

STATE OF OREGON

COUNTY OF UMATILLA

**ORDER APPROVING A CHANGE IN PLACE OF USE
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 9147, a petition submitted by

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

The rights to be modified are evidenced by portions of:

CERTIFICATE Permit or Decree	PRIORITY DATE	SOURCE Primary or Supplemental
Certificate 79442	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 and 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.

TABLE A - Tabulation of "FROM LANDS"

Certificates 79442 and 79440						
TWP	RNG	SEC	QTR/QTR	TAXLOT	ACRES	OWNER
3N	29E	16	NW NE	700	2.2	Harris
3N	29E	16	NE NW	700	1.9	Harris
Total:					4.1	

The proposed place of use is located as follows:

TABLE B - Tabulation of "TO LANDS"

Certificates 79442 and 79440						
TWP	RNG	SEC	QTR/QTR	TAXLOT	ACRES	OWNER
4N	29E	12	SW SW	2800	4.1	Wright*
Total:					4.1	

*Note: Permit G-13169 lands to be diminished to supplemental irrigation for the 1905 Stanfield I.D. rights being transferred in.

PARTIAL DIMINISHMENT OF A PORTION OF WATER RIGHT PERMIT G-13169

Initial review of this District permanent transfer revealed a conflict with an existing right on the "To" lands.

On June 5, 2002, the Pendleton office received a copy of the signed affidavit (by facsimile) sent from the Department's transfer file T-8898 for Mr. William Wright, owner of the land in which a portion of the right is appurtenant to as described above. This diminishment affidavit original can be found in Department records transfer file T-8898, involving the remainder of the quarter quarter lands.

The land owner requests that his underlying groundwater right for primary irrigation under Permit G-13169 be diminished to supplemental irrigation for the 4.1 acres located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ in section 12, T 4 N, R 29 E, W.M.. The incoming Stanfield 1905 rights are to be primary irrigation on this land. The portion of Permit G-13169 that is to be diminished is described as follows:

The portion of the right to the use of 0.05 cubic foot per second from Well #3 perfected under Permit G-13169, for the irrigation of 4.1 acres located:

SW¼ SW¼ 4.1 ACRES

SECTION 12

TOWNSHIP 4 NORTH, RANGE 29 EAST, W.M.

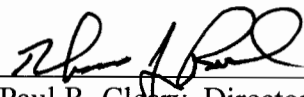
It is hereby ordered that the lands in the amount of 4.1 acres as described above, requested to be diminished are now permitted for supplemental irrigation rights, and to be made part of the record in the above referenced permit.

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.

THEREFORE, THESE CHANGES TO AN EXISTING DISTRICT WATER RIGHT 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. 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.
4. Except as modified herein, all other conditions and restrictions of Certificate 79442 and 79440 (Permit 7400) remain in effect.
5. 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 that portion of the right not modified by this or any other order.
6. That portion of Permit G-13169 diminished by the affidavit described above will be confirmed when the certificate for said permit is issued.

WITNESS the signature of the Water Resources Director, affixed AUG 01 2002.



Paul R. Cleary, Director