

3183
Ralph O. Behnen
Hermiston
Or 97838

STATUS OF APPLICATION

Change in place of use
Date filed 3-21-75
Date of hearing _____
Place of hearing _____
Date of order 12-11-75 Vol. 26, page 218
Date for application of water 10-1-76
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page Survey 2/76

DESCRIPTION OF WATER RIGHT

Name of stream Umatilla R + McKay Res
Trib. of _____ County of Umatilla
Use irrigation
Quantity of water _____ No. of acres 32⁰
Name of ditch Furnish Canal
Date of priority March 8, 1905
In name of ^{now} Stanfield Irrigation District
Umatilla Riv. Adjudication, Vol. 3, page 233
App. No. _____ Per. No. _____ Cert. No. none
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-21-75</u>	<u>25.50</u>	<u>45765</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

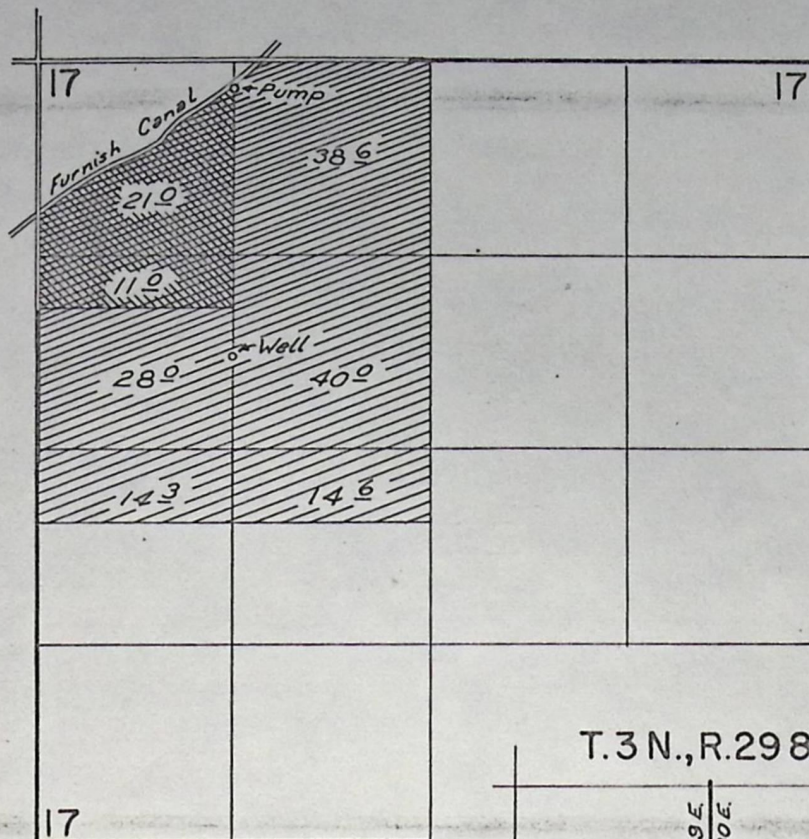
REMARKS

SURVEY COMPLETED
10-10-78 CERT. TO BE ISSUED CONFIRMING THIS & OTHER CHANGES
WITHIN STANFIELD I.D.

INDEX CARDS:		Entered	Checked
TO BE ENTERED WHEN CHECKED	Name	<u>DB</u>	_____
	Stream	<u>DB</u>	_____
	Pl. of Div.	<u>DB</u>	_____
	Calendar	<u>✓</u>	_____
	CHECKED TO RECORDS:		
	Twp. & Rge.	<u>DB</u>	_____
	Decree-vault	<u>DB</u>	_____
	Decree-safe	<u>DB</u>	_____
	Cert. of W/R	_____	_____
	Per. Folder	_____	_____
	Chainindex	_____	_____
	Cross Ref.	_____	_____
	Power Claim	_____	_____
	Abstracts	_____	_____

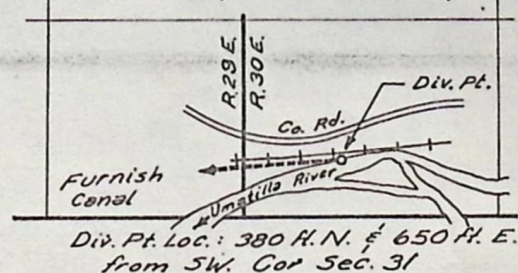
332

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



Transfer 3183
Per. G 5147

T. 3 N., R. 29 & 30 E., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3183
Application No. G-5386 Permit No. G-5147
IN NAME OF

