

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Umatilla County

IN THE MATTER OF THE APPLICATION
OF ROBERT O. BEHRMAN (STANFIELD
IRRIGATION DISTRICT) FOR THE
APPROVAL OF A CHANGE IN PLACE OF
USE OF WATER FROM UMATILLA RIVER

ORDER APPROVING
TRANSFER NO. 3183

On March 21, 1975, Robert O. Behrman filed an application in the office of the Water Resources Director 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.

By Decree of the Circuit Court for Umatilla County, entered September 9, 1916, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Umatilla River and its Tributaries, a water right was established in the name of Furnish Ditch Company (now Stanfield Irrigation District) for the irrigation of, among other lands, 7.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 25.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 4 North, Range 29 East, W.M., with a date of priority of March 8, 1905. These lands also have a supplemental right under permit No. 7400 to the use of the water stored in McKay Reservoir with a date of priority of July 1, 1924.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 21.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 11.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Township 4 North, Range 29 East, W.M.

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

The lands involved herein are within the boundaries of the Stanfield Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting held May 13, 1974.

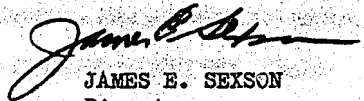
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right heretofore described as appurtenant to 7.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 25.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 4 North, Range 29 East, W.M., with a date of priority of March 8, 1905, be severed therefrom and simultaneously and without loss of priority transferred to 21.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 11.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, Township 4 North, Range 29 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1976.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which it is transferred hereby, a certificate of water right shall be issued to Stanfield Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 11th day of December, 1975.


JAMES E. SEXSON
Director