



**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC
1 N	13 E	WM	18	NW SW	Mespelie DLC #44

**Authorized Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
1 N	13 E	WM	18	NE SW		Mespelie DLC #44	2.1
1 N	13 E	WM	18	NW SW		Mespelie DLC #44	12.2
1 N	13 E	WM	18	SW SW	5		0.7

3. Transfer Application T-10511 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	12 E	WM	24	SW NE	10.0
1 N	12 E	WM	24	NE NW	5.0

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

**Certificate:** 22893 in the name of THE PINES (GLADYS L. ROGERS) (perfected under Permit U-558)

**Use:** SUPPLEMENTAL IRRIGATION of 15 ACRES

**Priority Date:** JUNE 4, 1953

**Rate:** 0.07 CUBIC FOOT PER SECOND (CFS)

**Limit/Duty:** ONE-EIGHTIETH cfs per acre, not to exceed 3 acre-feet per acre during the irrigation season of each year

**Source:** THE PINES WELL

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC
1 N	13 E	WM	18	NW SW	Mespelie DLC #44

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
1 N	13 E	WM	18	NE SW		Mespelie DLC #44	2.1
1 N	13 E	WM	18	NW SW		Mespelie DLC #44	12.2
1 N	13 E	WM	18	SW SW	5		0.7

5. Transfer Application T-10511 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	12 E	WM	24	SW NE	10.0
1 N	12 E	WM	24	NE NW	5.0

6. Notice of the application for temporary transfer was published on January 8, 2008, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.

7. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
9. The proposed change would not result in enlargement of the rights.
10. 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(6) if the Department later finds that the transfer is causing injury to any existing water right.

### **Conclusions of Law**


The temporary changes in place of use proposed in Transfer Application T-10511 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

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

1. The changes in place of use proposed in Transfer Application T-10511 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2008, 2009 and 2010 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2010 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 22885 and 22893 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.
6. 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 22885 and 22893.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

9. The use of the remaining water right described by Certificates 22885 and 22893 shall continue to be in accordance with the terms and conditions of Certificates 22885 and 22893.

Dated at Salem, Oregon this 15<sup>th</sup> day of February, 2008.



*PC* Phillip C. Ward, Director

Mailing Date: FEB 20 2008