Maurice Koester

Surveyed July 23, 1976, by L. H. Nunn

NZ-1MM-225 *[Signature]*

NZ-MN-225
NH-7 96-82-6
7-23-76 LHN

RT 1 Box 42A
Stanfield Oreg

(~~now~~ Maurice Koester)

County Umatilla

1. Name Robert O. Behrman Address Route 1, Box 424, Stanfield, 97875

2. Source of Supply Umatilla R., Trib. of COLUMBIA

3. Amount of Water 0.40 cfs Priority Date Mar. 8, 1905 & Suppl 7/1/24

4. Use irrigation of 32⁰ ACRES

5. Proposed Point of Diversion 380' N & 650' E From
SW cor sec 31, T.3N, R 30 E. WM 7.
UMATILLA

6. Place of Use ~~DATE FOR APPLICATION OF WATER:~~ 10/1/76

[illegible]

3N-20E-21-SW-SW

Info: Mr. Koester

Source: Furnish Ditch from Umatilla Riv.

Ditch Div: Pump from ditch

Pump: 2 - Century 50Hp @ 3540

Berkeley C.DP 5x4

710 gpm @ 216 hd.

Pipes Buried main thru-out, 3960' - 3" wheel; 840' - 3" head

Heads: 6 Center pivots (300 gpm) w/ solid sets for corners

~~3~~ 117' RB 30 3/16

Crop: wheat & potatoes

Lift: -10 to +30

Remarks: this transfer for land south of ditch in NW⁴NW⁴,
& N. 12 ac SW⁴NW⁴, Sec. 17. The water is actually used
on entire piece of property in a common system.

Tie: NZ-1MM-225

Note: Ditch comes from Umatilla

Riv. in SW⁴SW⁴, Sec. 31, T3N, R30E

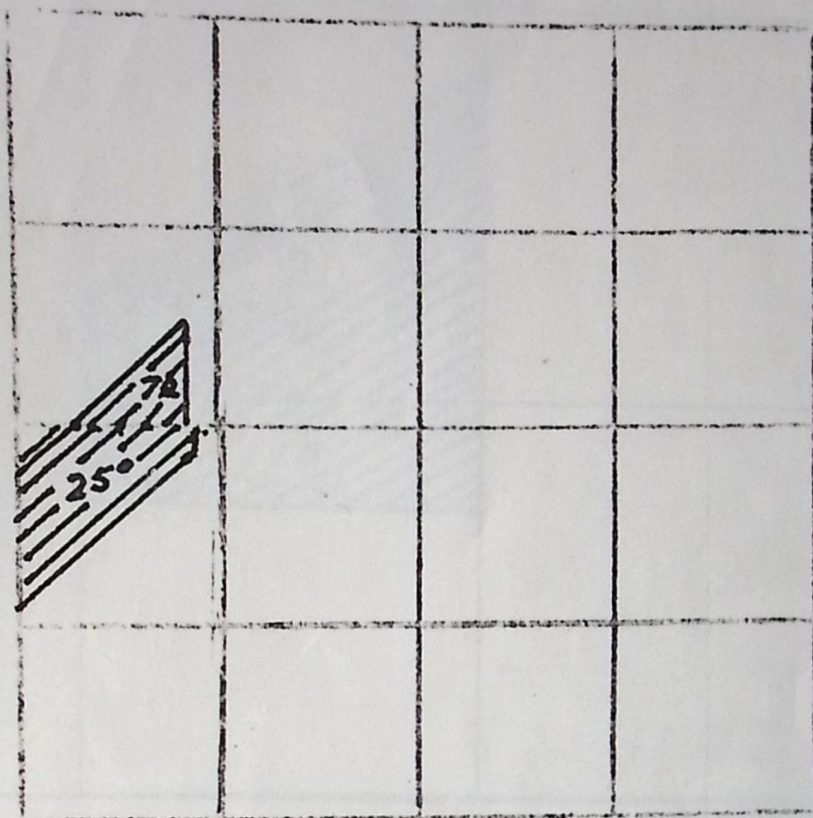
as shown on NOLIN 7 1/2 Quad map.

