

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
14	S	11	E	WM	33	SW	SW	1500	GERALD/PENNI SNOW	5.00
14	S	11	E	WM	33	SW	SW	1400	GERALD/PENNI SNOW	7.00
15	S	11	E	WM	8	SE	SE	700	TUMALO FARMS	4.00
15	S	11	E	WM	8	SE	SE	700	TUMALO FARMS	5.00
TOTAL									21.00	

5. Application T-9309 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
14	S	11	E	WM	33	SW	SW	1500	GERALD/PENNI SNOW	4.77
14	S	11	E	WM	33	SW	SW	1400	GERALD/PENNI SNOW	7.23
15	S	10	E	WM	13	NE	SW	702	KEITH CYRUS	4.00
15	S	10	E	WM	24	SW	SW	900	SISTERS RODEO ASSCO	5.00
TOTAL									21.00	

6. The portion of the second right to be transferred is as follows:

Permit: S-29312, issued in the name of Squaw Creek Irrigation District

Use: Supplemental Irrigation

Priority Date: February 5, 1964.

Rate & Duty: Limited to 500 acre feet stored water only and a diversion of 4 ½ acre feet for each acre irrigated during the irrigation season of each year; and, 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.

Source: Squaw Creek Reservoir

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
14	S	11	E	WM	33	SW	SW	1500	GERALD/PENNI SNOW	5.00
14	S	11	E	WM	33	SW	SW	1400	GERALD/PENNI SNOW	7.00
15	S	11	E	WM	8	SE	SE	700	TUMALO FARMS	4.00
15	S	11	E	WM	8	SE	SE	700	TUMALO FARMS	5.00
TOTAL									21.00	

7. Application T-9309 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC		
14	S	11	E	WM	33	SW	SW	1500	GERALD/PENNI SNOW	4.77
14	S	11	E	WM	33	SW	SW	1400	GERALD/PENNI SNOW	7.23
15	S	10	E	WM	13	NE	SW	702	KEITH CYRUS	4.00
15	S	10	E	WM	24	SW	SW	900	SISTERS RODEO ASSOC	5.00
TOTAL									21.00	

8. The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
9. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
10. The proposed change in place of use would not result in enlargement of the rights.
11. The proposed change in place of use would not result in injury to other water rights

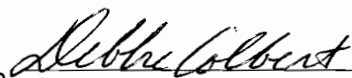
Conclusions of Law

The proposed changes in place of use in Transfer Application T-9309 satisfy the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed changes to the water rights evidenced by Certificate 74135, Permits S-29312 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 74135, Permit S-29312 and any related decree.
3. The former place of use shall no longer be irrigated as part of this water right.
4. The proposed change shall be completed on or before October 1, 2006.
5. A Claim of Beneficial Use shall be submitted by the applicant to the Department by October 1, 2007.
6. The Department shall issue a water right certificate on a determination that it is necessary to produce a certificate describing the water right.

Dated at Salem, Oregon this 16th day of August, 2005.


FOR Phillip C. Ward, Director