

Priority Date: JUNE 19, 1967

Rate: 0.78 cubic foot per second

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A Well, in the Lost River Basin

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	10 E	WM	32	SE SE	2020 FEET SOUTH AND 1220 FEET WEST FROM THE E1/4 CORNER OF SECTION 32

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
40 S	10 E	WM	32	NE SE	38.00
40 S	10 E	WM	32	NW SE	20.00
40 S	10 E	WM	32	SE SE	4.50

6. Transfer Application T-12504 proposes to move the authorized point of appropriation approximately 694 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	10 E	WM	32	SE SE	1316 FEET NORTH AND 1307 FEET WEST FROM THE SE CORNER OF SECTION 32

Transfer Review Criteria (ORS 540.532 and OAR 690-380-2120)

7. Pursuant to OAR 690-380-2120(2)(a), evidence has been submitted that the actual, current point of appropriation for the water right in question, as described in Finding No. 6, has been in use for more than 10 years.
8. Pursuant to OAR 690-380-2120(2)(c), the Watermaster provided a statement that to his knowledge there has been no complaint of injury due to the use of water at the actual, current point of appropriation, prior to the transfer request.
9. The Department did not identify any affected water rights pursuant to OAR 690-380-2120(3).
10. 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.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
12. The Department has determined that the proposed point of appropriation (KLAM 54099), will develop the same source of water as the authorized as the existing well (KLAM 14693).

The existing well produces water from predominantly basin-fill sediment unit and the underlying predominantly basalt-volcanic rock and sediment unit. The proposed new well shall only appropriate ground water from the same water aquifer consistent with OAR 690-380-2110(2).

13. The proposed change would not result in enlargement of the right.
14. The proposed change would not result in injury to other water rights.

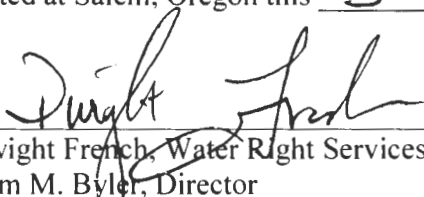
Conclusions of Law

The proposed change in point of appropriation to reflect historical use in application T-12504 is consistent with the requirements of ORS 540.532 and OAR 690-380-2120.

Now, therefore, it is ORDERED:

1. The change proposed in T-12504 is approved and effective immediately.
2. The right to the 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 Certificate 38346 and any related decree.
3. Water right certificate 38346 is cancelled. Certificate 92345 will be issued to describe the change in point of appropriation for the portion of the right included in T-12504. Certificate 92346 shall be issued to describe the portion of Certificate 38346 not modified by this order. Together, the new Certificates shall supersede Certificate 38346.
4. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. 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 diversion.
 - b. The water user shall maintain the meter or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meter or measuring devices; provided however, where the meter or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Dated at Salem, Oregon this 3 day of March 2017.


Dwight French, Water Right Services Administrator, for
Tom M. Byler, Director

Mailing date: MAR 08 2017

Oregon Water Resources Department

Measurement Condition Information for the Applicant
(to be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-12504

- In order to avoid enlargement of the right or injury to other rights, a totalizing flowmeter will be required to be installed **prior to diversion of water**, as a condition of this transfer:
 - at each point of diversion/appropriation (new and existing) or
 - at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Tyler Martin

District: 17

Address: 305 Main St

City/State/Zip: Klamath Falls, OR 97601

Phone: 541-883-4182

Email: Tyler.E.Martin@oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

Watermaster signature	District	Date
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If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266