7-22-76

Larry D. Dunn

Field Engineer

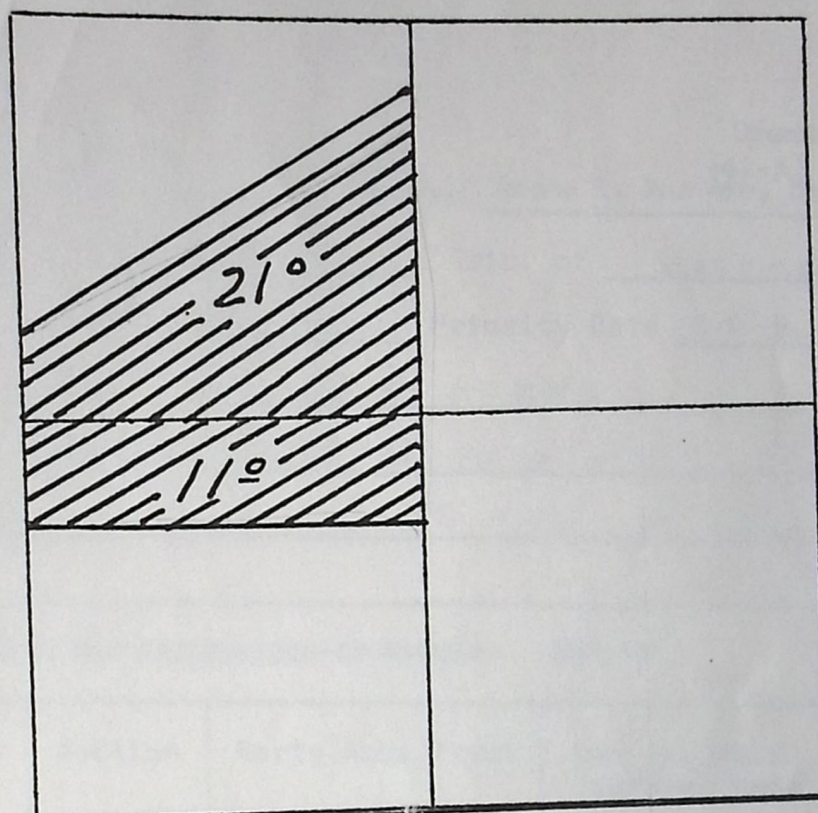
Sec 7 4N - 29



From

T-3183

NW 1/4 SEC 17-4N-29



To:

T-3183

RECEIVED
JUN 28 1941
STATE ENGINEER
SALEM, OREGON

RECEIVED
MAR 23 1917
STATE DEPARTMENT
SALEM, OREGON

Application No. 6-5386 & 6-5387
Permit No. 65147 & 65148

T-3183

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3183

I, M. L. Koester, hereby certify that
on Jan 22, 1976, the water has been applied to the
lands to which the water right was transferred by an order of the ~~State~~ ^{Water Resources Director}
~~Engineer~~ dated _____, approving an application for a
change in place of use of water from _____.

1-22-76

Date

M. L. Koester

Signature

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.

/s/ JAMES E. SEXSON
Director

T-3183

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Robert O. Behrman (Name of applicant)

of Hermiston (Postoffice), County of Umatilla

State of Oregon, do hereby make application for change place of use.

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Umatilla River and McKay Reservoir (Name of stream)

2. The use to which the water is applied is irrigation. (Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Furnish Canal.

4. The point of diversion is located 430 ft. N. and 450 ft. E. from the SW (N. or S.) (E. or W.)

corner of Sec. 31, T. 3N., R. 30 E.W.M. being within the Lot 4 (SW 1/4 SW 1/4) (Section or subdivision)

of Section 31 Tp. 3N. R. 30 E. W. M., in the County of Umatilla (No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
4N	29	7							7 ⁰				25 ⁰					

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Yes (If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes

8. What is the date of priority of your water right? March 8 1905

9. Was your water right acquired by State Engineer's Permit? No. If so, give number (Yes or No)

of permit

10. Do you hold a water right certificate? No. If so, give number of certificate
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

Yes

(Yes or No)

If so, give title of proceedings St Umatilla River Decree

12. Is the water right recorded in your name? Stanfield Irrigation District
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
4N	29	17						21 ⁰	11 ⁰									

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the of Section Tp. R. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located?

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

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17. Are there any diversions between your present point of diversion and the proposed point of diversion?

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? Yes
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are for beneficial use of water.

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AFFIDAVIT OF APPLICANT

STATE OF OREGON,

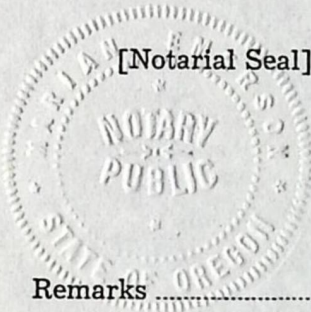
County of Marion } ss.

I, Robert O. Behrman, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 7th day of May, 1974.

Robert O. Behrman
(Name of applicant)

Subscribed and sworn to before me this 7th day of May, 1974.



