

Bob O'Rourke

3489

3489 John F. Wicks
Route 3, Box 342
Hermiston, OR 97838

STATUS OF APPLICATION

Change in place of use
Date filed 11-8-76
Date of hearing _____
Place of hearing _____
Date of order 5-18-79 Vol. 32, page 116
Date for application of water 10-1-80
Proof mailed MAR 15 1985
Proof received 5-2-85
Certificate issued JUL 10 1985 Vol. 48, page 53263

DESCRIPTION OF WATER RIGHT

Name of stream Umatilla R. & McKay Reservoir
Trib. of _____ County of Umatilla
Use irrigation and supplemental irrigation
Quantity of water _____ No. of acres _____
Name of ditch Furnish Canal
Date of priority _____
In name of _____
Umatilla Riv. Adjudication, Vol. 3, page 233
App. No. _____ Per. No. 30373 Cert. No. 38998
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>11-8-76</u>	<u>20.00</u>	<u>56755</u>
<u>5-4-78</u>	<u>12.50</u>	<u>2675</u>
TOTAL . . .		
<u>5-15-79</u>	<u>\$2 Cert. Fee</u>	<u>10881</u>

FEES REFUNDED

Date	Amount	Check No.

20.00
12.50
32.50

Transfer 2.00 cert fee to file G-533

REMARKS

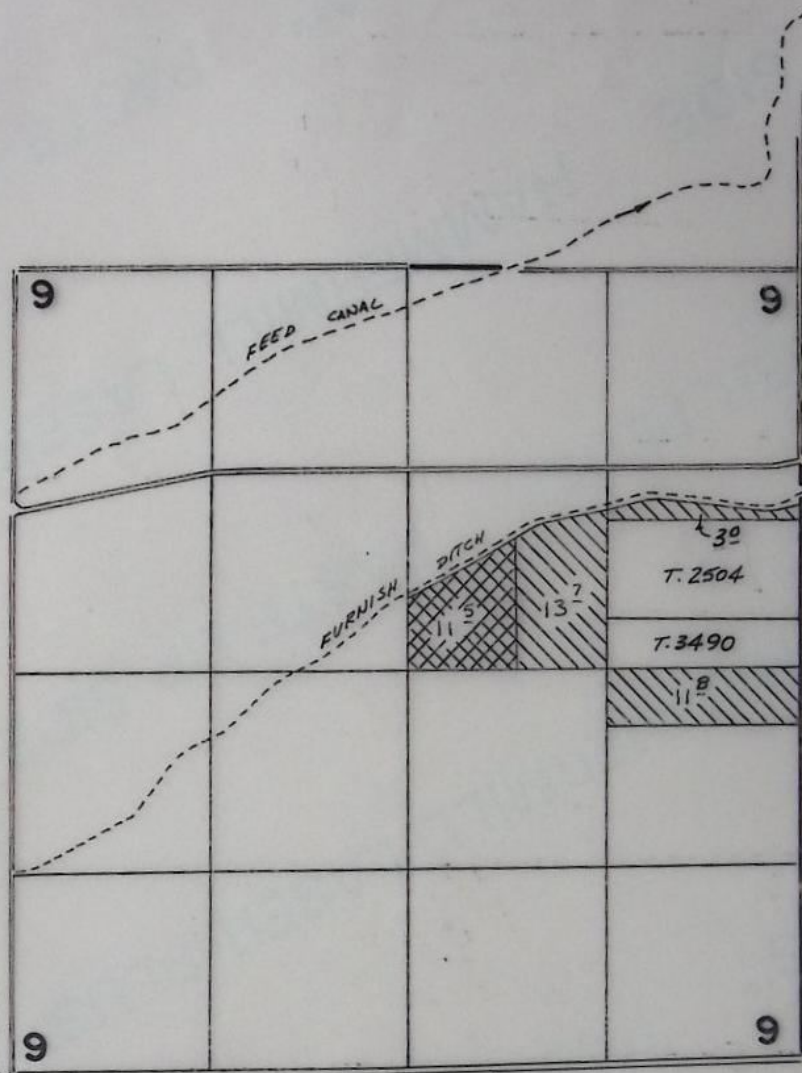
(In Stanfield I.D.)
FINIS

	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Stream	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Pt. of Div.	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Calendar	<u>leg</u>	<u>leg</u>
CHECKED TO REC.		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Decree-vault	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Decree-safe	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Cert. of W/R	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Per. Folder	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Chainindex	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Cross Ref.	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Power Claim	<u>leg</u>	<u>leg</u>
<input checked="" type="checkbox"/> Abstracts	<u>leg</u>	<u>leg</u>

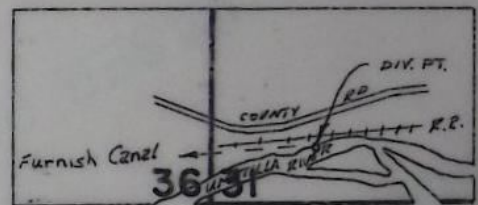
CCB

Waltli

T. 4N., R. 29E., W.M.



T. 3N., R. 30E., W.M.



DIV. PT. LOCATED 380'N + 650'E. FROM SW. COR.
SEC. 31 T. 3N., R. 30E., W.M.



