

STATE OF OREGON

COUNTY OF UMATILLA

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

Pursuant to ORS 540.510 to 540.530, 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 8560 submitted by

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

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by a portion of Certificate 76319. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Pages 233-235 and Volume 15, at Pages 433-435. The date of priority is MARCH 8, 1905.

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.

T-8560.KDD

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The right allows the use of water from the Umatilla River, a tributary of the Columbia River, for irrigation of 48.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.60 cubic foot per second, if available at the authorized point of diversion from the Umatilla River.

The point of diversion is located as follows: LOT 4 (SW¼ SW¼) SECTION 31, T 3 N, R 30 E, W.M.; 380 FEET NORTH AND 650 FEET EAST FROM THE SW CORNER, SECTION 31, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or it's 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.

The authorized place of use is located as follows:

NE¼ NE¼	12.0 ACRES
NW¼ NE¼	12.0 ACRES
SW¼ NE¼	12.0 ACRES
SE¼ NE¼	12.0 ACRES

SECTION 19

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

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 decree.

The second right to be modified, as evidenced by a portion of Certificate 76113, was perfected under Permit 30789 with a date of priority of JUNE 23, 1965. The right allows the use of water from the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for

IRRIGATION OF 179.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 4.49 cubic feet per second, if available at the authorized point of diversion: SW¼ SW¼, SECTION 31, T 3 N, R 30 E, W.M.; FURNISH CANAL - 380 FEET NORTH AND 650 FEET EAST FROM THE SOUTHWEST CORNER OF SECTION 31, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or it's 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 or each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirement to raise the soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season. The use of water authorized herein shall be subsequent in priority and inferior to future irrigation project developments that provide a more efficient system through storage during the winter season and later use during the period of maximum crop demand.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

NE¼ SW¼	22.6 ACRES
SW¼ SW¼	14.0 ACRES
SE¼ SW¼	37.8 ACRES
SECTION 4	

SE¼ SE¼	3.8 ACRES
SECTION 8	

NE¼ NW¼ 2.8 ACRES
NE¼ SW¼ 4.3 ACRES
NW¼ SW¼ 38.0 ACRES

SECTION 9

TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

NE¼ NE¼ 28.0 ACRES
NW¼ NE¼ 28.3 ACRES

SECTION 19

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

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The third right to be modified, was perfected under a portion of Permit 7400, with a date of priority of JULY 1, 1924. The right allows the use of waters from MCKAY RESERVOIR, constructed under reservoir Permit R-564, a tributary of McKay Creek, for SUPPLEMENTAL IRRIGATION OF 122.4 ACRES.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE-EIGHTIETH of one cubic foot per second, if available at the authorized point of diversion: McKay Reservoir - NE¼ SW¼, SECTION 34, T 2 N, R 32 E, W.M., 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.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 22.6 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 14.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 37.8 ACRES

SECTION 4

TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 12.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 12.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.0 ACRES

SECTION 19

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

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes to change the place of use to:

	<u>1905</u>	<u>1965</u>
NE $\frac{1}{4}$ NE $\frac{1}{4}$	30.5 ACRES*	
NW $\frac{1}{4}$ NE $\frac{1}{4}$		30.5 ACRES*
SW $\frac{1}{4}$ NE $\frac{1}{4}$		30.5 ACRES*
SE $\frac{1}{4}$ NE $\frac{1}{4}$	17.5 ACRES*	5.2 ACRES*
NE $\frac{1}{4}$ SE $\frac{1}{4}$		28.3 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$		8.2 ACRES*
NW $\frac{1}{4}$ SE $\frac{1}{4}$		20.1 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		28.4 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$		28.4 ACRES

SECTION 19

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

(* = Covered by Permit 7400, Supplemental Irrigation from McKay Reservoir)

On June 18, 2001, the Department received a signed statement from Paul & Natalie Lapp, owners of lands in which a portion of the right is appurtenant to as described above. The statement outlines that no proof will be made on a portion of the supplemental groundwater right, Permit G-6233, in which the underlying Stanfield Irrigation District rights will be moved to another location. The owners do not want to make claim and therefore abandon any and all interest in the portion of this water right on lands described as follows:

The portion of the right to the use of 0.58 cubic foot per second from a well perfected under Permit G-6233, for the irrigation of 46.1 acres located:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.8 ACRES
SECTION 8

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.3 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 38.0 ACRES
SECTION 9

TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

Proof to the Satisfaction of the Director has been received for Permit 7400.

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2002.
2. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

3. The former place of use shall no longer be irrigated as a part of this water right.

The right evidenced by Permit 7400 is modified as described herein, and, after satisfactory proof of completion of this modification authorized herein is received, a certificate confirming this and other modifications that may have accrued to the right evidenced by permit 7400 will be issued.

When satisfactory proof of remaining lands perfected under Permit G-6233 is received, a certificate confirming this water right minus the irrigated portion described above will be issued.

Except as modified herein, all other conditions and restrictions on Certificates 76319 and 76113 remain in effect.

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.

WITNESS the signature of the Water Resources
Director, affixed **AUG 29 2001** _____.



Paul R. Cleary, Director