[Notarial Seal]

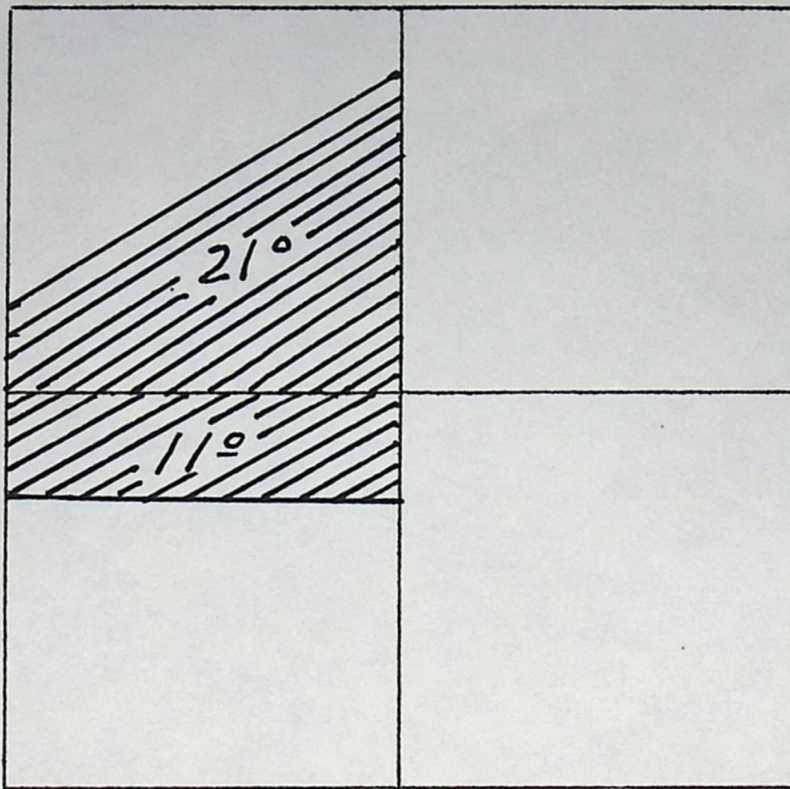
Marian Emerson
NOTARY PUBLIC FOR OREGON

My commission expires April 25, 1978

Remarks _____

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

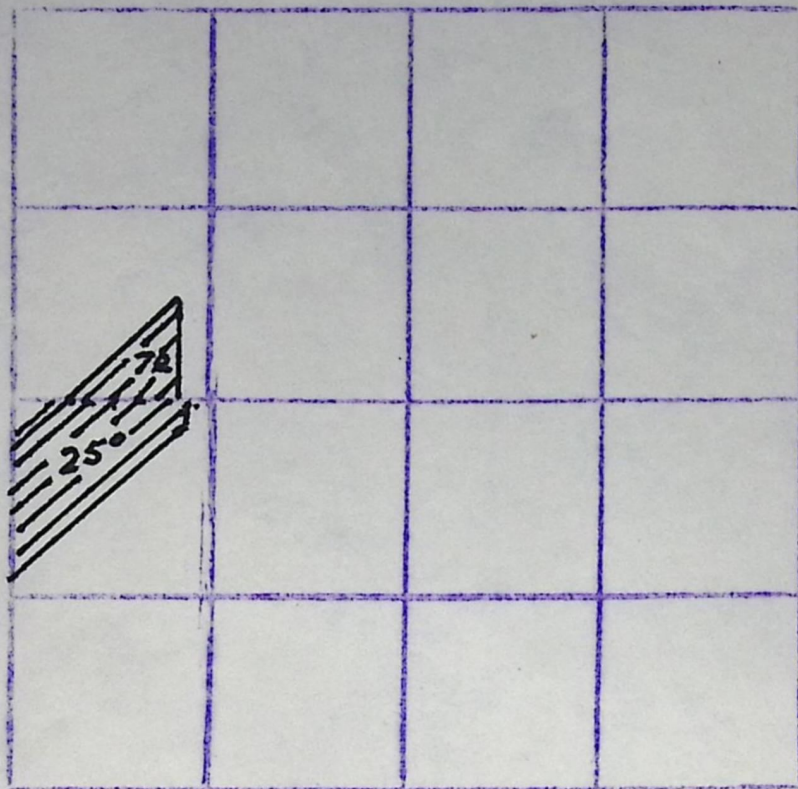
NW ¼ Sec 17-4N-29



To:

T-3183

Sec 7 4N-29



From

T-3183