



5. On February 28, 2023, the Department issued a Preliminary Determination proposing to approve Transfer Application T-13808 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 March 7, 2023, and in the Lake County Examiner newspaper on \_\_\_\_\_, 2023, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

**Certificate:** 46978 in the name of JACK & VIRGINIA BRIDGMAN (perfected under Permit G-6240)

**Use:** IRRIGATION of 82.62 ACRES

**Priority Date:** OCTOBER 16, 1974

**Rate:** 0.8 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** BRIDGMAN WELL, a tributary of THOMAS CREEK

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	19 E	WM	25	NW NE	630 FEET SOUTH AND 1260 FEET EAST FROM THE N1/4 CORNER OF SECTION 15

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	19 E	WM	24	NE SE	7.55
38 S	19 E	WM	24	NW SE	10.78
38 S	19 E	WM	24	SW SE	12.53
38 S	19 E	WM	24	SE SE	9.17
38 S	19 E	WM	25	NE NE	5.83
38 S	19 E	WM	25	NW NE	5.57
38 S	19 E	WM	25	SW NE	10.77
38 S	19 E	WM	25	SE NE	11.02
38 S	19 E	WM	25	NW SE	9.40
Total					82.62

7. Transfer Application T-13808 proposes to move the authorized point of appropriation approximately 1.4 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	20 E	WM	31	SW NW	2532.5 FEET SOUTH AND 111.0 FEET EAST FROM THE NW CORNER OF SECTION 31

8. Transfer Application T-13808 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	20 E	WM	31	SW NW	7.69
38 S	20 E	WM	31	SE NW	0.67
38 S	20 E	WM	31	NE SW	2.84
38 S	20 E	WM	31	NW SW	35.57
38 S	20 E	WM	31	SW SW	33.16
38 S	20 E	WM	31	SE SW	2.69
				Total	82.62

9. The proposed place of use has existing surface water irrigation rights, as described in inchoate transfer T-9170.

**Transfer Review Criteria (OAR 690-380-4010)**

- 10. Evidence was submitted with the application indicating that water has been used within the last five years according to the terms and conditions of the right. The information in the record is not sufficient to initiate cancellation proceedings under ORS 540.631.
- 11. 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-13808.
- 12. The proposed change would result in enlargement of the right.
- 13. The proposed change would not result in injury to other water rights.
- 14. All other application requirements are met.

**Conclusions of Law**

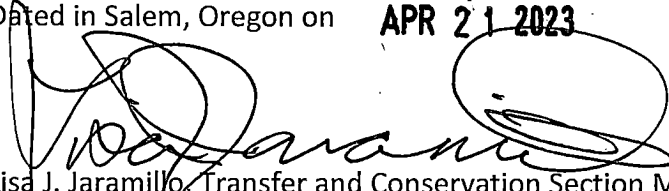
The change in point of appropriation and change in place of use proposed in Transfer Application T-13808 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

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

- 1. The change in point of appropriation and change in place of use proposed in Transfer Application T-13808 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 46978 and any related decree.
- 3. Water right Certificate 46978 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and cancellation.

4. The quantity of water diverted at the new point of appropriation (Well #2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Bridgeman Well).
5. 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 appropriation.
  - 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.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. 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.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **APR 21 2023**

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

Mailing date: **APR 25 2023**