragraph.

Yours very truly

J. M. Spencer

Lil

I need 2
copies of these
Hrs. Lang