

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	22 E	WM	14	NE NE	600 FEET SOUTH AND 150 FEET WEST FROM NE CORNER OF SECTION 14

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	22 E	WM	14	SW NW	2.4
17 S	22 E	WM	14	NW SW	7.0
17 S	22 E	WM	15	NE SE	1.8

3. Application T-10180 proposes to change the place of use of the right to a reservoir constructed under Permit R-14313, located as follows:

POND MAINTENANCE				
Twp	Rng	Mer	Sec	Q-Q
17 S	22 E	WM	14	NW SW
17 S	22 E	WM	15	NE SE
17 S	22 E	WM	15	SE SE

4. Application T-10180 proposes to change the character of use to POND MAINTENANCE in a reservoir constructed under Permit R-14313.
5. Notice of the application for transfer was published on June 27, 2006, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
6. On December 3, 2006, the Department issued a preliminary determination proposing to approve Transfer T-10180 and mailed a copy to the applicant. Additionally, notice of the preliminary determination for the transfer application was published on the Department's weekly notice on December 12, 2006, and in the Central Oregonian newspaper on December 15, 22 and 29, 2006 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
7. 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.
8. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right are present.
9. The proposed change would not result in enlargement of the right, provided the annual volume of water diverted for pond maintenance does not exceed 44.8 acre-feet during the irrigation season of each year.
10. The proposed change would not result in injury to other water rights.

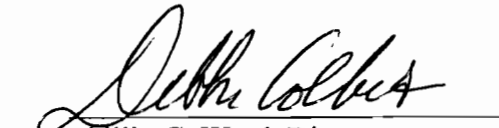
Conclusions of Law

The proposed changes in place of use and character of use in application T-10180 are consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. 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 80613 and any related decree.
2. Water right Certificate 80613 is cancelled.
3. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. 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.
4. The former place of use of the transferred irrigation water shall no longer be irrigated as part of this right.
5. The annual volume of water for pond maintenance shall not exceed 44.8 acre-feet, diverted during the irrigation season of each year.
6. Prior to diverting water, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
7. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 30th day of January 2007.


Phillip C. Ward, Director

Mailing date: JAN 31 2007