

STATE OF OREGON

COUNTY OF UMATILLA

**ORDER APPROVING A CHANGE IN PLACE OF USE, A PARTIAL
CANCELLATION AND DIMINISHMENT OF A WATER RIGHT**

Pursuant to ORS 540.580, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 9032, a petition submitted by

STANFIELD IRRIGATION DISTRICT
P.O. BOX 416
STANFIELD, OREGON 97875.

The rights to be modified are evidenced by a portion of:

CERTIFICATE Permit or Decree	PRIORITY DATE	SOURCE Primary or Supplemental
Certificate 76319 V.3, p. 233-235 & V.15, p. 433-435	March 8, 1905	Umatilla River (Irrigation)
Certificate 79440 Permit 7400	July 1, 1924	McKay Reservoir (Supplemental Irrigation)

The District requests to permanently move the rights listed in Table A to locations listed in Table B.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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, OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

The authorized place of use is located as follows:

TABLE A - Tabulation of "FROM LANDS"

Certificates 76317 and 79440						
TWP	RNG	SEC	QTR/QTR	TAXLOT	ACRES	OWNER
3N	29E	8	SE SE	2900	3.4	Paul Lapp
3N	29E	9	SW SW	2900	2.6	Paul Lapp
Total:					6.0	

The proposed place of use is located as follows:

TABLE B - Tabulation of "TO LANDS"

Certificates 76317 and 79440						
TWP	RNG	SEC	QTR/QTR	TAXLOT	ACRES	OWNER
3N	29E	8	SE SE	2900	6.0	Paul Lapp
Total:					6.0	

The right to use 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 the certificate or decree.

**CANCELLATION AND DIMINISHMENT OF A PORTION OF
WATER RIGHT PERMIT G-6233**

A review of this transfer revealed a conflict with an existing right on both the "From" and "To" lands. On April 3, 2002, the landowner, Mr. Paul Lapp was contacted regarding the status of this right of record. Mr. Lapp indicated a portion of the use of water from the well authorized under Permit G-6233 has been abandoned.

On May 23rd, 2002, the Department received a statement from Paul and Natalie Lapp, landowners to which a portion of water right Permit G-6233, in the name of Kenneth C. Bowman, SR., is appurtenant. The statement describes a portion of the water right which has been abandoned, and which they authorize to be canceled. The portion of the water right is described as follows:

Permit G-6233, with a date of priority of October 3, 1974, allows the use 0.11 cubic foot per second from a well for supplemental irrigation of 8.6 acres located:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 8.6 ACRES
SECTION 9
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

In addition, the statement requests to diminish a portion of lands described under groundwater Permit G-6233, from primary to supplemental irrigation. This portion, as described below, is to become supplemental to Certificate 76319. This portion of the water right is described as follows:

The portion of the right to the use of 0.043 cubic foot per second from a well for primary irrigation of 3.4 acres is located:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.4 ACRES
SECTION 8
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

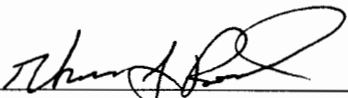
THESE CHANGES TO EXISTING DISTRICT WATER RIGHTS MAY BE MADE SUBJECT TO THE FOLLOWING CONDITIONS:

1. The proposed change shall be completed on or before October 1, 2003.
2. The former place of use shall no longer be irrigated as a part of this water right.
3. The following lands shall no longer receive supplemental irrigation under Permit G-6233 because the landowner has abandoned and canceled the right:
8.6 acres in Tax Lot 2900, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 3 North, Range 29 East, W.M.
4. The following lands under Permit G-6233 that were primary irrigation are now supplemental to Certificate 76317:
3.4 acres in Tax Lot 2900, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 3 North, Range 29 East, W.M.
5. Proof, to the satisfaction of the Director, that the changes approved by this order have been completed must be submitted by STANFIELD IRRIGATION DISTRICT on or before October 1, 2004.

6. When the Director determines that it is necessary, or to facilitate records keeping, new certificates will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm the portions of the rights not modified by this or any other order.

Except as modified herein, all other conditions and restrictions on Certificates 76319 and 79440 remain in effect.

WITNESS the signature of the Water Resources Director, affixed JUN 10 2002.



For Paul R. Cleary, Director