

Authorized Place of Use:

Well 1

Township		Range		Meridian	Sec	¼ ¼		DLC	Acres
4	S	3	W	W.M.	30	NW	SW	55	0.8
4	S	4	W	W.M.	25	NE	SE	62	17.4
4	S	4	W	W.M.	25	NW	SE	62	2.4
4	S	4	W	W.M.	25	SW	SE	62	5.6
4	S	4	W	W.M.	25	SE	SE	62	31.2
4	S	4	W	W.M.	36	NE	NE	62	6.5
4	S	4	W	W.M.	36	NW	NE	62	1.7

Well 2

Township		Range		Meridian	Sec	¼ ¼		DLC	Acres
4	S	3	W	W.M.	30	SW	NW	55	8.1
4	S	3	W	W.M.	30	NW	SW	55	5.0
4	S	4	W	W.M.	25	SW	NE	62	2.8
4	S	4	W	W.M.	25	SE	NE	62	19.3
4	S	4	W	W.M.	25	NE	SE	62	22.5
4	S	4	W	W.M.	25	NW	SE	62	3.2

3. Application T-9067 proposes to add the following authorized points of appropriation to the existing points of appropriation in the West Branch Palmer Creek basin:

Township		Range		Meridian	Sec	¼ ¼		DLC	Survey Coordinates
4	S	4	W	W.M.	25	NE	SE	62	Well 1 – 1450 feet North and 580 feet West from the SE Corner of Section 25.
4	S	4	W	W.M.	25	SE	NE	62	Well 2 – 3250 feet North and 600 feet West from the SE Corner of Section 25.
4	S	4	W	W.M.	25	NE	SE	62	Well 3 – 1450 feet North and 25 feet West from the SE Corner of Section 25.

4. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
5. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

6. Pumps, pipelines, and sprinkler systems sufficient to use the full amount of water allowed under the existing right are present.
7. The proposed change would not result in enlargement of the right.
8. The proposed change would not result in injury to other water rights.

Conclusions of Law:

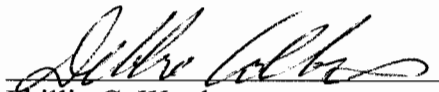
The additional points of appropriation proposed in application T-9067 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580, and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional points of appropriation proposed in application T-9067 are approved.
2. Water right certificate 42982 is cancelled.
3. The right to 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 42982 and any related decree.
4. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
5. The approved change shall be completed and full beneficial use of water shall be made on or before **October 1, 2007**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. The quantity of water diverted at the additional points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.
7. Prior to diverting water at the additional points of appropriation, the water user shall install and maintain in-line flow meters or other suitable devices for measuring and recording the quantity of water appropriated. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

8. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 24th day of February, 2006.


Phillip C. Ward
Director

Mailing date: FEB 27 2006