

3. The portion of the first right to be transferred is as follows:

Certificate: 84125 in the name of TY FEHRENBACHER (perfected under Permit G-11774)
Use: SUPPLEMENTAL IRRIGATION OF 54.1 ACRES
Priority Date: DECEMBER 30, 1991
Rate: 251.17 gallons per minute
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 a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Period of Use: February 1 to December 1
Source: THREE WELLS within the LONE PINE CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	17	NE NW	WELL 1- 860 FEET SOUTH AND 3580 FEET WEST FROM THE NE CORNER OF SECTION 17
14 S	14 E	WM	17	SE NE	WELL 4- 2170 FEET SOUTH AND 290 FEET WEST FROM THE NE CORNER OF SECTION 17
14 S	14 E	WM	17	NE NE	WELL 5- 60 FEET SOUTH AND 190 FEET WEST FROM THE NE CORNER OF SECTION 17

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	17	SW NE	11.8
14 S	14 E	WM	17	SW NW	16.4
14 S	14 E	WM	17	SE NW	18.1
14 S	14 E	WM	17	NE SW	2.3
14 S	14 E	WM	17	NW SW	5.5
Total					54.1

4. Temporary Transfer Application T-12854 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	17	SW NE	23.6
14 S	14 E	WM	17	NE SW	14.7
14 S	14 E	WM	17	SE SW	10.6
14 S	14 E	WM	17	SE SE	5.2
Total:					54.1

5. The portion of the second right to be transferred is as follows:

Certificate: 89383 in the name of MOUNT JEFFERSON FARMS INC - WALTER R. MILLER; THE DUNN FAMILY COMMUNITY PROPERTY TRUST, ROBERT AND THERESA DUNN, TRUSTEES (perfected under Permit G-11774)

Use: SUPPLEMENTAL IRRIGATION OF 57.4 ACRES

Priority Date: DECEMBER 30, 1991

Rate: 236.75 gallons per minute

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 a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Period of Use: February 1 to December 1

Source: THREE WELLS within the LONE PINE CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	17	NE NW	WELL 1- 860 FEET SOUTH AND 3660 FEET WEST FROM THE NE CORNER OF SECTION 17
14 S	14 E	WM	17	SE NE	WELL 4- 2155 FEET SOUTH AND 260 FEET WEST FROM THE NE CORNER OF SECTION 17
14 S	14 E	WM	17	NE NE	WELL 5- 30 FEET SOUTH AND 150 FEET WEST FROM THE NE CORNER OF SECTION 17

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	17	NE NE	20.00
14 S	14 E	WM	17	SE NE	28.70
14 S	14 E	WM	17	NE SE	2.30
14 S	14 E	WM	17	NW SE	6.40
Total:					57.4

6. Temporary Transfer Application T-12854 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	17	NE NE	0.3
14 S	14 E	WM	17	NW NE	31.4
14 S	14 E	WM	17	SE NE	0.5
14 S	14 E	WM	17	NE NW	4.8
14 S	14 E	WM	17	NW SE	20.4
Total:					57.4

7. Temporary Transfer Application T-12854 proposes to temporarily transfer water rights within the boundaries of Crook County Improvement District. The district was notified of the proposed temporary transfer and did not provide any comments.

Temporary Transfer Review Criteria

8. 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.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
10. The proposed change would not result in enlargement of the rights.
11. The proposed change 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 change in place of use proposed in Temporary Transfer Application T-12854 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

12. The temporary change in place of use proposed in Temporary Transfer Application T-12854 is approved.
13. The former place of use **shall not** be irrigated as part of these water rights during the 2018, 2019, 2020, 2021, and 2022 irrigation seasons.
14. The use shall revert to the authorized place of use at the end of the 2022 irrigation season.
15. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
16. A subsequent application for permanent transfer of Certificates 84125 and 89383 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.
17. 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 84125 and 89383.
18. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.

19. The use of the remaining water rights described by Certificates 84125 and 89383 shall continue to be in accordance with the terms and conditions of Certificates 84125 84125 and 89383.

Dated at Salem, Oregon APR 13 2018.



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

Mailing Date: APR 16 2018