

Authorized Point of Appropriation:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|------|-----|-----|-------|--|
| 28 S | 14 E | WM | 15 | NW NW | CLIFF WELL - 50 FEET SOUTH AND 60 FEET EAST FROM THE NW CORNER OF SECTION 15 |

Authorized Place of Use:

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 28 S | 14 E | WM | 9 | SE SW | 8.5 |
| 28 S | 14 E | WM | 9 | SW SE | 8.5 |
| 28 S | 14 E | WM | 9 | SE SE | 8.5 |
| 28 S | 14 E | WM | 10 | SW SW | 8.3 |
| 28 S | 14 E | WM | 15 | NW NW | 8.7 |
| 28 S | 14 E | WM | 16 | NE NE | 8.5 |
| 28 S | 14 E | WM | 16 | NW NE | 8.5 |
| 28 S | 14 E | WM | 16 | NE NW | 3.3 |

3. Temporary Transfer Application T-10946 proposes to temporarily change the place of use of the right to:

| IRRIGATION | | | | | |
|------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 28 S | 14 E | WM | 10 | SE SW | 31.4 |
| 28 S | 14 E | WM | 15 | NE NW | 31.4 |

4. Notice of the application for temporary transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
5. Upon approval of Temporary Transfer Application T-10946, the applicants indicated that the use of water under Permits G-10039 and S-47475 will not be used during the irrigation seasons of 2010, 2011, 2012, 2013 and 2014 at the following locations:

| IRRIGATION AND SUPPLEMENTAL | | | | | |
|-----------------------------|------|-----|-----|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | Acres |
| 28 S | 14 E | WM | 10 | SE SW | 37.3 |
| 28 S | 14 E | WM | 10 | SW SW | 2.0 |
| 28 S | 14 E | WM | 15 | NE NW | 13.6 |

Temporary Transfer Review Criteria

6. 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.
7. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right is present.
8. The proposed change would not result in enlargement of the right.

9. 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 change in place of use proposed in Temporary Transfer Application T-10946 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-10946 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2010, 2011, 2012, 2013 and 2014 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2014 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 Certificate 46780 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 Certificate 46780.
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. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

9. The use of the remaining water right described by Certificate 46780 shall continue to be in accordance with the terms and conditions of Certificate 46780.

Dated at Salem, Oregon this 8th day of December 2009.


Phillip C. Ward, Director

Mailing Date: DEC 14 2009