

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF BOISE CASCADE CORPORATION FOR)
APPROVAL OF CHANGES IN PLACE OF)
USE AND POINT OF DIVERSION OF)
WATER FROM STANFIELD DRAIN)

ORDER APPROVING
TRANSFER NO. 3944

On April 26, 1978, an application was filed in the office of the Water Resources Director by Boise Cascade Corporation Chemical Operation Division for approval of changes in place of use and point of diversion from Stanfield Drain, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 26099, Volume 18, State Record of Water Right Certificates, in the names of J. J. Oberson and L. M. Gossler, describes a right which includes the use of not to exceed 0.08 cubic foot per second from Stanfield Drain for irrigation of a certain 5.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 4 North, Range 29 East, W.M., with a date of priority of November 18, 1947.

Water for said right is diverted from a point located 1550 feet North and 15 feet West from the Southeast Corner of Section 31, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 4 North, Range 29 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use of the water right appurtenant to a certain 1.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31, without loss of priority, to a certain 1.1 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31. The applicant herein also proposes to change the point of diversion, without loss of priority, to a point located 420 feet North and 1360 feet West from the Southeast Corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, for irrigation of said 1.1 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, and the balance of said lands, not involved in the change in place of use, being 4.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31.

Notice of the application, pursuant to ORS 540.520(2), was published in the East Oregonian, a newspaper printed and having general circulation in Umatilla County, Oregon, for a period of three weeks in the issues of May 31; June 7 and 14, 1978.

Mr. William I. Porfily, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without

injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

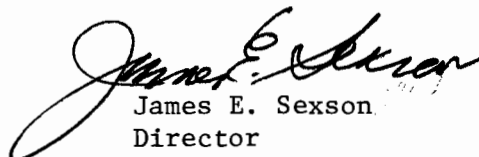
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made and said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right recorded at page 26099, Volume 18, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 27th day of July, 1978.


James E. Sexson
Director