



**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	2 E	WM	3	NW NW	4	1030 FEET SOUTH AND 290 FEET EAST FROM THE NW CORNER OF SECTION 3
35 S	2 E	WM	10	NE NE		1130 FEET SOUTH AND 700 FEET WEST FROM THE NE CORNER OF SECTION 10

**Authorized Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice Number
35 S	1 E	WM	4	NE NE	0.8	100	Rosendahl	2021-004

4. Transfer Application T-13718 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 Number
35 S	1 E	WM	4	NE NE	0.8	100	Rosendahl	2021-004

5. The district temporary transfer application satisfies the criteria of ORS 540.570 and OAR 690-385-3000, contains the information required under OAR 690-385-3200, and includes a map meeting the requirements of OAR 690-385-3300.
6. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
7. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
8. Diversion structures, district canals, pumps, pump stations, ditches, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
9. The proposed change in place of use, as conditioned, will not result in enlargement of the rights as defined in OAR 690-385-0100(6).
10. The proposed change in place of use would not result in injury to other water rights as defined in OAR 690-385-0100(4).
11. All other applicable requirements for district temporary water right transfers are met.

**Conclusions of Law**

The temporary change in place of use proposed in Temporary Transfer Application T-13718 is consistent with the requirements of ORS 540.570 and OAR 690-385-3500.




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

1. The temporary change in place of use proposed in Transfer Application T-13718 is approved.
2. The lands from which the water right is removed under Certificate 89373 shall receive no water under the transferred right during the 2021 irrigation season.
3. The use shall revert to the authorized place of use after the 2021 irrigation season.
4. Any application for permanent transfer of Certificate 89373 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Divisions 380 or 385. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
5. The time during which water is used on the proposed lands under this approved temporary transfer does not apply toward a finding of forfeiture of Certificate 89373, under ORS 540.610.
6. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
7. The use of water under this temporary transfer may be conditioned or revoked at any time to the extent necessary to avoid injury if the Department finds the transfer causes injury to any existing water right.
8. Pursuant to ORS 536.900, a district and user may be subject to civil penalties for allowing the use of water on both the land from which water is transferred, and the lands to which the water is transferred, during the same irrigation season or calendar year.
9. 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 89373.
10. The use of the remaining water rights described by Certificate 89373 not involved in this transfer shall continue to be in accordance with the terms and conditions of Certificate 89373.

**AUG 0 4 2021**

Dated in Salem, Oregon on \_\_\_\_\_

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

Mailing Date:           **AUG 0 6 2021**