

Name Boise Cascade Corp.
 By Chemical Operations Div.
 Address P.O. Box 851
Stanfield, OR 97875

3944

DESCRIPTION OF WATER RIGHT

Name of stream Stanfield DrainTrib. of Umatilla River County of Umatilla

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority Nov. 18, 1947In name of J.J. Oberson & L.M. Gessler

_____ Adjudication, Vol. _____, page _____

App. No. 22914 Per. No. 18122 Cert. No. 26099

Certificate cancelled _____

Notation made on record by _____

Change in POU, PODDate filed April 26, 1978Date of hearing July 25, 1978Place of hearing PendletonDate of order 7-27-78 Vol. 31, page 105Date for application of water 10-1-79

Proof mailed _____

Proof received _____

Certificate issued NOV 2 1978 39, page 46830
FEB 14 1985 52831

to survey 8/78

REMARKS

** Notify Appl. 57397 when transfer approved - Done*

W.R.I.S.

Assembled 6-3-85 by SM

Entered _____ by _____

Verified _____ by _____

FEES PAID

Date	Amount	Receipt No.
<u>4-26-78</u>	<u>45-</u>	<u>2490</u>
TOTAL . . .		
<u>6-23-78</u>	<u>2 Cert. Fee</u>	<u>Transfr 73943</u> <u>Recd 2490</u>

See T-3943 for PON

FEES REFUNDED

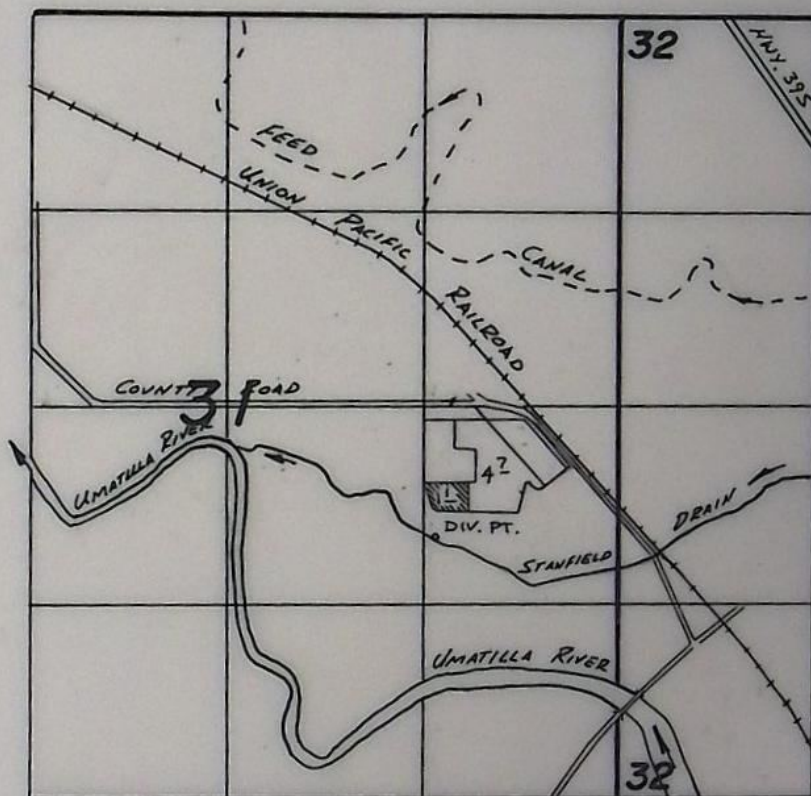
Date	Amount	Check No.
	Exam 20	
	POD 15	
	POU 10	
	cert 2	
	<u>47-</u>	

INDEX CARDS: Entered Checked

TO BE ENTERED WHERE CHECKED	✓	Name	<u>lg</u>	_____
	✓	Stream	<u>lg</u>	_____
	✓	Pl. of Div.	_____	_____
	✓	Calendar	<u>lg</u>	_____
	✓	CHECKED TO RECORDS:		
	✓	Twp. & Rge.	<u>lg</u>	_____
	✓	Decree-vault	_____	_____
	✓	Decree-safe	_____	_____
	✓	Cert. of W/R	<u>lg</u>	_____
	✓	Per. Folder	<u>lg</u>	_____
	✓	Chaindex	_____	_____
	✓	Cross Ref.	_____	_____
	✓	Power Claim	_____	_____
	✓	Abstracts	<u>lg</u>	_____

Boise Cascade
154

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



DIV. PT. LOC: 1770' N. & 1230' W. FROM SE COR. SEC 31

FINAL PROOF SURVEY
UNDER

TRANSFER 3944

IN NAME OF

BOISE CASCADE CORP. / CHEM. OR. DIV.

