

5. On May 6, 2019 the applicant requested to extend the date for full beneficial use of the water to October 1, 2023.
6. On June 4, 2019, the Department issued a Preliminary Determination proposing to approve Transfer Application T-12784 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on June 4, 2019, and in the Molalla Pioneer newspaper on July 31 and August 7, 2019, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
7. The right to be transferred is as follows:

Certificate: 52854 in the name of CRESTVIEW FARMS INC. (perfected under Permit G-9818)

Use: IRRIGATION OF 12.0 ACRES

Priority Date: JUNE 7, 1982

Rate: 0.15 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, provided further that in the event of a request for a change in point of appropriation, an additional point of appropriation of repair of this well, the quantity of water allowed herein together with any other right from this point of appropriation shall not exceed the capacity of this well at the time of perfection of this right.

Source: ONE WELL, a tributary of ROCK CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 E	WM	23	NW NE	1300 FEET SOUTH AND 1430 FEET WEST FROM THE NE CORNER OF SECTION 23

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 E	WM	23	NE NW	1.40
5 S	1 E	WM	23	NW NW	3.90
5 S	1 E	WM	23	SW NW	4.00
5 S	1 E	WM	23	SE NW	2.70
TOTAL					12.0

8. Transfer Application T-12784 proposes additional points of appropriation with approximate distances from the existing point of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from Authorized Well in feet (ft)
5 S	1 E	WM	23	NW NW	WELL 1 - 1200 FEET SOUTH AND 960 FEET EAST FROM THE NW CORNER OF SECTION 23	2904 ft
5 S	1 E	WM	23	NE NW	WELL 2 - 1210 FEET SOUTH AND 1550 FEET EAST FROM THE NW CORNER OF SECTION 23	2244 ft

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years prior to the submittal of Transfer Application T-12784 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-12784.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

Conclusions of Law

The additional points of appropriation proposed in Transfer Application T-12784 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 Transfer Application T-12784 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 52854 and any related decree.
3. Water right Certificate 52854 is cancelled.
4. The quantity of water diverted at the additional points of appropriation (Well 1 and 2), together with that diverted at the original point of appropriation (Authorized Well), shall not exceed the quantity of water lawfully available at the original point of appropriation (Authorized Well).

5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. A Claim of Beneficial Use prepared by a Certified Water Right 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.
7. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this SEP 05 2019.



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

Mailing Date: SEP 06 2019