

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

In the Matter of Transfer Application    )    FINAL ORDER APPROVING A  
T-11333, Jackson County                )    DISTRICT PERMANENT TRANSFER

**Authority**

ORS 540.570 and 540.580 establishes the process in which a district may submit a request to transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

**Applicant**

Rogue River Valley Irrigation District  
3139 Merriman Rd.  
Medford, OR 97501

**Findings of Fact**

1. On December 19, 2011, Rogue River Valley Irrigation District (RRVID) filed a district transfer application to permanently change the place of use under Certificates 85288, 85876, 85877, 80575, 80576, 80577 and 83729. The Department assigned the application number T-11333.
2. Notice of the application for transfer was published on December 27, 2011, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. Final amendments and clarification to the application were received by the Department on February 8, 2012.
4. The portions of the first right to be transferred is as follows:  
**Certificate:** 85288, in the name of Rogue River Valley Irrigation District  
**Use:** Primary Irrigation of 17.50 acres.  
**Priority Date:** July 23, 1909  
**Source:** North and South Forks Little Butte Creek, tributaries of Little Butte Creek  
**Limit/Duty:** The total diversions through the Main Canal from North Fork and South Fork of the Little Butte Creek shall not exceed 140 cfs at any one time, being 50 cfs for Rogue River Valley Irrigation District and 90 cfs for the Medford Irrigation District. Total diversions from South Fork Little Butte Creek shall not exceed 100 cfs at any one time. The amount of water used for irrigation is limited to 1/100<sup>th</sup> of one cubic foot per second or its equivalent for each acre irrigated during the season.

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.

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q - Q	Measured Distance
36 S	1 E	WM	8	SW SW	BRADSHAW DROP; Measured distance not specified on certificate
36 S	2 E	WM	20	SE NE	NORTH FORK LITTLE BUTTE CREEK - 40 FEET NORTH AND 620 FEET WEST FROM THE E1/4 CORNER OF SECTION 20
36 S	2 E	WM	29	NE SE	SOUTH FORK LITTLE BUTTE CREEK - 780 FEET SOUTH AND 400 FEET WEST FROM THE E1/4 CORNER OF SECTION 29

5. The authorized places of use for the above certificate are:

**Authorized Place of Use-**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice
37 S	2 W	WM	3	SE NW	1.00	100	RRVID	11-01
37 S	2 W	WM	3	SW NW	3.00	100	RRVID	11-02
37 S	2 W	WM	3	SW NW	0.80	100	RRVID	11-03
37 S	2 W	WM	3	SW SW	0.40	4500	RRVID	11-03
37 S	2 W	WM	9	SE NE	0.40	2100	RRVID	11-03
37 S	2 W	WM	9	SE SE	0.30	1200	RRVID	11-03
37 S	2 W	WM	9	NE SE	0.10	1200	RRVID	11-03
37 S	1 W	WM	18	SE SW	0.50	3301	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.50	6702	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.30	6700	RRVID	11-05
36 S	1 W	WM	32	SW SE	4.00	1300	RRVID	11-06
36 S	1 W	WM	29	SE NW	1.00	3000	RRVID	11-07
36 S	1 W	WM	32	SW SE	3.00	1300	RRVID	11-07
37 S	2 W	WM	4	SE SE	2.20	3200	RRVID	11-08
<b>Total:</b>					<b>17.50</b>			

6. Transfer Application T-11333 proposes to change the place of use of the above described right to:

**Proposed place of use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
36 S	1 W	WM	29	NW NE	0.80	207	Bischoff	11-01
36 S	1 W	WM	29	NE NE	0.20	207	Bischoff	11-01
36 S	2 W	WM	27	SW NE	3.00	1800	Oliver	11-02
36 S	1 W	WM	29	NW NE	2.00	202	Bischoff	11-03
36 S	1 W	WM	16	SE NW	1.00	600	Konrady	11-04
37 S	2 W	WM	3	SW SW	0.30	2500	Spencer	11-05
36 S	1 W	WM	28	SE NW	4.00	3800	Fish	11-06
36 S	1 W	WM	22	SE NE	4.00	400	Garner	11-07
37 S	2 W	WM	2	SE NW	2.20	600	Jackson County	11-08
<b>Total:</b>					<b>17.50</b>			

