



**Rate:** 5.5 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 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

**Source:** COLUMBIA RIVER, A TRIBUTARY OF THE PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	G-Lot	Measured Distances
4 N	25 E	WM	2	NE NW	7	150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2

**Authorized Place of Use:**

IRRIGATION							
Twn	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User <sup>1</sup>
3N	26E	WM	15	SW NW	500	7.5	Canyon Farm, LLC
3N	26E	WM	15	NW SW	500	7.2	Canyon Farm, LLC
3N	26E	WM	15	SW SW	500	9.0	Canyon Farm, LLC
3N	26E	WM	16	SW NE	500	31.0	Canyon Farm, LLC
3N	26E	WM	16	SE NE	500	36.8	Canyon Farm, LLC
3N	26E	WM	16	SW NW	500	5.0	Canyon Farm, LLC
3N	26E	WM	16	SE NW	500	34.6	Canyon Farm, LLC
3N	26E	WM	16	NE SW	500	36.7	Canyon Farm, LLC
3N	26E	WM	16	NW SW	500	7.2	Canyon Farm, LLC
3N	26E	WM	16	SW SW	500	6.2	Canyon Farm, LLC
3N	26E	WM	16	SE SW	500	33.8	Canyon Farm, LLC
3N	26E	WM	16	NE SE	500	33.8	Canyon Farm, LLC
3N	26E	WM	16	NW SE	500	31.3	Canyon Farm, LLC
3N	26E	WM	16	SW SE	500	32.1	Canyon Farm, LLC
3N	26E	WM	16	SE SE	500	38.0	Canyon Farm, LLC
<b>Total</b>						<b>350.2</b>	

<sup>1</sup> Subsequent to when the transfer application was filed on February 7, 2019, OWRD was notified by an agent of CID that the water user changed from te Velde to Canyon Farm, LLC.

5. Transfer Application T-13119 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION								
Twn	Rng	Mer	Sec	Q-Q	G-Lot	Tax Lot	Acres	Water User
3N	26E	WM	4	NE NE	2	401	18.4	Sage Hollow Ranch, LLC
3N	26E	WM	4	NW NE	2	401	17.7	Sage Hollow Ranch, LLC
3N	26E	WM	4	SW NE	1	401	30.0	Sage Hollow Ranch, LLC
3N	26E	WM	4	SE NE	1	401	32.7	Sage Hollow Ranch, LLC
3N	26E	WM	4	NE NW	2	401	37.2	Sage Hollow Ranch, LLC

TwN	Rng	Mer	Sec	Q-Q	G-Lot	Tax Lot	Acres	Water User
3N	26E	WM	4	NW NW	2	401	33.6	Sage Hollow Ranch, LLC
3N	26E	WM	4	SW NW	1	401	35.6	Sage Hollow Ranch, LLC
3N	26E	WM	4	SE NW	1	401	36.8	Sage Hollow Ranch, LLC
3N	26E	WM	4	NE SW		400	36.0	Sage Hollow Ranch, LLC
3N	26E	WM	4	NW SW		400	35.4	Sage Hollow Ranch, LLC
3N	26E	WM	4	SW SW		400	28.3	Sage Hollow Ranch, LLC
3N	26E	WM	4	NE SE		400	0.9	Sage Hollow Ranch, LLC
3N	26E	WM	4	NW SE		400	0.4	Sage Hollow Ranch, LLC
3N	26E	WM	4	SW SE		400	7.2	Sage Hollow Ranch, LLC
<b>Total</b>							<b>350.2</b>	

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

**Certificate:** 86992 issued in the name of BOARDMAN TREE FARM, LLC (perfected under Permit S-37150)

**Use:** IRRIGATION of 89.5 acres

**Priority Date:** JULY 25, 1973

**Rate:** 1.4 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, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

**Source:** COLUMBIA RIVER, A TRIBUTARY OF THE PACIFIC OCEAN

**Authorized Points of Diversion:**

TwP	Rng	Mer	Sec	Q-Q	G-Lot	Measured Distances
4 N	25 E	WM	2	NE NW	7	150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2

