

and shall be further limited to a diversion of not to exceed 3.0 ACRE-FEET for each acre irrigated during the irrigation season of each year.

Source: ELIOT BRANCH OF MIDDLE FORK HOOD RIVER, a tributary of MIDDLE FORK HOOD RIVER

Authorized Points of Diversion:

Source	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Eliot Branch	1 S	9 E	WM	26	SW NE	2450 FEET SOUTH AND 2280 FEET WEST FROM THE NE CORNER OF SECTION 26

Authorized Place of Use:

PRIMARY IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
1 S	10 E	WM	19	NE NE	1.60	100	RICE
1 S	10 E	WM	20	NW NW	2.45	400	RICE
1 S	10 E	WM	20	NW NW	5.20	401	RICE
Total:					9.25		

5. Transfer Application T-13172 proposes to change the place of use to:

Proposed Place of Use:

PRIMARY IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
1 S	10 E	WM	20	NE NW	8.35	401	RICE
1 S	10 E	WM	20	NW NW	0.90	401	RICE
Total:					9.25		

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

Certificate: 89317 in the name of MIDDLE FORK IRRIGATION DISTRICT (perfected under Permit S-27788)

Use: PRIMARY IRRIGATION of 0.2 acres

Priority Date: JANUARY 2, 1962

Rate / Duty: The amount of water used for irrigation together with the amount secured under any other prior right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH 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 4.0 ACRE-FEET per acre during the irrigation season of each year. Use from the reservoir shall be subject to the terms and conditions of the State Engineer's order entered at Volume 11, pages 502 to 503 on March 22, 1962.

Source: CLEAR CREEK AND CLEAR CREEK RESERVOIR (LAURANCE LAKE), tributary to MIDDLE FORK HOOD RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	9 E	WM	27	NW NE	CLEAR CREEK: 520 FEET SOUTH AND 2500 FEET WEST FROM THE NE CORNER OF SECTION 27

Certificate 89317 does not specify the location of Clear Creek Reservoir (Laurance Lake)

Authorized Place of Use:

PRIMARY IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
1 S	10 E	WM	20	NW NW	0.2	401	RICE

7. Transfer Application T-13172 proposes to change the place of use to:

Proposed Place of Use:

PRIMARY IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
1 S	10 E	WM	20	NW NW	0.2	401	RICE

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

Certificate: 89320 in the name of MIDDLE FORK IRRIGATION DISTRICT (perfected under Permit S-51366)

Use: SUPPLEMENTAL IRRIGATION of 0.2 acres

Priority Date: MARCH 9, 1970

Rate / Duty: The amount of water used for irrigation together with the amount secured under any other prior right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH 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 3.0 ACRE-FEET per acre during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

Source: ELIOT CREEK, tributary to MIDDLE FORK HOOD RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	9 E	WM	26	SW NE	2450 FEET SOUTH AND 360 FEET EAST FROM THE N ¹ / ₄ CORNER OF SECTION 26

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
1 S	10 E	WM	20	NW NW	0.2	401	RICE

9. Transfer Application T-13172 proposes to change the place of use to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
1 S	10 E	WM	20	NW NW	0.2	401	RICE

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

Certificate: 89321 in the name of MIDDLE FORK IRRIGATION DISTRICT (perfected under Permit S-51369)

Use: SUPPLEMENTAL IRRIGATION of 9.45 acres

Priority Date: AUGUST 19, 1985

Rate / Duty: The amount of water used for irrigation and temperature control together with the amount secured under any other prior right existing for the same lands, is limited as follows: For irrigation ONE-EIGHTIETH 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 3.0 ACRE-FEET per acre during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

Source: COE CREEK, tributary to MIDDLE FORK HOOD RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	9 E	WM	27	SE NE	2598 FEET SOUTH AND 945 FEET WEST FROM THE NE CORNER OF SECTION 27

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
1 S	10 E	WM	19	NE NE	1.60	100	RICE
1 S	10 E	WM	20	NW NW	2.45	400	RICE
1 S	10 E	WM	20	NW NW	5.40	401	RICE
Total:					9.45		

11. Transfer Application T-13172 proposes to change the place of use to:

Proposed Place of Use:

PRIMARY IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
1 S	10 E	WM	20	NE NW	8.35	401	RICE
1 S	10 E	WM	20	NW NW	1.10	401	RICE
Total:					9.45		

12. The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and OAR 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.
13. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
14. The water right is subject to transfer as defined in OAR 690-385-0100(17).
15. The proposed change in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
16. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).

17. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

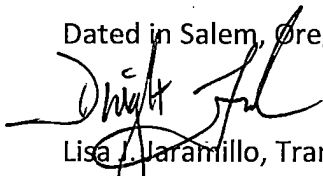
Conclusions of Law

The proposed changes in place of use as proposed in Transfer Application T-13172 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.

Now, therefore, it is ORDERED:

1. The proposed changes in place of use to the water rights evidenced by Certificates 74264, 89317, 89320, and 89321 are approved.
2. The right to the use of the water is restricted to beneficial use at the places of use not modified by this order and is subject to all other conditions and limitations contained in Certificates 74264, 89317, 89320, and 89321.
3. The places of use from which the water right is removed by T-13172 shall no longer be irrigated under the transferred right.
4. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. A Claim of Beneficial Use shall be submitted by MFID to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. Water right Certificates 74264, 89317, 89320, and 89321 are modified. After satisfactory proof of completion has been determined by the Department, superseding confirming-remaining water right certificates will be issued when the Department determines it is necessary for record keeping.

Dated in Salem, Oregon on JUN 03 2019



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

Mailing Date: JUN 04 2019