

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: NORTH YAMHILL RIVER, a tributary of YAMHILL RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	5 W	WM	26	NW NE	AS PROJECTED WITHIN W. DODSON DLC #42
2 S	5 W	WM	26	SW NE	AS PROJECTED WITHIN W. DODSON DLC #42

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 S	5 W	WM	26	NE NE	42	9.0
2 S	5 W	WM	26	NW NE	42	10.0
2 S	5 W	WM	26	SW NE	42	10.8
2 S	5 W	WM	26	SE NE	42	2.2
Total						32.0

4. Certificate 22009 does not describe the measured distances of the points of diversion, however information is available from the agent and applicant indicating that the points of diversion are located as follows:

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 S	5 W	WM	26	NW NE	42	550 FEET SOUTH AND 1410 FEET WEST FROM THE NE CORNER OF SECTION 26
2 S	5 W	WM	26	SW NE	42	1290 FEET SOUTH AND 2260 FEET WEST FROM THE NE CORNER OF SECTION 26

5. Temporary Transfer Application T-12246 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
3 S	4 W	WM	4	SW NW	42	3.2
3 S	4 W	WM	4	NW SW	42	4.6
3 S	4 W	WM	4	SW SW	42	0.1
3 S	4 W	WM	5	SE NE	42	10.8
3 S	4 W	WM	5	NE SE	42	11.4
3 S	4 W	WM	5	SE SE	42	1.9
Total						32.0

- An additional point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12246 proposes to move the authorized points of diversion approximately 7.0 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
3 S	4 W	WM	5	SE SE	42	460 FEET NORTH AND 890 FEET WEST FROM THE SE CORNER OF SECTION 5

Temporary Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is 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 right are present.
- The proposed changes would not result in enlargement of the right.
- The proposed changes 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

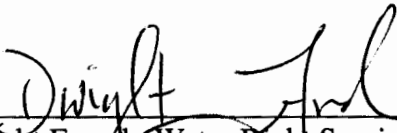
The temporary changes in place of use and additional point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12246 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

- The temporary changes in place of use and additional point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12246 are approved.
- The former place of use **shall not** be irrigated as part of this water right during the 2016, 2017, 2018, 2019 and 2020 irrigation seasons.
- The use shall revert to the authorized place of use at the end of the 2020 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
- The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
- A subsequent application for permanent transfer of Certificate 22009 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 Certificate 22009.
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. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. The use of the remaining water right described by Certificate 22009 shall continue to be in accordance with the terms and conditions of Certificate 22009.

Dated at Salem, Oregon this 11 day of March, 2016.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

APR 01 2016

Mailing Date: _____