**Authorized Place of Use:**

IRRIGATION							
TwN	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User <sup>1</sup>
3N	26E	WM	15	NW NW	500	2.4	Canyon Farm, LLC
3N	26E	WM	16	NE NE	500	0.6	Canyon Farm, LLC
3N	26E	WM	16	NW NE	500	1.8	Canyon Farm, LLC
3N	26E	WM	16	SW NE	500	5.4	Canyon Farm, LLC
3N	26E	WM	16	SE NE	500	2.0	Canyon Farm, LLC
3N	26E	WM	16	NE NW	500	0.8	Canyon Farm, LLC
3N	26E	WM	16	NW NW	500	2.3	Canyon Farm, LLC
3N	26E	WM	16	SW NW	500	6.0	Canyon Farm, LLC
3N	26E	WM	16	SE NW	500	5.2	Canyon Farm, LLC
3N	26E	WM	16	NE SW	500	3.0	Canyon Farm, LLC
3N	26E	WM	16	SW SW	500	4.7	Canyon Farm, LLC
3N	26E	WM	16	SE SW	500	4.2	Canyon Farm, LLC
3N	26E	WM	16	NE SE	500	5.2	Canyon Farm, LLC

TwN	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User <sup>1</sup>
3N	26E	WM	16	NW SE	500	7.4	Canyon Farm, LLC
3N	26E	WM	16	SW SE	500	6.5	Canyon Farm, LLC
3N	26E	WM	16	SE SE	500	1.2	Canyon Farm, LLC
3N	26E	WM	17	NE NE	500	1.5	Canyon Farm, LLC
3N	26E	WM	17	NW NE	500	1.0	Canyon Farm, LLC
3N	26E	WM	17	SW NE	500	2.0	Canyon Farm, LLC
3N	26E	WM	17	SE NE	500	2.4	Canyon Farm, LLC
3N	26E	WM	21	NE NE	500	4.4	Canyon Farm, LLC
3N	26E	WM	21	NW NE	500	6.4	Canyon Farm, LLC
3N	26E	WM	21	SW NE	500	6.2	Canyon Farm, LLC
3N	26E	WM	21	SE NE	500	0.5	Canyon Farm, LLC
3N	26E	WM	21	NE NW	500	1.2	Canyon Farm, LLC
3N	26E	WM	21	SE NW	500	5.2	Canyon Farm, LLC
<b>Total</b>						<b>89.5</b>	

<sup>1</sup> Subsequent to when the transfer application was filed on February 7, 2019, OWRD was notified by an agent of CID that the water user changed from te Velde to Canyon Farm, LLC.

7. Transfer Application T-13119 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION							
TwN	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User
3N	26E	WM	4	NE SE	400	4.4	Sage Hollow Ranch, LLC
3N	26E	WM	4	NW SE	400	23.6	Sage Hollow Ranch, LLC
3N	26E	WM	4	SW SE	400	27.4	Sage Hollow Ranch, LLC
3N	26E	WM	4	SE SE	400	34.1	Sage Hollow Ranch, LLC
<b>Total</b>						<b>89.5</b>	

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

**Certificate:** 86993 issued in the name of BOARDMAN TREE FARM, LLC (perfected under Permit S-37293)

**Use:** IRRIGATION of 63.3 acres

**Priority Date:** FEBRUARY 7, 1974

**Rate:** 1.0 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 for each acre irrigated during the irrigation season of each year.

**Source:** COLUMBIA RIVER, A TRIBUTARY OF THE PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	G-Lot	Measured Distances
4 N	25 E	WM	2	NE NW	7	150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2