Surveyed FEB. 24, 1982, by *V. L. Church*

STATE OF OREGON

COUNTY OF

UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BOISE CASCADE CORP., CHEMICAL OPERATIONS DIV.

J. J. OBERSON & L. H. GOSSLER

of ~~Stanfield~~ ^{P008851}, State of ~~Oregon~~ ⁹⁷⁸⁷⁵, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of ~~Stanfield Drain~~

a tributary of ~~Umatilla River~~ for the purpose of ~~primary irrigation of 26.3 acres and supplemental irrigation of 34.9 acres~~

under Permit No. ~~18122~~ ^{5.8} 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 ~~November 18, 1947~~

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 ~~0.94 cubic foot per second~~

~~0.08~~

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the ~~NE 1/4, Section 31, T. 4 N., R. 29 E., W. M., 1550 feet North and 15 feet West from the SE Corner, Section 31,~~

~~1770 1630~~ ^{If available at the original P.O. 25 NE 1/4 Sec 31, T. 4 N., R. 29 E., W.M., 1550' N. & 15' W. from the SE Cor. 50081}

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 1/2 acre feet~~ per acre for each acre irrigated during the irrigation season of each year,

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:

~~Primary~~

9.5 acres SE 1/4 NW 1/4

4.2 acres NE 1/4 SW 1/4

5.9 6.0 acres NE 1/4 SE 1/4

6.6 acres SE 1/4 SE 1/4

~~Supplemental~~

30.1 acres SW 1/4 NE 1/4

4.8 acres SE 1/4 NE 1/4

~~Section 31~~

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

This certificate describes that portion of the water right confirmed by the prior

This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered 7-27-78 and together with certificate of water right recorded at page 46830, Volume 39, State Record of Water Right Certificates, supersedes certificate 26099.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

[Signature]
Water Resources Director

6679C

Sta

STATE OF OREGON
COUNTY OF UMATILLA

SUPERSEDED
CERTIFICATE NO. 26099

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. J. OBERSON and L. M. GOSSLER

of Stanfield, 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 Stanfield Drain a tributary of Umatilla River for the purpose of primary irrigation of ~~34.3~~^{26.3} acres and supplemental irrigation of 34.9 acres,

under Permit No. 18122 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 November 18, 1947,

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 ~~1.02~~^{0.94} 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 NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 4 North, Range 29 East, W.M. 1550 N. $\frac{1}{2}$ 15' W from the SE cor Sec 31

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,

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:

Primary irrigation
9.5 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
4.2 6.4 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
6.0 11.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
6.6 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

Supplemental irrigation
30.1 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
4.8 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 31

Township 4 North, Range 29 East, W.M.

T-3944
(0.08 cfs)

affidavit
to cancel
(0.03 cfs)

(not up to
full duty)

dt 10/11
Pg 311, V 51

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 26099, Volume 18, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on July 27, 1978, approving transfer application No. 3944 and NOT canceled by the provisions of an order of the Water Resources Director entered on Oct 11, 1978. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

State Engineer

Recorded in State Record of Water Right Certificates, Volume 18, page 26099 46830

T-3944

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF BOISE CASCADE CORPORATION FOR)
APPROVAL OF CHANGES IN PLACE OF)
USE AND POINT OF DIVERSION OF)
WATER FROM STANFIELD DRAIN)

ORDER APPROVING
TRANSFER NO. 3944

On April 26, 1978, an application was filed in the office of the Water Resources Director by Boise Cascade Corporation Chemical Operation Division for approval of changes in place of use and point of diversion from Stanfield Drain, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 26099, Volume 18, State Record of Water Right Certificates, in the names of J. J. Oberson and L. M. Gossler, describes a right which includes the use of not to exceed 0.08 cubic foot per second from Stanfield Drain for irrigation of a certain 5.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 4 North, Range 29 East, W.M., with a date of priority of November 18, 1947.

Water for said right is diverted from a point located 1550 feet North and 15 feet West from the Southeast Corner of Section 31, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 4 North, Range 29 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use of the water right appurtenant to a certain 1.1 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31, without loss of priority, to a certain 1.1 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31. The applicant herein also proposes to change the point of diversion, without loss of priority, to a point located 420 feet North and 1360 feet West from the Southeast Corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, for irrigation of said 1.1 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, and the balance of said lands, not involved in the change in place of use, being 4.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 31.

