



4. Notice of the application for transfer was published on July 17, 2007, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
5. The portions of the rights to be transferred under Notice B-2007 (Nobles) are as follows:

**Certificate:** 76113 issued in the name of STANFIELD IRRIGATION DISTRICT (perfected under Permit S-30789)  
**Use:** IRRIGATION (IR) of 14.0 ACRES  
**Priority Date:** JUNE 23, 1965  
**Rate & Duty:** ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4½ ACRE-FEET for each acre irrigated during the irrigation season of each year. The irrigation season shall include any time between JANUARY 1 and NOVEMBER 1 of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.  
**Source:** UMATILLA RIVER, a tributary of the Columbia River

**Authorized Point of Diversion:**

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
3 N	30 E	WM	31	SW SW	FURNISH CANAL - 380 feet North and 650 feet East from the SW Corner of Section 31

**Certificate:** 79440 issued in the name of U.S. BUREAU OF RECLAMATION (perfected under Permit S-7400)  
**Use:** SUPPLEMENTAL IRRIGATION (IS) of 14.0 ACRES  
**Priority Date:** JULY 1, 1924  
**Rate & Duty:** ONE-EIGHTIETH of one cubic foot per second, provided further that the right allowed herein for supplemental irrigation shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed therein.  
**Source:** McKAY RESERVOIR constructed under reservoir Permit R-564, a tributary of McKay Creek. Water is run down the natural channels of McKay Creek and the Umatilla River and is re-diverted at Stanfield Irrigation District Furnish Canal.

**Authorized Points of Diversion:**

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
2 N	32 E	WM	34	NW SE	McKAY DAM
3 N	30 E	WM	31	SW SW	FURNISH CANAL - 380 feet North and 650 feet East from the SW Corner of Section 31

**Authorized Places of Use:**

TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)		USER
						76113 (IR)	79440 (IS)	
4 N	28 E	WM	13	SW NE	100	10.9	10.9	CITY OF HERMISTON
4 N	28 E	WM	13	NE SW	800	2.5	2.5	CITY OF HERMISTON
4 N	28 E	WM	13	NW SE	800	0.6	0.6	CITY OF HERMISTON
<b>TOTAL:</b>						<b>14.0</b>	<b>14.0</b>	

6. Application T-10432 proposes to change the places of use for the above described rights to:

TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)		USER
						76113 (IR)	79440 (IS)	
4 N	29 E	WM	29	SE SE	300	14.0	14.0	JUSTIN NOBLES
<b>TOTAL:</b>						<b>14.0</b>	<b>14.0</b>	

7. The portions of the rights to be transferred under Notice C-2007 (McQuinn) are as follows:

**Certificate:** 76113 issued in the name of STANFIELD IRRIGATION DISTRICT  
(perfected under Permit S-30789)

**Use:** IRRIGATION (IR) of 33.5 ACRES

**Priority Date:** JUNE 23, 1965

**Rate & Duty:** ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4½ ACRE-FEET for each acre irrigated during the irrigation season of each year. The irrigation season shall include any time between JANUARY 1 and NOVEMBER 1 of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.

**Source:** UMATILLA RIVER, a tributary of the Columbia River

**Authorized Point of Diversion:**

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
3 N	30 E	WM	31	SW SW	FURNISH CANAL - 380 feet North and 650 feet East from the SW Corner of Section 31

**Certificate:** 79440 issued in the name of U.S. BUREAU OF RECLAMATION  
(perfected under Permit S-7400)

**Use:** SUPPLEMENTAL IRRIGATION (IS) of 33.5 ACRES

**Priority Date:** JULY 1, 1924

**Rate & Duty:** ONE-EIGHTIETH of one cubic foot per second, provided further that the right allowed herein for supplemental irrigation shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed therein.

**Source:** MCKAY RESERVOIR constructed under reservoir Permit R-564, a tributary of McKay Creek. Water is run down the natural channels of McKay Creek and the Umatilla River and is re-diverted at Stanfield Irrigation District Furnish Canal.

