

4. On September 14, 2021, on behalf the applicant, the applicant's agent submitted a request to extend the date to complete full beneficial use of the water to October 1, 2026. The applicant is working through some well construction issues regarding proposed APOA 4 on another application, and if the proposed APOA is re-drilled, they would appreciate the extra time in order to claim the new well instead.
5. On December 8, 2021, the Department issued a Preliminary Determination proposing to approve Transfer T-13413 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on December 14, 2021, and in the Keizer Times newspaper on December 17 and 24, 2021 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 33555 in the name of JOHN STOCKFLETH (perfected under Permit G-882)
Use: IRRIGATION of 134.82 ACRES
Priority Date: JUNE 27, 1958
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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	3 W	WM	25	SE NE	POA 1 - 630 FEET NORTH AND 830 FEET WEST FROM THE E 1/4 CORNER OF SECTION 25

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	2 W	WM	19	SW SW			4.40
5 S	2 W	WM	30	NW NW			4.40
5 S	3 W	WM	24	SE SE			13.12
5 S	3 W	WM	25	NE NE			38.90
5 S	3 W	WM	25	NW NE	1		4.40
5 S	3 W	WM	25	SW NE	2		6.00
5 S	3 W	WM	25	SW NE		69	20.10
5 S	3 W	WM	25	SE NE		69	15.50
5 S	3 W	WM	25	SE NE	9		18.00
5 S	3 W	WM	25	NE SE		69	6.70
5 S	3 W	WM	25	NW SE		69	3.30
Total							134.82

7. Transfer Application T-13413 proposes additional points of appropriations as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in miles (mi.)
5 S	2 W	WM	19	NE SW	APOA 4 - 430 FEET NORTH AND 270 FEET EAST FROM THE SW CORNER OF DLC 90	1.0 mi.
5 S	2 W	WM	30	SW NW	APOA 3 - 1400 FEET SOUTH AND 920 FEET EAST FROM THE NW CORNER OF SECTION 30	0.4 mi.
5 S	2 W	WM	30	NW SW	APOA 2 - 400 FEET SOUTH AND 750 FEET EAST FROM THE W1/4 CORNER OF SECTION 30	0.3 mi.

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

Certificate: 48059 in the name of JOHN & JANE STOCKFLETH (perfected under Permit G-6596)
Use: IRRIGATION of 16.88 ACRES and SUPPLEMENTAL IRRIGATION of 134.82 ACRES
Priority Date: OCTOBER 31, 1975
Rate: 1.12 CUBIC FEET 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 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL, a tributary of WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	3 W	WM	25	SE NE	69	POA 1 - 630 FEET NORTH AND 830 FEET WEST FROM THE E1/4 CORNER OF SECTION 25

Authorized Place of Use:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	2 W	WM	19	SW SW	2.40
5 S	3 W	WM	24	SE SE	14.48
Total					16.88

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Glot	DLC	Acres
5 S	2 W	WM	19	SW SW			4.40
5 S	2 W	WM	30	NW NW			4.40
5 S	3 W	WM	24	SE SE			13.12
5 S	3 W	WM	25	NE NE			38.90

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	3 W	WM	25	NW NE	1		4.40
5 S	3 W	WM	25	SW NE	2		6.00
5 S	3 W	WM	25	SW NE		69	20.10
5 S	3 W	WM	25	SE NE		69	15.50
5 S	3 W	WM	25	SE NE	9		18.00
5 S	3 W	WM	25	NE SE		69	6.70
5 S	3 W	WM	25	NW SE		69	3.30
						Total	134.82

9. Transfer Application T-13413 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in miles (mi.)
5 S	2 W	WM	19	NE SW	APOA 4 - 430 FEET NORTH AND 270 FEET EAST FROM THE SW CORNER OF DLC 90	1.0 mi.
5 S	2 W	WM	30	SW NW	APOA 3 - 1400 FEET SOUTH AND 920 FEET EAST FROM THE NW CORNER OF SECTION 30	0.4 mi.
5 S	2 W	WM	30	NW SW	APOA 2 - 400 FEET SOUTH AND 750 FEET EAST FROM THE W1/4 CORNER OF SECTION 30	0.3 mi.

10. The third right to be transferred is as follows:

Certificate: 48060 in the name of JOHN & JANE STOCKFLETH (perfected under Permit G-6597)

Use: IRRIGATION of 65.6 ACRES

Priority Date: OCTOBER 31, 1975

Rate: 0.82 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 2.5 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of WILLAMETTE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	2 W	WM	30	SW NW	POA 3 - 1400 FEET SOUTH AND 920 FEET EAST FROM THE NW CORNER OF SECTION 30

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	2 W	WM	19	NE SW	6	8.0
5 S	2 W	WM	19	NW SW		42.8
5 S	2 W	WM	19	SW SW		14.8
					Total	65.6

11. Transfer Application T-13413 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original point of appropriation in miles (mi.)
5 S	2 W	WM	19	NE SW	APOA 4 - 430 FEET NORTH AND 270 FEET EAST FROM THE SW CORNER OF DLC 90	0.6 mi.
5 S	2 W	WM	30	NW SW	APOA 2 - 400 FEET SOUTH AND 750 FEET EAST FROM THE W1/4 CORNER OF SECTION 30	0.3 mi.
5 S	3 W	WM	25	SE NE	APOA 1 - 630 FEET NORTH AND 830 FEET WEST FROM THE E1/4 CORNER OF SECTION 25	0.4 mi.

Transfer Review Criteria (OAR 690-380-4010)

12. Water has been used within the last five years 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.
13. A 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-13413.
14. The proposed change would not result in enlargement of the rights.
15. The proposed change would not result in injury to other water rights.
16. All other application requirements are met.

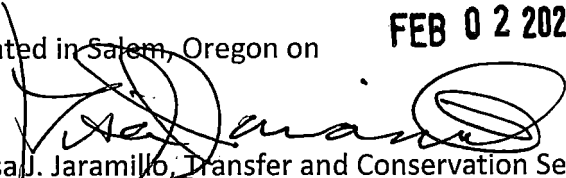
Conclusions of Law

The additional points of appropriation proposed in Transfer Application T-13413 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 additional points of appropriation proposed in Transfer Application T-13413 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 33555, 48059, and 48060, and any related decree.
3. Water right Certificates 33555, 48059, and 48060 are cancelled.
4. The quantity of water, as authorized under Certificates 33555 and 48059, diverted at the new additional points of appropriation (APOA 2, 3, and 4), together with that diverted at the original point of appropriation (POA 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).
5. The quantity of water, as authorized under Certificate 48060, diverted at the new additional points of appropriation (APOA 1, 2, and 4), together with that diverted at the original point of appropriation (POA 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 3).
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. 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.
8. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **FEB 02 2022**


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

Mailing date: **FEB 03 2022**