Notice of the application, pursuant to ORS 540.520(2), was published in the East Oregonian, a newspaper printed and having general circulation in Umatilla County, Oregon, for a period of three weeks in the issues of May 31; June 7 and 14, 1978.

Mr. William I. Porfily, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without

injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

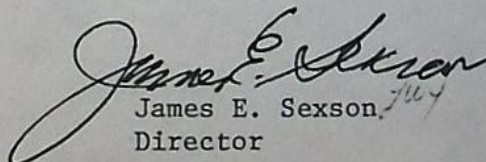
- That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made and said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right recorded at page 26099, Volume 18, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 27th day of July, 1978.

See also partial
cancellation
Sp Or Vol 31, p 211


James E. Sexson
Director

md
P106

T-3944

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 J.J. OBERSON AND L.M.)
GOSSLER)

O R D E R

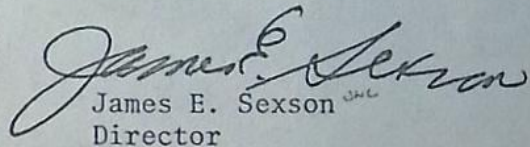
On September 29, 1978, Loy Gossler submitted an affidavit that he is the owner of a certain water right and the lands to which the water right is appurtenant; and that he authorizes cancellation of said water right.

The water right in question is a portion of the right described by the certificate recorded at page 26099, Volume 18, State Record of Water Right Certificates, in the names of J. J. Oberson and L. M. Gossler, and is for the use of water from Stanfield Drain, with a date of priority of November 18, 1947, for the irrigation of 2.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, 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 26099, Volume 18, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon this 11th day of October, 1978.


James E. Sexson
Director

V31, P311

IN THE _____ COURT OF THE
STATE OF OREGON FOR UMATILLA COUNTY

AFFIDAVIT OF
PUBLICATION OF

Equity } No. _____
Law }

STATE OF OREGON, } ss
County of Umatilla }

I, Beverly Krosting being first duly
sworn, depose and say that I am the principal clerk of the publisher of the East
Oregonian, a newspaper of general circulation, as defined by ORS 193.010
and 193.020; printed and published at Pendleton in the aforesaid county and
state; that the EO- 775 Notice of water right transfer Application
#3944

a printed copy of which is hereto annexed, was published in the entire issue
of said newspaper for 3 successive and consecutive insertions in
the following issues:

ok May 31, June 7, & 14th, 1978
lg

Beverly Krosting

Subscribed and sworn to before me this 15th day of

June, 19 78

Patricia A. Carpenter
Notary Public of Oregon

MY COMMISSION EXPIRES
SEPT. 8, 1980

EO-775
NOTICE OF
WATER RIGHT TRANSFER
APPLICATION NO. 3944

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Boise Cascade Corp., Chemical Operations Division for approval of changes in place of use & point of diversion from Stanfield Drain, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 26099, Volume 18, State Record of Water Right Certificates, in the names of J. J. Oberson & L.M. Gossler, describes a right which includes the use of not to exceed 0.08 cubic foot per second from Stanfield Drain for irrigation of a certain 5.8 ac in NE 1/4 SE 1/4 of Sec. 31, T 4N, R 29E, WM, with a date of priority of Nov. 18, 1947.

Water for said right is diverted from a point located 1550 ft N & 15 ft W from the SE Corner of Sec 31, being within the NE 1/4 SE 1/4 of Sec 31, T 4N, R 29E, WM.

The applicant herein, owner of the lands above described, proposes to change the place of use of the water right appurtenant to a certain 1.1 ac in NE 1/4 SE 1/4 of said Sec 31, without loss of priority, to a certain 1.1 ac in W 1/2 NE 1/4 of said Sec 31. The applicant herein also proposes to change the point of diversion, without loss of priority, to a point located 420 ft N & 1360 ft W from the SE Corner of the NE 1/4 SE 1/4 of said Sec 31, being within the NE 1/4 SE 1/4 of Sec 31, for irrigation of said 1.1 ac in W 1/2 NE 1/4 of Sec 31, and the balance of said lands, not involved in the change in place of use, being 4.7 ac in NE 1/4 SE 1/4 of said Sec 31.

All persons interested are notified hereby that a hearing will be held at the county courthouse in Pendleton, Oregon on July 25, 1978, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing: one copy to be served on Boise Cascade Corp., Chemical Operations Div., Attn: JoAnn Robison, P.O. Box 851, Stanfield, OR 97875; and one copy filed with the Water Resources Department Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon this 25th day of May, 1978.
James E. Sexson
Director
May 31, June 7, 14, 1978

ok
lg