

4. The first right to be transferred is as follows:

Certificate: 56159 in the name of HOMER G. PRICHARD (perfected under Permit G-6386)
Use: IRRIGATION OF 47.6 ACRES
Priority Date: FEBRUARY 12, 1976
Rate: 0.60 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	10	SW SW	22.6
4 N	25 E	WM	10	SE SW	25.0
Total					47.6

5. Transfer Application T-11755 proposes to change the place of use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	10	SW SW	12.0
4 N	25 E	WM	10	SE SW	35.6
Total					47.6

6. The second right to be transferred is as follows:

Certificate: 56160 in the name of HOMER G PRICHARD (perfected under Permit G-7065)
Use: IRRIGATION OF 22.6 ACRES
Priority Date: DECEMBER 23, 1976
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, 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	9	SE SE	22.6

7. Transfer Application T-11755 proposes to change the place of use of the above described right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	9	SE SE	17.6
4 N	25 E	WM	10	SW SW	5.0
Total					22.6

8. On January 28, 2015, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-11755 to the applicant. The cover letter for the draft Preliminary Determination set forth a deadline of February 29, 2014 for the applicant to respond. On February 12, 2015, the agent for the applicant requested that the Department extend the completion date for the transfer to October 1, 2018. Also on February 12, 2015, the agent for the applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
9. On February 19, 2015, the Department issued a Preliminary Determination proposing to approve Transfer Application T-11755 **Error! Reference source not found.** and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department’s weekly notice on February 24, 2015 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

10. Water has been used within the last five years prior to the submittal of Transfer Application T-11755 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A well, pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-11755.
12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

Conclusions of Law

The changes in places of use proposed in Transfer Application T-11755 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The changes in places of use proposed in Transfer Application T-11755 are approved.
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 Certificates 56159 and 56160 and any related decree.
3. Water Right Certificates 56159 and 56160 are cancelled.
4. The former places of use of the transferred rights shall no longer receive water under these rights.
5. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
7. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 30 day of March, 2015.



Dwight French, Water Right Services Administrator, for
Tom Byler Director
Oregon Water Resources Department

Mailing date: APR 01 2015