



exceed 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** CALAPOOYA CREEK, a tributary of UMPQUA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC
25 S	6 W	WM	15	S 1/2 SW SE	50

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	6 W	WM	15	SW SE	50	6.0

4. Certificate 39232 does not describe the exact location of the point of diversion, however information is available from the applicant and Certificate 49250 indicating that the point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	6 W	WM	15	SW SE	530 FEET NORTH AND 1960 FEET WEST FROM THE SE CORNER OF SECTION 15

5. Temporary Transfer Application T-13128 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	6 W	WM	15	SE SW	50	2.5
25 S	6 W	WM	22	NE NW	50	3.5
Total						6.0

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

**Certificate:** 49250 in the name of PAUL T. AND KARLEN J. MUELLER (perfected under Permit S-37704)

**Use:** IRRIGATION of 6.0 ACRES

**Priority Date:** MARCH 29, 1973

**Rate:** 0.07 CUBIC FOOT PER SECOND

**Limit/Duty:** 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-EIGHTIETH 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 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** CALAPOOYA CREEK, a tributary of UMPQUA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	6 W	WM	15	SW SE	50	530 FEET NORTH AND 1960 FEET WEST FROM THE SE CORNER OF SECTION 15

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	6 W	WM	15	SE SW	50	2.5
25 S	6 W	WM	22	NE NW	50	3.5
Total						6.0

- Temporary Transfer Application T-13128 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	6 W	WM	15	SW SE	50	6.0

**Temporary Transfer Review Criteria**

- Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
- The proposed change would not result in enlargement of the rights.
- The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

**Conclusions of Law**

The temporary change in place of use proposed in Temporary Transfer Application T-13128 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

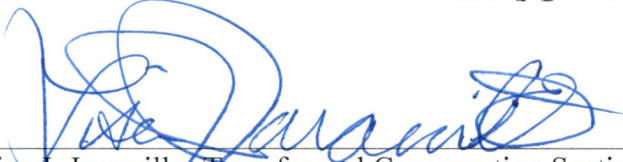
**Now, therefore, it is ORDERED:**

- The temporary change in place of use proposed in Temporary Transfer Application T-13128 is approved.
- The former place of use **shall not** be irrigated as part of these water rights during the 2019, 2020, 2021, 2022, and 2023 irrigation seasons.
- The use shall revert to the authorized place of use at the end of the 2023 irrigation season.



4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 39232 and 49250 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 39232 and 49250.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The use of the remaining water right described by Certificate 49250 shall continue to be in accordance with the terms and conditions of Certificate 49250.

Dated at Salem, Oregon this APR 22 2019.



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Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: APR 23 2019