**Authorized Points of Diversion:**

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
2 N	32 E	WM	34	NW SE	MCKAY DAM
3 N	30 E	WM	31	SW SW	FURNISH CANAL - 380 feet North and 650 feet East from the SW Corner of Section 31

**Authorized Places of Use:**

TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)		USER
						76113 (IR)	79440 (IS)	
4 N	28 E	WM	13	SE NE	2701	29.7	29.7	CITY OF HERMISTON
4 N	28 E	WM	13	SE NW	2701	0.1	0.1	CITY OF HERMISTON
4 N	28 E	WM	13	NW SW	2700	2.7	2.7	CITY OF HERMISTON
4 N	28 E	WM	13	NW SE	2200	1.0	1.0	CITY OF HERMISTON
<b>TOTAL:</b>						<b>33.5</b>	<b>33.5</b>	

8. Application T-10432 proposes to change the places of use for the above described rights to:

TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)		USER
						76113 (IR)	79440 (IS)	
4 N	29 E	WM	34	NE NE	3900	7.0	7.0	DAVID McQUINN
4 N	29 E	WM	34	SW NE	3900	2.5	2.5	DAVID McQUINN
4 N	29 E	WM	34	SE NE	3900	24.0	24.0	DAVID McQUINN
<b>TOTAL:</b>						<b>33.5</b>	<b>33.5</b>	

9. The portions of the rights to be transferred under Notice D-2007 (Rodriguez) are as follows:

**Certificate:** 76113 issued in the name of STANFIELD IRRIGATION DISTRICT (perfected under Permit S-30789)  
**Use:** IRRIGATION (IR) of 6.0 ACRES  
**Priority Date:** JUNE 23, 1965  
**Rate & Duty:** ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4½ ACRE-FEET for each acre irrigated during the irrigation season of each year. The irrigation season shall include any time between JANUARY 1 and NOVEMBER 1 of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season.  
**Source:** UMATILLA RIVER, a tributary of the Columbia River

**Authorized Point of Diversion:**

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
3 N	30 E	WM	31	SW SW	FURNISH CANAL - 380 feet North and 650 feet East from the SW Corner of Section 31

**Certificate:** 79440 issued in the name of U.S. BUREAU OF RECLAMATION (perfected under Permit S-7400)  
**Use:** SUPPLEMENTAL IRRIGATION (IS) of 6.0 ACRES  
**Priority Date:** JULY 1, 1924  
**Rate & Duty:** ONE-EIGHTIETH of one cubic foot per second, provided further that the right allowed herein for supplemental irrigation shall be limited to any

deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed therein.

**Source:** McKAY RESERVOIR constructed under reservoir Permit R-564, a tributary of McKay Creek. Water is run down the natural channels of McKay Creek and the Umatilla River and is re-diverted at Stanfield Irrigation District Furnish Canal.

**Authorized Points of Diversion:**

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
2 N	32 E	WM	34	NW SE	McKAY DAM
3 N	30 E	WM	31	SW SW	FURNISH CANAL - 380 feet North and 650 feet East from the SW Corner of Section 31

**Authorized Places of Use:**

TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)		USER
						76113 (IR)	79440 (IS)	
4 N	28 E	WM	13	NW SW	100	6.0	6.0	CITY OF HERMISTON
<b>TOTAL:</b>						<b>6.0</b>	<b>6.0</b>	

10. Application T-10432 proposes to change the places of use for the above described rights to:

TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)		USER
						76113 (IR)	79440 (IS)	
4 N	29 E	WM	25	SW NW	203	6.0	6.0	FRANK RODRIGUEZ
<b>TOTAL:</b>						<b>6.0</b>	<b>6.0</b>	

11. The portions of the rights to be transferred under Notice E-2007 (Walchli) are as follows:

**Certificate:** 79442 issued in the name of STANFIELD IRRIGATION DISTRICT (confirmed by Umatilla River Decree)

**Use:** IRRIGATION (IR) of 2.0 ACRES

**Priority Date:** MARCH 8, 1905

**Rate & Duty:** ONE-EIGHTIETH of one cubic foot per second (or its equivalent) from MARCH 1 to NOVEMBER 1, and subject to the limitations of Paragraph 32 of the Umatilla River decree for each acre irrigated during the irrigation season of each year.

