



5. On October 6, 2014, the Department sent a copy of the revised draft Preliminary Determination proposing to approve Transfer Application T-11770 to the applicant. The revised draft Preliminary Determination cover letter set forth a deadline of October 23, 2014, for the applicant to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.
6. On December 8, 2014, the Department issued a Preliminary Determination proposing to approve Transfer Application T-11770 and sent 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 16, 2014, and in the East Oregonian newspaper on December 13 and 20, 2014, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
7. The first right to be transferred is as follows:

**Certificate:** 52222 in the name of WESTERN EMPIRES CORPORATION (perfected under Permit S-32309)

**Use:** IRRIGATION OF 1777.0 ACRES

**Priority Date:** AUGUST 15, 1967

**Rate:** 44.43 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, shall be limited to ONE-FORTIETH 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** COLUMBIA RIVER, a tributary of the PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 N	26 E	WM	23	SE NE	1	600 FEET NORTH AND 230 FEET WEST FROM THE E <sup>1</sup> / <sub>4</sub> CORNER OF SECTION 23

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	26 E	WM	1	NE NW	8.2
4 N	26 E	WM	1	SW NW	31.1
4 N	26 E	WM	1	SE NW	39.0
4 N	26 E	WM	1	NE SW	39.0
4 N	26 E	WM	1	NW SW	40.0
4 N	26 E	WM	1	SW SW	39.7
4 N	26 E	WM	1	SE SW	34.5
4 N	26 E	WM	3	SE SW	15.3
4 N	26 E	WM	3	SW SE	34.5
4 N	26 E	WM	3	SE SE	40.0
4 N	26 E	WM	11	NE NE	40.0
4 N	26 E	WM	11	NW NE	38.3
4 N	26 E	WM	11	SW NE	38.4

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	26 E	WM	11	SE NE	37.6
4 N	26 E	WM	11	NE NW	37.8
4 N	26 E	WM	11	NW NW	40.0
4 N	26 E	WM	11	SW NW	39.7
4 N	26 E	WM	11	SE NW	38.7
4 N	26 E	WM	11	NE SW	36.3
4 N	26 E	WM	11	NW SW	37.6
4 N	26 E	WM	11	SW SW	39.6
4 N	26 E	WM	11	SE SW	38.3
4 N	26 E	WM	11	NE SE	37.8
4 N	26 E	WM	11	NW SE	36.0
4 N	26 E	WM	11	SW SE	38.1
4 N	26 E	WM	11	SE SE	39.3
4 N	26 E	WM	12	NE NW	32.0
4 N	26 E	WM	12	NW NW	38.2
4 N	26 E	WM	12	SW NW	37.2
4 N	26 E	WM	12	SE NW	33.4
4 N	26 E	WM	12	NE SW	31.2
4 N	26 E	WM	12	NW SW	35.3
4 N	26 E	WM	12	SW SW	39.2
4 N	26 E	WM	12	SE SW	35.1
4 N	26 E	WM	13	NE NW	31.8
4 N	26 E	WM	13	NW NW	35.3
4 N	26 E	WM	13	SW NW	38.0
4 N	26 E	WM	13	SE NW	34.8
4 N	26 E	WM	13	NE SW	31.6
4 N	26 E	WM	13	NW SW	35.9
4 N	26 E	WM	13	SW SW	32.8
4 N	26 E	WM	13	SE SW	32.2
4 N	26 E	WM	15	NE NE	34.5
4 N	26 E	WM	15	NW NE	38.1
4 N	26 E	WM	15	SW NE	32.4
4 N	26 E	WM	15	SE NE	31.1
4 N	26 E	WM	15	NE NW	35.4
4 N	26 E	WM	15	NW NW	35.4
4 N	26 E	WM	15	SW NW	32.8
4 N	26 E	WM	15	SE NW	35.0
4 N	26 E	WM	15	NE SW	0.7
4 N	26 E	WM	15	NW SW	0.6
4 N	26 E	WM	15	NE SE	10.4
4 N	26 E	WM	15	SE SE	1.8
Total					1777.0

