

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	17 E	WM	22	SW SW	9.4
27 S	17 E	WM	22	SE SW	7.3

3. Transfer Application T-9814 proposes to move the authorized point of appropriation approximately 4 miles in a northerly direction to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
26 S	17 E	WM	34	SE NE	1340 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 34

4. Transfer Application T-9814 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	17 E	WM	34	NE NE	9.0
26 S	17 E	WM	34	SE NE	23.3

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

Certificate: 51592 in the name of Haskel and Shirley A. Black (perfected under Permit G-7011)

Use: IRRIGATION of 16.3 ACRES

Priority Date: OCTOBER 11, 1976

Rate: 0.2 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3 acre-feet per acre per year

Source: A WELL in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
27 S	17 E	WM	21	NE SW	3930 FEET SOUTH AND 2750 FEET WEST FROM THE NE CORNER OF SECTION 21

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	17 E	WM	21	SW NE	8.6
27 S	17 E	WM	21	SE NW	7.7

6. Transfer Application T-9814 proposes to move the authorized point of appropriation approximately 4 miles in a northerly direction to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
26 S	17 E	WM	34	SE NE	1340 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 34

7. Application T-9814 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	17 E	WM	34	SW NE	16.3

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

Certificate: 51593 in the name of Haskel and Shirley A. Black (perfected under Permit G-7012)

Use: IRRIGATION of 12.7 ACRES

Priority Date: OCTOBER 11, 1976

Rate: 0.16 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3 acre-feet per acre per year

Source: A WELL in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
27 S	17 E	WM	21	NW NE	220 FEET SOUTH AND 2610 FEET WEST FROM THE NE CORNER OF SECTION 21

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	17 E	WM	21	NW NE	9.2
27 S	17 E	WM	21	NE NW	3.5

9. Transfer Application T-9814 proposes to move the authorized point of appropriation approximately 4 miles in a northerly direction to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
26 S	17 E	WM	34	SE NE	1340 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 34

10. Transfer Application T-9814 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	17 E	WM	34	SW NE	5.4
26 S	17 E	WM	34	SE NE	7.3

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

Certificate: 63274 in the name of Interstate Production Credit (perfected under Permit G-10097)

Use: IRRIGATION of 6.0 ACRES

Priority Date: APRIL 18, 1983

Rate: 0.08 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3 acre-feet per acre per year

Source: A WELL in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
26 S	17 E	WM	35	NE SW	1360 FEET NORTH AND 1350 FEET EAST FROM THE SW CORNER OF SECTION 35

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	17 E	WM	35	NE SW	2.8
26 S	17 E	WM	35	NW SW	2.1
26 S	17 E	WM	35	SE SW	1.1

12. Transfer Application T-9814 proposes to move the authorized point of appropriation approximately 0.5 mile in an westerly direction to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
26 S	17 E	WM	34	SE NE	1340 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 34

13. Application T-9814 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	17 E	WM	34	NW NE	6.0

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

Certificate: 77742 in the name of Golden Rule Farms Inc. (perfected under Permit G-8888)

Use: IRRIGATION of 5.0 ACRES

Priority Date: JULY 10, 1980

Rate: 0.06 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3 acre-feet per acre per year

Source: A WELL in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
27 S	17 E	WM	21	SW SE	80 FEET NORTH AND 40 FEET EAST FROM THE S1/4 CORNER OF SECTION 21

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	17 E	WM	21	SE SE	5.0

15. Transfer Application T-9814 proposes to move the authorized point of appropriation approximately 4 miles in a northerly direction to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
26 S	17 E	WM	34	SE NE	1340 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 34

16. Application T-9814 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	17 E	WM	34	NW NE	5.0

17. The entirety of the sixth right to be transferred is as follows:

Certificate: 80879 in the name of Golden Rule Farms Inc. (perfected under Permit G-5875)

Use: IRRIGATION of 21.6 ACRES

Priority Date: JULY 10, 1973

Rate: 0.27 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3 acre-feet per acre per year

Source: A WELL in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
28 S	16 E	WM	2	SE SE	160 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER OF SECTION 2

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	16 E	WM	2	SE SE	21.6

18. Application T-9814 proposes to move the authorized point of appropriation approximately 9 miles in a northerly direction to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
26 S	17 E	WM	34	SE NE	1340 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 34

19. Application T-9814 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	17 E	WM	34	NE NE	21.6

20. Notice of the Preliminary Determination for the transfer application was published in the Lake County Examiner on July 27, August 3, and August 10, 2006, and on the Department's weekly notice on July 3, 2006, pursuant to ORS 540.520 and OAR 690-380-4020(1). No protests were filed in response to the newspaper notice or to the Department's weekly notice.

21. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

22. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.

23. The proposed change would not result in enlargement of the rights.

24. The proposed change would not result in injury to other water rights.

Conclusions of Law

The changes in point of appropriation and place of use proposed in application T-9814 are consistent with the requirements of ORS 537.705, 540.505 to 540.580, and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The right to 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 48607, 51592, 51593, 63274, 77742, and 80879 and any related decree.
2. Certificates 48607, 51592, 51593, 63274, 77742, and 80879 are cancelled. New certificates will be issued describing those portions of the rights not involved in this transfer.
3. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
4. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. A Claim of Beneficial Use prepared by a Certified Water Rights 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.
5. The former place of use of the transferred water shall no longer receive water as part of these rights.
6. Prior to diverting water at the new point of appropriation, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. 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.
7. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 14th day of September 2006.

Debra Colbert*
Phillip C. Ward, Director PWR

Mailing date: SEP 18 2006