**Source:** UMATILLA RIVER, a tributary of the Columbia River

**Authorized Point of Diversion:**

TWP	RNG	MER	SEC	QTR-QTR	Lot	SURVEY COORDINATES
3 N	30 E	WM	31	SW SW	4	380 feet North and 650 feet East from the SW Corner of Section 31

**Certificate:** 79440 issued in the name of U.S. BUREAU OF RECLAMATION (perfected under Permit S-7400)

**Use:** SUPPLEMENTAL IRRIGATION (IS) of 2.0 ACRES

**Priority Date:** JULY 1, 1924

**Rate & Duty:** ONE-EIGHTIETH of one cubic foot per second, provided further that the right allowed herein for supplemental irrigation shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed therein.

**Source:** McKAY RESERVOIR constructed under reservoir Permit R-564, a tributary of McKay Creek. Water is run down the natural channels of McKay Creek and the Umatilla River and is re-diverted at Stanfield Irrigation District Furnish Canal.

**Authorized Points of Diversion:**

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
2 N	32 E	WM	34	NW SE	McKAY DAM
3 N	30 E	WM	31	SW SW	FURNISH CANAL - 380 feet North and 650 feet East from the SW Corner of Section 31

**Authorized Places of Use:**

TWP	RNG	MER	SEC	QTR-QTR	TL portions of TL #'s	CERTIFICATE (ACRES)		USER
						79442 (IR)	79440 (IS)	
4 N	29 E	WM	32	SE NE	1800, 1900, 2000, 2100, 2200, 2300, 2400, 2500, 2600	2.00	2.0	ROSS HUNTER
<b>TOTAL:</b>						<b>2.0</b>	<b>2.0</b>	

12. Application T-10432 proposes to change the place of use for the above described rights to:

TWP	RNG	MER	SEC	QTR-QTR	TL	CERTIFICATE (ACRES)		USER
						79442 (IR)	79440 (IS)	
4 N	29 E	WM	8	NW NE	600	0.2	0.2	DAN WALCHLI
4 N	29 E	WM	8	SW NE	600	1.8	1.8	DAN WALCHLI
<b>TOTAL:</b>						<b>2.0</b>	<b>2.0</b>	

**Cancellation of an Entire Water Right**

13. The Department, in its initial review and research for conflicting rights, determined that there is an existing right on the "TO" lands as proposed in NOTICE B-2007 (Nobles). This application proposes to transfer 14.0 acres onto lands covered by groundwater right Certificate 47323, issued for supplemental irrigation. The Department further discovered the lack of a primary water right on this land.

14. The applicant was notified of the existing right and concurred on the non-use issue. On August 30, 2007, Mr. & Mrs. Justin Nobles, owners of certain lands to which the entire water right Certificate 47323 is appurtenant, submitted an affidavit requesting to cancel the entire water right for supplemental irrigation as follows:

**Certificate:** 47323 in the name of LOWELL S. FRANKS (perfected under Permit G-5776)  
**Use:** SUPPLEMENTAL IRRIGATION of 19.1 ACRES  
**Priority Date:** APRIL 27, 1973  
**Rate/Duty:** ONE-EIGHTIETH of one cubic foot per second per acre, further limited to 3.0 acre-feet per acre for each acre irrigated during the irrigation season  
**Source:** WELL NO. 1 within the Umatilla River Basin

**Authorized Point of Appropriation:**

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
4 N	29 E	WM	29	SE SE	650 feet North and 770 feet West from the SE Corner of Section 29

**Authorized Place of Use to be Cancelled:**

WATER RIGHT TO BE CANCELLED – CERTIFICATE 47323						
TWP	RNG	SEC	QTR-QTR	TL	ACRES	AFFIANT
4 N	29 E	29	SE SE	300	19.1	Mr. & Mrs. Justin Nobles
<b>TOTAL:</b>					<b>19.1</b>	

15. Pursuant to OAR 690-017-0010(2), the Department has determined that the affiant listed in the table in Finding #14 above is the recorded owner, as established by county deed records, of the property to which the water right evidenced by Certificate 47323 is appurtenant.