8. Transfer Application T-11770 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Change in place of use only acres	Change in place of use and change in point of diversion acres
4 N	26 E	WM	1	NE NW	6.4	
4 N	26 E	WM	1	SW NW	28.4	
4 N	26 E	WM	1	SE NW	36.6	
4 N	26 E	WM	1	NE SW	36.9	
4 N	26 E	WM	1	NW SW	32.0	
4 N	26 E	WM	1	SW SW	37.6	
4 N	26 E	WM	1	SE SW	35.7	
4 N	26 E	WM	2	SE NE	0.3	
4 N	26 E	WM	2	NW SW	0.8	
4 N	26 E	WM	2	SW SW	20.4	
4 N	26 E	WM	2	SE SW	2.5	
4 N	26 E	WM	2	SW SE	1.5	
4 N	26 E	WM	2	SE SE	6.5	
4 N	26 E	WM	3	SE SW	9.5	
4 N	26 E	WM	3	SW SE	22.0	
4 N	26 E	WM	3	SE SE	30.6	
4 N	26 E	WM	10	NE NE	6.0	
4 N	26 E	WM	10	SE NE	0.3	
4 N	26 E	WM	10	NE SE	0.2	
4 N	26 E	WM	10	SE SE	0.3	
4 N	26 E	WM	11	NE NE	37.9	
4 N	26 E	WM	11	NW NE	38.3	
4 N	26 E	WM	11	SW NE	38.5	
4 N	26 E	WM	11	SE NE	37.1	
4 N	26 E	WM	11	NE NW	37.6	
4 N	26 E	WM	11	NW NW	38.7	
4 N	26 E	WM	11	SW NW	34.9	
4 N	26 E	WM	11	SE NW	38.3	
4 N	26 E	WM	11	NE SW	37.0	
4 N	26 E	WM	11	NW SW	33.1	
4 N	26 E	WM	11	SW SW	32.6	
4 N	26 E	WM	11	SE SW	36.4	
4 N	26 E	WM	11	NE SE	37.1	
4 N	26 E	WM	11	NW SE	36.6	
4 N	26 E	WM	11	SW SE	38.1	
4 N	26 E	WM	11	SE SE	36.3	
4 N	26 E	WM	12	NE NW	35.4	
4 N	26 E	WM	12	NW NW	36.1	
4 N	26 E	WM	12	SW NW	37.5	
4 N	26 E	WM	12	SE NW	37.0	
4 N	26 E	WM	12	NE SW	35.2	
4 N	26 E	WM	12	NW SW	33.4	
4 N	26 E	WM	12	SW SW	39.2	
4 N	26 E	WM	12	SE SW	36.6	
4 N	26 E	WM	13	NE NW	36.4	
4 N	26 E	WM	13	NW NW	35.3	
4 N	26 E	WM	13	SW NW	31.7	

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Change in place of use only acres	Change in place of use and change in point of diversion acres
4 N	26 E	WM	13	SE NW	36.6	
4 N	26 E	WM	13	NE SW	35.1	
4 N	26 E	WM	13	NW SW	31.5	
4 N	26 E	WM	13	SW SW	30.6	
4 N	26 E	WM	13	SE SW	28.7	
4 N	26 E	WM	14	NE NE	7.9	
4 N	26 E	WM	14	NW NE	5.0	
4 N	26 E	WM	14	SE NE	0.1	
4 N	26 E	WM	14	NE NW	6.5	
4 N	26 E	WM	14	NE SE	0.3	
4 N	26 E	WM	14	SE SE	0.2	
4 N	26 E	WM	15	NE NE	26.6	
4 N	26 E	WM	15	NW NE	30.8	
4 N	26 E	WM	15	SW NE	35.7	
4 N	26 E	WM	15	SE NE	31.1	
4 N	26 E	WM	15	NE NW	27.5	
4 N	26 E	WM	15	NW NW	32.4	
4 N	26 E	WM	15	SW NW	35.4	
4 N	26 E	WM	15	SE NW	39.2	
4 N	26 E	WM	15	NE SW	9.6	
4 N	26 E	WM	15	NW SW	1.6	
4 N	26 E	WM	15	NW SE	6.9	
4 N	30 E	WM	22	SW NE		14.4
4 N	30 E	WM	22	SE NE		0.6
4 N	30 E	WM	22	NW SE		5.9
Totals					1756.1	20.9

