



**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** BUTTE CREEK, a tributary of the PUDDING RIVER

**Authorized Point of Diversion:**

| Twp | Rng | Mer | Sec | Q-Q   | Measured Distances   |
|-----|-----|-----|-----|-------|--|
| 5 S | 1 E | WM  | 31  | SW SE | 1300 FEET NORTH AND 500 FEET EAST FROM THE S1/4 CORNER OF SECTION 31 |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 5 S        | 1 E | WM  | 31  | SE SW | 3.4   |
| 5 S        | 1 E | WM  | 31  | SW SE | 11.8  |
| 5 S        | 1 E | WM  | 31  | SE SE | 0.9   |
| Total      |     |     |     |       | 16.1  |

4. Temporary Transfer Application T-12057 proposes to temporarily change the place of use of the right to:

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 5 S        | 1 E | WM  | 31  | NE SW | 16.10 |

5. The second right to be temporarily transferred is as follows:

**Certificate:** 84269 in the name of DICKMAN FARMS INC. (perfected under Permit S-16524)

**Use:** IRRIGATION of 21.9 ACRES

**Priority Date:** AUGUST 17, 1945

**Rate:** 0.28 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, 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** BUTTE CREEK, a tributary of the PUDDING RIVER

**Authorized Point of Diversion:**

| Twp | Rng | Mer | Sec | Q-Q   | Measured Distances   |
|-----|-----|-----|-----|-------|--|
| 5 S | 1 E | WM  | 31  | SW SE | 1300 FEET NORTH AND 500 FEET EAST FROM THE S1/4 CORNER OF SECTION 31 |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 5 S        | 1 E | WM  | 31  | NE SW | 3.4   |
| 5 S        | 1 E | WM  | 31  | SE SW | 18.5  |
| Total      |     |     |     |       | 21.9  |

6. Temporary Transfer Application T-12057 proposes to temporarily change the place of use of the right to:

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 5 S        | 1 E | WM  | 31  | NE SW | 7.5   |
| 5 S        | 1 E | WM  | 31  | SE SW | 3.5   |
| 5 S        | 1 E | WM  | 31  | NW SE | 1.3   |
| 5 S        | 1 E | WM  | 31  | SW SE | 9.6   |
| Total      |     |     |     |       | 21.9  |

7. The third right to be temporarily transferred is as follows:

**Certificate:** 84271 in the name of DICKMAN FARMS INC. (perfected under Permit S-39747)

**Use:** IRRIGATION of 40.5 ACRES

**Priority Date:** JULY 11, 1975

**Rate:** 0.51 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, 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** BUTTE CREEK, a tributary of the PUDDING RIVER

**Authorized Point of Diversion:**

| Twp | Rng | Mer | Sec | Q-Q   | Measured Distances   |
|-----|-----|-----|-----|-------|--|
| 5 S | 1 E | WM  | 31  | SW SE | 1300 FEET NORTH AND 500 FEET EAST FROM THE S1/4 CORNER OF SECTION 31 |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 5 S        | 1 E | WM  | 31  | NE SW | 27.0  |
| 5 S        | 1 E | WM  | 31  | SE SW | 2.6   |
| 5 S        | 1 E | WM  | 31  | NW SE | 1.3   |
| 5 S        | 1 E | WM  | 31  | SW SE | 9.6   |

8. Temporary Transfer Application T-12057 proposes to temporarily change the place of use of the right to:

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 5 S        | 1 E | WM  | 31  | NE SW | 6.8   |
| 5 S        | 1 E | WM  | 31  | SE SW | 21.0  |
| 5 S        | 1 E | WM  | 31  | SW SE | 11.8  |
| 5 S        | 1 E | WM  | 31  | SE SE | 0.9   |
| Total      |     |     |     |       | 40.5  |

**Temporary Transfer Review Criteria**

9. 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.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
11. The proposed changes would not result in enlargement of the rights.
12. The proposed changes 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(5) if the Department later finds that the transfer is causing injury to any existing water right.

**Conclusions of Law**

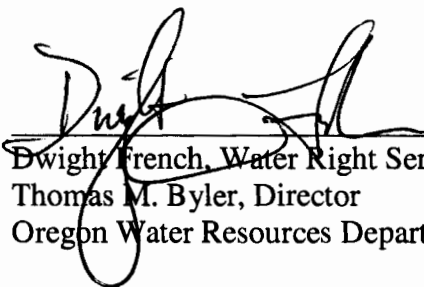
The temporary changes in place of use proposed in Temporary Transfer Application T-12057 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

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

1. The temporary changes in place of use proposed in Temporary Transfer Application T-12057 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2015, 2016, 2017, 2018 and 2019 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2019 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 76984, 84269 and 84271 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 Certificates 76984, 84269 and 84271.
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.

Dated at Salem, Oregon this 22 day of June, 2015.

  
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Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

Mailing Date: JUN 24 2015