

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Temporary Transfer) ORDER TERMINATING PORTIONS OF
T-12862, Benton County, Oregon) A TEMPORARY TRANSFER AT
) REQUEST OF WATER USER

Authority

OAR 690-380-8002(3) and 690-380-8004(7) provide that the uses authorized under a temporary transfer revert to the terms and conditions of the originating water right on the written request of the applicant.

Applicant

JERALD BUSH
24402 MAXFIELD CREEK ROAD
PHILOMATH OR 97370

Findings of Fact

1. On August 23, 2018, the Water Resources Department issued an order approving the temporary changes proposed in Application T-12862. The order was recorded in Special Order Volume 109, Page 140.
2. Under the order, the water right would revert to the authorized place of use at the end of the 2022 irrigation season.
3. The most recent use of water at the place of use authorized under the temporary transfer was during the 2018 irrigation season.
4. Jerald Bush, the applicant, submitted a written request that portions of the temporary transfer be voluntarily terminated. The terminated portions are as follows:

IRRIGATION CERTIFICATE 16641						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	5 W	WM	19	NE NE		5.3
9 S	5 W	WM	19	NW NE		4.2
9 S	5 W	WM	19	SW NE		4.4
9 S	5 W	WM	19	SE NE		1.1
Total						15.0

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

IRRIGATION CERTIFICATE 33571						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	5 W	WM	20	SE NW	70	3.3
9 S	5 W	WM	20	NE SW	70	6.7
Total						10.0

IRRIGATION CERTIFICATE 37073						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	5 W	WM	20	NW NW	70	3.3
9 S	5 W	WM	20	SW NW	70	11.5
9 S	5 W	WM	20	SE NW	70	0.7
9 S	5 W	WM	20	NE SW	70	4.0
9 S	5 W	WM	20	NW SW	70	12.2
Total						31.7

5. The portions remaining under Temporary Transfer Application T-12862 are as follows:

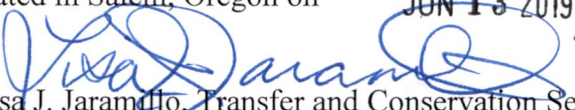
IRRIGATION CERTIFICATE 16641						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	5 W	WM	17	SW SE	69	1.9
9 S	5 W	WM	20	NW NE	69	20.5
9 S	5 W	WM	20	SW NE	69	5.5
9 S	5 W	WM	20	NE NW	69	13.6
9 S	5 W	WM	20	SE NW	69	20.9
9 S	5 W	WM	20	SE NW		2.6
9 S	5 W	WM	20	NE SW		1.3
9 S	5 W	WM	20	NE SW	69	3.3
Total						69.6

IRRIGATION CERTIFICATE 76441						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	5 W	WM	20	NE NW	70	10.5
9 S	5 W	WM	20	NW NW	70	1.8
9 S	5 W	WM	20	SW NW	70	3.1
9 S	5 W	WM	20	SE NW	70	8.0
Total						23.4

Now, therefore, it is ORDERED:

Temporary Transfer T-12862 is partially terminated. The use of water to irrigate 15.0 acres under Certificate 16641 shall revert to the authorized place of use under Certificate 16641. The use of water to irrigate 10.0 acres under Certificate 33571 shall revert to the authorized place of use under Certificate 33571. The use of water to irrigate 31.7 acres under Certificate 37073 shall revert to the authorized place of use under Certificate 37073. The 69.6 acres of irrigation under Certificate 16641 and 23.4 acres of irrigation under Certificate 76441 will remain in place through the 2022 irrigation season. Water may not be used at the authorized place of use during the same season in which water was used under the Temporary Transfer.

Dated in Salem, Oregon on ~~JUN 13~~ 2019


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

Mailing date:

JUN 14 2019