9. Transfer Application T-11770 proposes to move the authorized point of diversion of 20.9 acres approximately 20.3 miles upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	SW NW	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

10. The second right to be transferred is as follows:

**Certificate:** 56158 in the name of DENNIS B. LOGAN; PRESIDENT WESTERN EMPIRES CORPORATION (perfected under Permit S-44511)  
**Use:** IRRIGATION OF 1308.0 ACRES  
**Priority Date:** MARCH 9, 1979  
**Rate:** 32.7 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, shall be limited to ONE-FORTIETH 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: COLUMBIA RIVER, a tributary of the PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 N	26 E	WM	23	SE NE	1	600 FEET NORTH AND 230 FEET WEST FROM THE E¼ CORNER OF SECTION 23

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
4 N	26 E	WM	2	SW NE		15.2
4 N	26 E	WM	2	SE NE		17.4
4 N	26 E	WM	2	SE NW	10	4.9
4 N	26 E	WM	2	NE SW	11	38.4
4 N	26 E	WM	2	NW SW	16	25.4
4 N	26 E	WM	2	SW SW	13	40.0
4 N	26 E	WM	2	SE SW	14	39.8
4 N	26 E	WM	2	NE SE		40.0
4 N	26 E	WM	2	NW SE		40.0
4 N	26 E	WM	2	SW SE		38.4
4 N	26 E	WM	2	SE SE		40.0
4 N	26 E	WM	10	NE NW		40.0
4 N	26 E	WM	10	NW NW		39.0
4 N	26 E	WM	10	SW NW		37.6
4 N	26 E	WM	10	SE NW		38.2
4 N	26 E	WM	10	NE SW		34.9
4 N	26 E	WM	10	NW SW		37.6
4 N	26 E	WM	10	SW SW		37.6
4 N	26 E	WM	10	SE SW		34.1
4 N	26 E	WM	10	NW SE		37.8
4 N	26 E	WM	10	SW SE		34.7
4 N	26 E	WM	10	SE SE		37.7
4 N	26 E	WM	13	SW SW		5.4
4 N	26 E	WM	14	NE NE		34.2
4 N	26 E	WM	14	NW NE		34.9
4 N	26 E	WM	14	SW NE		37.9
4 N	26 E	WM	14	SE NE		37.5
4 N	26 E	WM	14	NE NW		34.0
4 N	26 E	WM	14	NW NW		37.1
4 N	26 E	WM	14	SW NW		37.3
4 N	26 E	WM	14	SE NW		36.9
4 N	26 E	WM	14	NE SW		34.3
4 N	26 E	WM	14	NW SW		38.2
4 N	26 E	WM	14	SW SW	1	13.7
4 N	26 E	WM	14	SE SW	3	27.4
4 N	26 E	WM	14	NE SE		37.3
4 N	26 E	WM	14	NW SE		34.4
4 N	26 E	WM	14	SW SE	5	33.6
4 N	26 E	WM	14	SE SE		36.5
4 N	26 E	WM	15	SE NE		5.6
4 N	26 E	WM	15	NE SE		3.1
Total						1308.0