**Diminishment of a Portion of a Water Right**

16. The Department, in its initial review and research for conflicting rights, determined that there is an existing right on the “TO” lands as proposed in NOTICE E-2007. This application proposes to transfer 2.0 acres onto lands covered by an existing groundwater right Certificate 46630, for primary irrigation.

17. The applicant was notified of a conflict with the existing right and a portion of the proposed place of use under NOTICE E-2007. On August 30, 2007, Dan and Karen Walchli, owners of certain lands to which the entire water right Certificate 46630 is appurtenant, submitted an affidavit requesting to diminish only a portion of the water right from primary irrigation to supplemental irrigation as follows:

**Certificate:** 46630 in the name of LAWRENCE BEHRENZ (perfected under Permit G-7059)  
**Use:** IRRIGATION of 2.0 ACRES  
**Priority Date:** DECEMBER 20, 1976  
**Rate/Duty:** ONE-EIGHTIETH of one cubic foot per second per acre, further limited to 3.0 acre-feet per acre for each acre irrigated during the irrigation season  
**Source:** A WELL within the UMATILLA RIVER BASIN

**Authorized Point of Appropriation:**

TWP	RNG	MER	SEC	QTR-QTR	SURVEY COORDINATES
4 N	29 E	WM	8	SW NE	1120 feet North and 220 feet East from the Center of Section 8

**Authorized Place of Use to be Diminished:**

WATER RIGHT TO BE DIMINISHED – CERTIFICATE 46630						
TWP	RNG	SEC	QTR-QTR	TL	ACRES	AFFIANT
4 N	29 E	8	NW NE	600	0.2	DAN & KAREN WALCHLI
4 N	29 E	8	SW NE	600	1.8	DAN & KAREN WALCHLI
<b>TOTAL:</b>					<b>2.0</b>	

18. Pursuant to OAR 690-017-0010(2), the Department has determined that the affiants listed in the table in Finding #17 above are the recorded owners, as established by county deed records, of the property to which the water right evidenced by Certificate 46630 is appurtenant.
19. 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.
20. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
21. The proposed change in place of use would not result in enlargement of the rights.
22. The proposed changes in place of use would not result in injury to other rights.

**Conclusions of Law**

The change in place of use proposed in Transfer Application T-10432 satisfies the requirements of ORS 540.574(3) and 540.580. The entire water right evidenced by Certificate 47323 has been abandoned and should be cancelled, as described in Findings #13, #14 and #15. A portion of the water right evidenced by Certificate 46630 is requested to be diminished from primary irrigation to supplemental irrigation, as described in Findings #16, #17 and #18.

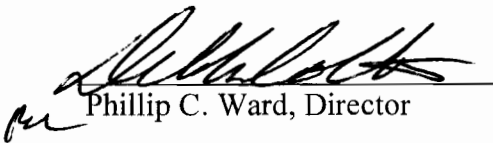
**Now, therefore, it is ORDERED:**

1. The proposed changes to the District's existing water rights evidenced by Certificates 76113, 79442 and 79440 are approved.
2. The water right evidenced by Certificate 47323 that has been abandoned, as described in Findings #13, #14 and #15 above, is cancelled.



3. The portion of the water right evidenced by Certificate 46630 described in Findings #16, #17 and #18 above is diminished to supplemental irrigation. A new certificate will be issued describing both that portion of Certificate 46630 diminished to supplemental irrigation and that portion remaining as primary irrigation.
4. 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 Certificates 76113, 79442 and 79440 and any related decree.
5. The former places of use shall no longer be irrigated as part of these water rights.
6. The proposed changes shall be completed on or before **October 1, 2008**.
7. A Claim of Beneficial Use and Final Proof Map shall be submitted by Stanfield Irrigation District to the Department by October 1, 2009.
8. Certificates 76113, 79442 and 79440 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 13 day of September, 2007.

  
Phillip C. Ward, Director

Mailing date: SEP 17 2007