

Rate: 0.45 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.

Source: LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	6 W	WM	30	SE SE	40	1850 FEET SOUTH AND 280 FEET EAST FROM THE NW CORNER OF WATSON DLC 40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	6 W	WM	29	SW NW	40	1.5
10 S	6 W	WM	29	NW SW	40	20.6
10 S	6 W	WM	29	SW SW	40	2.6
10 S	6 W	WM	30	NE SE	40	9.0
10 S	6 W	WM	30	SE SE	40	1.8
Total:						35.5

5. Temporary Transfer Application T-12158 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	4 W	WM	20	NE NE	63	12.4
9 S	4 W	WM	20	NW NE	63	11.2
9 S	4 W	WM	28	NE SW	50	2.3
9 S	4 W	WM	28	NE SE	50	2.9
9 S	4 W	WM	28	NW SE	50	6.7
Total:						35.5

6. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12158 proposes to move the authorized point of diversion downstream approximately 28 and 33 miles, respectively, to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
9 S	4 W	WM	20	NE SW	63	10 FEET NORTH AND 5680 FEET WEST FROM THE SE CORNER OF DLC 63
9 S	4 W	WM	28	NW SE	50	3650 FEET SOUTH AND 1340 FEET WEST FROM THE NE CORNER OF DLC 50

7. The second right to be temporarily transferred is as follows:

Certificate: 76441 in the name of GRACEN L. BUSH (perfected under Permit S-20809)

Use: IRRIGATION of 99.1 ACRES

Priority Date: OCTOBER 12, 1951

Rate: 1.24 CUBIC FEET 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, is 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: LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	6 W	WM	29	SE NW	40	170 FEET SOUTH AND 2940 FEET EAST FROM THE NW CORNER OF WATSON DLC 40
10 S	6 W	WM	29	SE NW	42	200 FEET NORTH AND 2950 FEET EAST FROM THE NW CORNER OF WATSON DLC 40
10 S	6 W	WM	30	SE SE	40	2200 FEET SOUTH AND 620 FEET EAST FROM THE NW CORNER OF WATSON DLC 40

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Govt Lot	DLC	Acres
10 S	6 W	WM	29	NW NE		42	10.5
10 S	6 W	WM	29	SW NE		42	12.9
10 S	6 W	WM	29	SW NW		40	5.2
10 S	6 W	WM	29	SE NW		40	1.5
10 S	6 W	WM	29	NE SW		40	2.3
10 S	6 W	WM	29	NW SW		40	17.8
10 S	6 W	WM	29	SW SW		40	20.4
10 S	6 W	WM	29	SW SW	3		1.3
10 S	6 W	WM	30	SW NE		41	2.2
10 S	6 W	WM	30	NW SE		41	11.1
10 S	6 W	WM	30	NE SE		40	12.7
10 S	6 W	WM	30	SE SE		40	1.2
Total:							99.1

8. Temporary Transfer Application T-12158 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	4 W	WM	28	NE NE	50	6.2
9 S	4 W	WM	28	NW NE	50	16.0
9 S	4 W	WM	28	SW NE	50	40.0
9 S	4 W	WM	28	SE NE	50	15.0
9 S	4 W	WM	28	NE NW	50	5.6
9 S	4 W	WM	28	SE NW	50	16.2
9 S	4 W	WM	28	NE SW	50	0.1
Total:						99.1

9. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12158 proposes to move the authorized points of diversion approximately 31-33 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
9 S	4 W	WM	28	NW SE	50	3650 FEET SOUTH AND 1340 FEET WEST FROM THE NE CORNER OF DLC 50

10. The third right to be temporarily transferred is as follows:

Certificate: 76492 in the name of GRACEN L. BUSH (perfected under Permit S-12122)
Use: IRRIGATION of 14.4 ACRES
Priority Date: APRIL 9, 1936
Rate: 0.18 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, is 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: LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
10 S	6 W	WM	30	SE SE	40	2200 FEET SOUTH AND 620 FEET EAST FROM THE NW CORNER OF WATSON DLC 40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
10 S	6 W	WM	30	NE SE	41	14.4

11. Temporary Transfer Application T-12158 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	4 W	WM	20	NE NE	63	6.4
9 S	4 W	WM	20	NW NE	63	5.7
9 S	4 W	WM	20	SW NE	63	1.1
9 S	4 W	WM	20	SE NE	63	1.2
Total:						14.4

12. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12158 proposes to move the authorized point of diversion approximately 28 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
9 S	4 W	WM	20	NE SW	63	10 FEET NORTH AND 5680 FEET WEST FROM THE SE CORNER OF DLC 63

13. There are existing water rights on the proposed places of use.

Temporary Transfer Review Criteria

14. 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.
15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
16. The proposed changes would not result in enlargement of the rights.
17. 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 places of use and points of diversion to convey water to the temporary places of use proposed in Temporary Transfer Application T-12158 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary changes in places of use and points of diversion to convey water to the temporary places of use proposed in Temporary Transfer Application T-12158 are approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the 2015 irrigation season.
3. Any other water rights existing on the temporary places of use authorized in this transfer shall not be exercised during the term of this temporary transfer.
4. The use shall revert to the authorized place of use at the end of the 2015 irrigation season. The authorization to use the temporary points of diversion shall be terminated concurrently.
5. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
6. A subsequent application for permanent transfer of Certificates 37768, 76441, and 76492 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.

7. 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 37768, 76441, and 76492.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.

Dated at Salem, Oregon this 19 day of October, 2015.



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

Mailing Date: OCT 20 2015