

Limits/Duty: One half of the stored water available each year from Warmsprings Reservoir (Permit No. R-457), which is to be released into the Malheur River and re-diverted therefrom through Vale Oregon Project main canal at a maximum rate of 600 CUBIC FEET PER SECOND.

All of the drainage water, seepage water, return flow, and waste water from the Vale Oregon Project, estimated to be 200 CUBIC FEET PER SECOND to be used in Warmsprings Irrigation District under contract between that District and the United States under which the Warmsprings District is to accept such return flow from the Vale Oregon Project and allow the United States, in return, an equivalent amount of stored water and natural flow from the Malheur River.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of shall be limited to a diversion of not to exceed 4.5 ACRE-FEET per acre for each acre irrigated during the irrigation season of each year.

Source: The MALHEUR RIVER, tributary to the SNAKE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
20 S	41 E	WM	31	NW SE	VALE PROJECT MAIN CANAL: 1200 FEET NORTH AND 300 FEET EAST FROM THE S¼ CORNER OF SECTION 31
23 S	37 E	W.M	8	SW SW	WARMSPRINGS DAM

Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
18 S	44 E	WM	25	NE NW	2.6	600	DENTINGER FEED & SEED CO.	38
18 S	44 E	WM	25	NE NW	1.3	900	DENTINGER FEED & SEED CO.	38
18 S	44 E	WM	25	NW NW	0.6	900	DENTINGER FEED & SEED CO.	38
18 S	44 E	WM	25	SE NW	1.9	900	DENTINGER FEED & SEED CO.	38
Total:					6.4			

7. Transfer Application T-12731 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
18 S	44 E	WM	25	NW NW	5.1	900	DENTINGER FEED & SEED CO.	38
18 S	44 E	WM	25	SE NW	1.3	900	DENTINGER FEED & SEED CO.	38
Total:					6.4			

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

Certificate: 74081 in the name of U.S. BUREAU OF RECLAMATION and VALE OREGON IRRIGATION DISTRICT (perfected under Permit S-16707)

Use: SUPPLEMENTAL IRRIGATION of 6.4 acres

Priority Dates: DECEMBER 16, 1931 (stored water)
NOVEMBER 29, 1945 (direct flow)

Limits/Duty: The amount of water used for supplemental irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or the equivalent for each acre irrigated during the irrigation season of each year.

Source: NORTH FORK MALHEUR RIVER, tributary to the MALHEUR RIVER, and BELUAH RESERVOIR (A.K.A AGENCY VALLEY RESERVOIR, Permit R-671)

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
19 S	37 E	WM	15	SW SE	AGENCY VALLEY DAM
20 S	41 E	WM	31	NW SE	VALE PROJECT MAIN CANAL: 1200 FEET NORTH AND 300 FEET EAST FROM THE S¼ CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
18 S	44 E	WM	25	NE NW	2.6	600	DENTINGER FEED & SEED CO.	38
18 S	44 E	WM	25	NE NW	1.3	900	DENTINGER FEED & SEED CO.	38
18 S	44 E	WM	25	NW NW	0.6	900	DENTINGER FEED & SEED CO.	38
18 S	44 E	WM	25	SE NW	1.9	900	DENTINGER FEED & SEED CO.	38
Total:					6.4			

9. Transfer Application T-12731 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
18 S	44 E	WM	25	NW NW	5.1	900	DENTINGER FEED & SEED CO.	38
18 S	44 E	WM	25	SE NW	1.3	900	DENTINGER FEED & SEED CO.	38
Total:					6.4			

10. 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.
11. The Department finds that the proposed district permanent transfer meets the all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
12. The water right is subject to transfer as defined in OAR 690-385-0100(17).
13. The proposed change in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
14. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
15. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

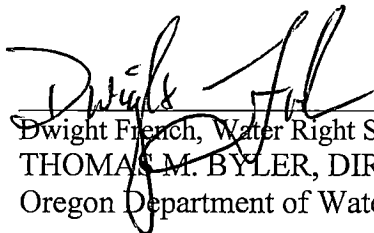
Conclusions of Law

The proposed changes in place of use as proposed in Transfer Application T-12731 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 74080 and 74081 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use not modified by this order and is subject to all other conditions and limitations contained in Certificates 74080 and 74081
3. The place of use from which the water right is removed by T-12731 shall no longer be irrigated under the transferred right.
4. The water user shall maintain and operate the existing measurement device 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, 2019**. A Claim of Beneficial Use shall be submitted by VOID 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 74080 and 74081 are modified. The Department will issue superseding Certificates describing the rights when it determines it is necessary for record keeping.

Signed at Salem, Oregon this 22 day of December 2017.



Dwight French, Water Right Services Administrator for
THOMAS M. BYLER, DIRECTOR
Oregon Department of Water Resources

Mailing Date: JAN 5 2017