11. Transfer Application T-11770 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Change in place of use only acres	Change in place of use and change in point of diversion acres
4 N	26 E	WM	1	SW NW		2.5	
4 N	26 E	WM	1	NW SW		5.3	
4 N	26 E	WM	2	SW NE		7.4	
4 N	26 E	WM	2	SE NE		12.3	
4 N	26 E	WM	2	SE NW	10	3.8	
4 N	26 E	WM	2	NE SW	11	35.9	
4 N	26 E	WM	2	NW SW	16	21.0	
4 N	26 E	WM	2	SW SW	13	15.5	
4 N	26 E	WM	2	SE SW	14	36.3	
4 N	26 E	WM	2	NE SE		37.2	
4 N	26 E	WM	2	NW SE		38.5	
4 N	26 E	WM	2	SW SE		35.0	
4 N	26 E	WM	2	SE SE		29.3	
4 N	26 E	WM	3	SW SW		4.2	
4 N	26 E	WM	10	NE NW		32.1	
4 N	26 E	WM	10	NW NW		31.6	
4 N	26 E	WM	10	SW NW		37.9	
4 N	26 E	WM	10	SE NW		37.5	
4 N	26 E	WM	10	NE SW		34.5	
4 N	26 E	WM	10	NW SW		37.1	
4 N	26 E	WM	10	SW SW		34.6	
4 N	26 E	WM	10	SE SW		39.8	
4 N	26 E	WM	10	NW SE		31.5	
4 N	26 E	WM	10	SW SE		40.1	
4 N	26 E	WM	10	SE SE		36.7	
4 N	26 E	WM	11	NE NW		1.4	
4 N	26 E	WM	11	NW NW		0.1	
4 N	26 E	WM	11	SW SW		5.5	
4 N	26 E	WM	13	SW NW		6.5	
4 N	26 E	WM	13	NW SW		3.8	
4 N	26 E	WM	13	SW SW		4.2	
4 N	26 E	WM	14	NE NE		26.3	
4 N	26 E	WM	14	NW NE		29.9	
4 N	26 E	WM	14	SW NE		38.7	
4 N	26 E	WM	14	SE NE		38.3	
4 N	26 E	WM	14	NE NW		26.9	
4 N	26 E	WM	14	NW NW		36.3	
4 N	26 E	WM	14	SW NW		37.8	
4 N	26 E	WM	14	SE NW		38.1	
4 N	26 E	WM	14	NE SW		35.0	
4 N	26 E	WM	14	NW SW		39.2	
4 N	26 E	WM	14	SW SW	1	11.5	
4 N	26 E	WM	14	SE SW	3	26.0	
4 N	26 E	WM	14	NE SE		36.9	
4 N	26 E	WM	14	NW SE		34.4	
4 N	26 E	WM	14	SW SE	5	32.5	
4 N	26 E	WM	14	SE SE		35.8	

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Change in place of use only acres	Change in place of use and change in point of diversion acres
4 N	26 E	WM	15	NE NE		7.9	
4 N	26 E	WM	15	NW NE		7.1	
4 N	26 E	WM	15	SE NE		8.0	
4 N	26 E	WM	15	NE NW		7.8	
4 N	26 E	WM	15	NW NW		1.9	
4 N	26 E	WM	15	NE SE		1.8	
4 N	26 E	WM	15	NE SE		12.8	
4 N	26 E	WM	23	NE NE		14.3	
4 N	26 E	WM	23	NW NE		0.5	
4 N	26 E	WM	24	NW NW		4.6	
4 N	30 E	WM	5	SW SW			0.3
4 N	30 E	WM	6	SE SE			7.8
4 N	30 E	WM	7	NE NE			0.3
4 N	30 E	WM	22	SW NE			8.6
4 N	30 E	WM	22	SE NE			1.6
Totals						1289.4	18.6

12. Transfer Application T-11770 proposes to move the authorized point of diversion for 18.6 acres approximately 20.3 miles upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	SW NW	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

13. The third right to be transferred is as follows:

**Certificate:** 64411 in the name of WESTERN EMPIRES CORPORATION; DENNIS B LOGAN, PRESIDENT (perfected under Permit S-48119)  
**Use:** IRRIGATION OF 195.8 ACRES  
**Priority Date:** SEPTEMBER 23, 1983  
**Rate:** 4.9 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, shall be limited to ONE-FORTIETH 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** COLUMBIA RIVER, a tributary of the PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	26 E	WM	23	SE NE	600 FEET NORTH AND 230 FEET WEST FROM THE E <sup>1</sup> / <sub>4</sub> CORNER OF SECTION 23



**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	26 E	WM	10	NE NE	40.0
4 N	26 E	WM	10	NW NE	40.0
4 N	26 E	WM	10	SW NE	38.1
4 N	26 E	WM	10	SE NE	39.2
4 N	26 E	WM	10	NE SE	38.5
Total					195.8

