

acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: MUDDY CREEK tributary of MARYS RIVER

Authorized Point of Diversion or Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Additional Measurement Data
14 S	5 W	WM	9	SW NW	Within Belcher DLC #41

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
14 S	5 W	WM	4	SW SW	41	1.4
14 S	5 W	WM	5	SE SE	41	0.2
14 S	5 W	WM	8	NE NE	41	14.2
14 S	5 W	WM	9	NW NW	41	4.2
Total Acres:						20.0

- Temporary Transfer Application T-11529 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
14 S	5 W	WM	4	SW SW	41	13.9
14 S	5 W	WM	4	SW SW	41	1.1
14 S	5 W	WM	4	SW SW	41	1.6
14 S	5 W	WM	9	NW NW	41	3.4
Total Acres:						20.0

- Temporary Transfer Application T-11529 proposes to temporarily transfer a water right within the boundaries of Greenberry Irrigation District. The district was notified of the proposed temporary transfer and indicated that the district did not object to the transfer.

Temporary Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right is present.
- The proposed change would not result in enlargement of the right.
- 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 application Temporary Transfer Application T-11529 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-11529 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2013, 2014, 2015, 2016 and 2017 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2017 irrigation season. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
4. A subsequent application for permanent transfer of Certificate 24030 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.
5. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 24030.
6. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
7. The use of the remaining water right described by Certificate 24030 shall continue to be in accordance with the terms and conditions of Certificate 24030.

Dated at Salem, Oregon this 21 day of March, 2013.


Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing Date: APR 03 2013