**Authorized Place of Use:**

IRRIGATION							
Twn	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User <sup>1</sup>
3N	26E	WM	15	NE NW	500	1.1	Canyon Farm, LLC
3N	26E	WM	15	SW NW	500	6.6	Canyon Farm, LLC
3N	26E	WM	15	SE NW	500	4.1	Canyon Farm, LLC
3N	26E	WM	15	NE SW	500	2.4	Canyon Farm, LLC
3N	26E	WM	15	NW SW	500	6.7	Canyon Farm, LLC
3N	26E	WM	15	SW SW	500	7.3	Canyon Farm, LLC
3N	26E	WM	15	SE SW	500	6.0	Canyon Farm, LLC
3N	26E	WM	15	SW SE	500	2.7	Canyon Farm, LLC
3N	26E	WM	22	NW NE	500	2.9	Canyon Farm, LLC
3N	26E	WM	22	SW NE	500	3.0	Canyon Farm, LLC
3N	26E	WM	22	NE NW	500	3.2	Canyon Farm, LLC
3N	26E	WM	22	NW NW	500	4.8	Canyon Farm, LLC
3N	26E	WM	22	SW NW	500	7.0	Canyon Farm, LLC
3N	26E	WM	22	SE NW	500	5.0	Canyon Farm, LLC
3N	26E	WM	22	NW SE	500	0.5	Canyon Farm, LLC
<b>Total</b>						<b>63.3</b>	

<sup>1</sup> Subsequent to when the transfer application was filed on February 7, 2019, OWRD was notified by an agent of CID that the water user changed from te Velde to Canyon Farm, LLC.

9. Transfer Application T-13119 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION							
Twn	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User
3N	26E	WM	4	SW SW	400	7.0	Sage Hollow Ranch, LLC
3N	26E	WM	4	SE SW	400	36.8	Sage Hollow Ranch, LLC
3N	26E	WM	4	NE SE	400	19.5	Sage Hollow Ranch, LLC
<b>Total</b>						<b>63.3</b>	

10. The district temporary transfer application satisfies the criteria of ORS 540.570 and OAR 690-385-3000, contains the information required under OAR 690-385-3200, and includes a map meeting the requirements of OAR 690-385-3300.

11. 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.

12. The water rights are subject to transfer as defined in OAR 690-385-0100(17).

13. Diversion structures, district canals, pumps, pump stations, ditches, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
14. Certificates 49726, 49727, 55316, and 55317 are appurtenant to some of the land upon which the proposed place of use as described in Findings of Fact 5, 7, and 9 under Temporary Transfer T-13119 is to be used. The applicant has submitted a signed statement ["Forbearance of Water Use"] that irrigation will not occur under Certificates 49726, 49727, 55316, and 55317 during the term of this temporary transfer.
15. As a condition of this Transfer T-13119, Certificates 49726, 49727, 55316, and 55317 shall not be used for irrigation during the term of this temporary transfer.
16. The watermaster review dated May 6, 2019, indicates the proposed changes in place of use, will not result in enlargement of the rights as defined in OAR 690-385-0100(6) nor result in injury to other water rights as defined in OAR 690-385-0100(4).
17. All other applicable requirements for district temporary water right transfers are met.

#### **Conclusions of Law**

1. The proposed change in place of use, as conditioned, will not result in enlargement of the rights as defined in OAR 690-385-0100(6).
2. The proposed change in place of use, as conditioned would not result in injury to other water rights as defined in OAR 690-385-0100(4).
3. The temporary change in place of use proposed in Temporary Transfer Application T-13119, as conditioned above, is consistent with the requirements of ORS 540.570 and OAR 690-385-3500.

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

1. The temporary changes in place of use proposed in Transfer Application T-13119, as conditioned above, are approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the 2019 irrigation season.
3. The use shall revert to the authorized place of use after the 2019 irrigation season.
4. Any application for permanent transfer of Certificates 80062, 86992, and 86993 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Divisions 380 or 385. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
5. The water rights evidenced by Certificates 49726, 49727, 55316 and 55317 shall not be used for irrigation during the term of this temporary transfer.

6. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture of Certificates 80062, 86992, and 86993, under ORS 540.610.
7. Use of water on lands from which the right is transferred and in the new temporary location during the same irrigation season or calendar year is prohibited and may subject the district and the landowner to civil penalties.
8. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
9. The use of water under this temporary transfer may be conditioned or revoked at any time to the extent necessary to avoid injury if the Department finds the transfer causes injury to any existing water right.
10. 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 80062, 86992, and 86993.
11. The use of the remaining water rights described by Certificates 80062, 86992, and 86993 not involved in this transfer shall continue to be in accordance with the terms and conditions of Certificates 80062, 86992, and 86993.

Signed at Salem, Oregon this MAY 21 2019.

  
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Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: MAY 22 2019