14. Transfer Application T-11770 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	26 E	WM	10	NE NE	31.7
4 N	26 E	WM	10	NW NE	37.6
4 N	26 E	WM	10	SW NE	38.1
4 N	26 E	WM	10	SE NE	36.1
4 N	26 E	WM	10	NE NW	2.0
4 N	26 E	WM	10	SE NW	0.7
4 N	26 E	WM	10	NE SE	35.1
4 N	26 E	WM	10	NW SE	5.0
4 N	26 E	WM	11	SW NW	4.4
4 N	26 E	WM	11	NW SW	5.1
Total					195.8

15. The fourth right to be transferred is as follows:

**Certificate:** 76052 in the name of WESTERN EMPIRES CORPORATION (perfected under Permit S-43935)

**Use:** IRRIGATION OF 58.4 ACRES

**Priority Date:** APRIL 6, 1977

**Rate:** 1.46 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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** COLUMBIA RIVER, a tributary of the PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	26 E	WM	23	SE NE	600 FEET NORTH AND 230 FEET WEST FROM THE E <sup>1</sup> / <sub>4</sub> CORNER OF SECTION 23

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	26 E	WM	23	NE NE	10.1
4 N	26 E	WM	24	NE NW	35.3
4 N	26 E	WM	24	NW NW	12.0
4 N	26 E	WM	24	SE NW	1.0
Total					58.4

16. Transfer Application T-11770 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	26 E	WM	13	SW SW	1.5
4 N	26 E	WM	13	SE SW	0.9
4 N	26 E	WM	24	NE NW	34.3
4 N	26 E	WM	24	NW NW	21.7
Total					58.4

17. The portion of the fifth right to be transferred is as follows:

**Certificate:** 87073 in the name of STANFIELD HUTTERIAN FARM, C/O JOHN STAHL; (perfected under Permit S-37833)  
**Use:** IRRIGATION OF 94.9 ACRES  
**Priority Date:** FEBRUARY 26, 1975  
**Rate:** 1.260 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 a diversion of ONE-FORTIETH 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** COLUMBIA RIVER, a tributary of the PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	30 E	WM	8	SW NW	2910 FEET NORTH AND 120 FEET EAST FROM THE SW CORNER OF SECTION 8

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	30 E	WM	22	NW NE	13.2
4 N	30 E	WM	22	SW NE	38.9
4 N	30 E	WM	22	SE NE	1.4
4 N	30 E	WM	22	NE NW	6.0
4 N	30 E	WM	22	SE NW	25.6
4 N	30 E	WM	22	NE SW	2.7
4 N	30 E	WM	22	NW SE	7.1
Total					94.9

18. Transfer Application T-11770 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
4 N	30 E	WM	4	NE NE		1.9
4 N	30 E	WM	4	SW NE		4.9
4 N	30 E	WM	4	SE NE		8.0
4 N	30 E	WM	4	NE NW	2	0.7
4 N	30 E	WM	4	SE NW		2.0
4 N	30 E	WM	4	NE SE		0.7
4 N	30 E	WM	4	NW SE		2.7
4 N	30 E	WM	22	NW NE		13.2
4 N	30 E	WM	22	SW NE		17.8
4 N	30 E	WM	22	NE NW		6.2
4 N	30 E	WM	22	SE NW		27.8
4 N	30 E	WM	22	NE SW		4.6
4 N	30 E	WM	22	NW SE		4.4
Total						94.9

19. The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

***Transfer Review Criteria [OAR 690-380-4010(2)]***

20. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

21. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-11770.

22. The proposed changes would not result in enlargement of the rights.

23. The proposed changes would not result in injury to other water rights.

**Conclusion of Law**


The change in points of diversion and change in places of use proposed in Transfer Application T-11770 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

**Now, therefore, it is ORDERED:**

1. The change in point of diversion and change in places of use proposed in Transfer Application T-11770 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 Certificates 52222, 56168, 64411, 76052, 87073, and any related decree.

3. Water right certificates 52222, 56168, 64411, 76052, and 87073 are cancelled. A new certificate will be issued describing that portion of Certificate 87073 not affected by this transfer.
4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.
6. The former places of use of the transferred rights shall no longer receive water under the rights.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2016**. 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.
8. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 29 day of January, 2015.

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

Mailing Date: FEB 05 2015