PRIMARY-F.D.



PRIMARY - FURNISH DITCH
SUPP'L - PERMIT 30373

FINAL PROOF SURVEY UNDER

TRANSFER 3489

IN NAME OF

JOHN F. WALCHLI

Surveyed 8-28 1981, by V.L. Church

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION OF)
JOHN F. WALCHLI (STANFIELD IRRIGATION)
DISTRICT) FOR APPROVAL OF A CHANGE)
IN PLACE OF USE OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3489

On November 8, 1976, an application was filed in the office of the Water Resources Director by John F. Walchli for approval of a change in place of use of water from Umatilla River and an unnamed stream under existing rights of record, 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 tabulated at page 233, Volume 3, was allowed in the name of Furnish Ditch Company (now Stanfield Irrigation District) for irrigation of, among other lands, a certain 40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, 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 water stored in McKay Reservoir with a date of priority of July 1, 1924.

The certificate recorded at page 38998, Volume 30, State Record of Water Right Certificates, in the name of John F. Walchli, describes a right which includes the use of water from an unnamed stream for supplemental irrigation of a certain 11.5 acres of said lands in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 4 North, Range 29 East, W.M., with a date of priority of January 21, 1965.

Water for this right is diverted from a point located 1040 feet North and 1540 feet West from the East Quarter Corner of Section 4, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 4 North, Range 29 East, W.M.

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom and, without loss of priority, to irrigate in lieu thereof by the use of water from Umatilla River a certain 25.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 11.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 4 North, Range 29 East, W.M., and to irrigate in lieu thereof by the use of the supplemental supply of water from the unnamed stream the westerly 11.5 acres of said 25.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 4 North, Range 29 East, W.M.

The lands involved herein are within the boundaries of the Stanfield Irri-

gation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting held June 14, 1976.

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 requested change in place of use of water, as described herein, without loss of priority, is approved.

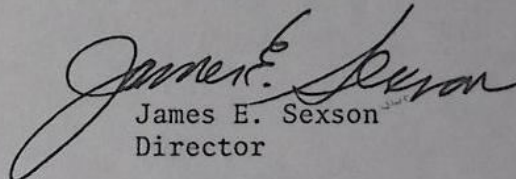
It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water from Umatilla River to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to Stanfield Irrigation District, or their successor in interest, at the time certificates are issued confirming rights allowed in the Umatilla River Adjudication proceedings.

The order of the Water Resources Director entered May 18, 1979, provided for cancellation of a portion of the right described by certificate of water right recorded at page 38998, Volume 30, State Record of Water Right Certificates; therefore,

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water from the unnamed stream to the extent intended under the provisions of this order, the certificate of water right heretofore recorded at page 38998, Volume 30, State Record of Water Right Certificates, be canceled; and in lieu thereof a new certificate of water right be issued to the applicant herein confirming the change authorized herein and covering the balance of the right NOT canceled.

Dated at Salem, Oregon this 18th day of May, 1979.


James E. Sexson
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
UMATILLA COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF JOHN F. WALCHLI)

O R D E R

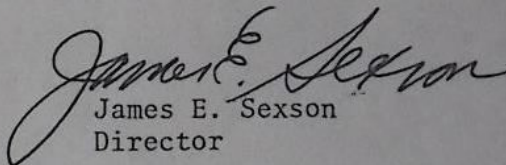
On June 8, 1978, John Walchli submitted an affidavit that he is the owner of a certain water right and the lands to which the water right is appurtenant; that he has abandoned any and all interest in and to said water right and requests the same be canceled.

The water right in question is a portion of the right described by the certificate recorded at page 38998, Volume 30, State Record of Water Right Certificates, in the name of John F. Walchli, and is for the use of water from an unnamed stream, with a date of priority of January 21, 1965, for the supplemental irrigation of 27.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 4 North, Range 29 East, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 38998, Volume 30, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon this 18th day of May, 1979.


James E. Sexson
Director

STATE OF OREGON
COUNTY OF **UMATILLA**
CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN F. WALCHLI

of **Route 3, Box 342, Hermiston**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of an unnamed stream

a tributary of **Columbia River** for the purpose of irrigation of **341.4 acres and supplemental irrigation of 303.0 acres**

under Permit No. **30373** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **January 21, 1965**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **4.14 cubic feet per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, T. 4 N., R. 29 E., W. M., 1040 feet North and 1540 feet West from E $\frac{1}{2}$ Corner, Section 4.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-fortieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **4 $\frac{1}{2}$ acre feet per acre** for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein 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 herein,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Supplemental

11.4 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
6.3 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
0.1 acre	NE $\frac{1}{4}$ NW $\frac{1}{4}$
11.6 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
28.0 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.0 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
34.2 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$
37.1 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$
38.6 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$ *
37.6 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
39.5 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$
18.6 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 4

Primary

13.7 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
33.6 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
37.5 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
11.9 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.2 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$
40.6 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
41.8 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
41.8 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$
40.3 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$
40.0 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9

T. 4 N., R. 29 E., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

*27.1 to be canceled
11.5 involved in T-3489*

** 38.6*

WITNESS the signature of the State Engineer, affixed

this date.

February 28, 1973

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 30, page 38998

T-3489

affidavit to cancel part June 5, 1978