

BEFORE THE STATE ENGINEER OF OREGON

Umatilla County

IN THE MATTER OF THE APPLICATION)  
OF RALPH W. BARTLEY AND LAWRENCE)  
U. BARTLEY FOR THE APPROVAL OF A)  
CHANGE IN PLACE OF USE OF WATER )  
FROM UMATILLA RIVER. )  
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O R D E R  
APPROVING APPLICATION

On March 26, 1956 Ralph W. Bartley and Lawrence U. Bartley of Stanfield, Oregon, filed an application for the approval of a change in place of use of water from Umatilla River, pursuant to the provisions of ORS 540.510 to 540.530.

The decree of the Circuit Court for Umatilla County, entered September 9, 1916 in the matter of the determination of the relative rights of the various claimants to the use of the waters of Umatilla River and its tributaries, adjudicated a water right in the name of Furnish Ditch Company for the irrigation of, among other lands, 30 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 32, Township 4 North, Range 29 East, W. M., through the Furnish ditch from Umatilla River with a date of priority of March 8, 1905.

The applicants herein, owners of 19.5 acres of the land above described, propose to transfer the water right therefrom without loss of priority to 9.5 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 34, Township 4 North, Range 29 East, W. M., owned by Ralph W. Bartley and 10 acres in the E $\frac{1}{2}$  E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , said Section 34, owned by Lawrence U. Bartley.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in place of use of water only.

The board of directors of the Stanfield Irrigation District approved the proposed change in place of use of water at a regular meeting held March 3, 1955.

No objections having been filed and it appearing that the proposed change in place of use of water from Umatilla River may be made without injury to existing rights, the application should be approved.

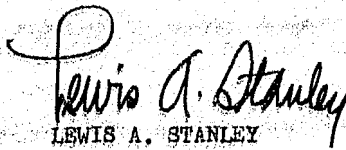
NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water be and the same hereby is approved and that the water right hereinbefore described as appurtenant to 19.5 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 32, Township 4 North, Range 29 East, W. M., be severed therefrom and simultaneously and without loss of priority transferred to 9.5 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 34, Township 4 North, Range 29 East, W. M., owned by Ralph W. Bartley and 10 acres in the E $\frac{1}{2}$  E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , said Section 34, owned by Lawrence U. Bartley.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on the lands on or before October 1, 1957 or within such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of the complete application of water to beneficial use on the lands to which it is transferred hereby, certificate of water right shall be issued to the Stanfield Irrigation District to the extent to which the water has been applied, at the time certificates are issued in the Umatilla River adjudication proceeding.

Dated at Salem, Oregon this 28th day of March 1956.

Noted on Decree  
Vol. 3, p. 234  
"B-93"

  
LEWIS A. STANLEY  
State Engineer