7. The portions of the next supplemental right to be transferred are as follows:

**Certificate:** 85876 in the name of Rogue River Valley Irrigation District

**Use:** Supplemental Irrigation of 17.50 acres.

**Priority Date:** March 31, 1910

**Limit/Duty:** Total diversion through the Main Canal from North Fork and South Fork Little Butte Creek shall not exceed 140 cfs at any one time. The amount of water used for irrigation is limited to a diversion of ONE-EIGHTIETH of one cfs (or its equivalent) per acre for each acre irrigated during the irrigation season of each year.

**Source:** Water is conveyed from Four Mile Reservoir, via the Cascade Canal and stored in Fish Lake Reservoir. Water is redirected and released into the main canal then split between the Hopkins Canal and the Medford Canal.

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q - Q	Measured Distance
36 S	2 E	WM	8	SW SW	Not specified on certificate
36 S	2 E	WM	20	SE NE	40 FEET NORTH AND 620 FEET WEST FROM THE E1/4 CORNER OF SECTION 20
36 S	5 E	WM	9	SW NW	3600 FEET NORTH AND 4200 FEET EAST FROM THE SW CORNER OF SECTION 9
37 S	4 E	WM	4	SE SE	4000 FEET SOUTH AND 600 FEET EAST FROM THE NE CORNER OF SECTION 4

8. The authorized places of use for the above certificate are:

**Authorized Place of Use-**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice
37 S	2 W	WM	3	SE NW	1.00	100	RRVID	11-01
37 S	2 W	WM	3	SW NW	3.00	100	RRVID	11-02
37 S	2 W	WM	3	SW NW	0.80	100	RRVID	11-03
37 S	2 W	WM	3	SW SW	0.40	4500	RRVID	11-03
37 S	2 W	WM	9	SE NE	0.40	2100	RRVID	11-03
37 S	2 W	WM	9	SE SE	0.30	1200	RRVID	11-03
37 S	2 W	WM	9	NE SE	0.10	1200	RRVID	11-03
37 S	1 W	WM	18	SE SW	0.50	3301	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.50	6702	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.30	6700	RRVID	11-05
36 S	1 W	WM	32	SW SE	4.00	1300	RRVID	11-06
36 S	1 W	WM	29	SE NW	1.00	3000	RRVID	11-07
36 S	1 W	WM	32	SW SE	3.00	1300	RRVID	11-07
37 S	2 W	WM	4	SE SE	2.20	3200	RRVID	11-08
<b>Total:</b>					<b>17.50</b>			

9. Transfer Application T-11333 proposes to change the place of use of the above described right to:

**Proposed place of use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
36 S	1 W	WM	29	NW NE	0.80	207	Bischoff	11-01
36 S	1 W	WM	29	NE NE	0.20	207	Bischoff	11-01
36 S	2 W	WM	27	SW NE	3.00	1800	Oliver	11-02
36 S	1 W	WM	29	NW NE	2.00	202	Bischoff	11-03
36 S	1 W	WM	16	SE NW	1.00	600	Konrady	11-04
37 S	2 W	WM	3	SW SW	0.30	2500	Spencer	11-05

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
36 S	1 W	WM	28	SE NW	4.00	3800	Fish	11-06
36 S	1 W	WM	22	SE NE	4.00	400	Garner	11-07
37 S	2 W	WM	2	SE NW	2.20	600	Jackson County	11-08
<b>Total:</b>					<b>17.50</b>			

10. The portions of the next right to be transferred are as follows:

**Certificate:** 85877, in the name of Rogue River Valley Irrigation District

**Use:** Supplemental Irrigation of 17.50 acres.

**Priority Date:** June 24, 1913

**Source:** Antelope Creek, tributary to Little Butte Creek

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other prior 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 during the irrigation season of each year.

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q - Q	Measured Distance
36 S	1 E	WM	30	SW NE	HOPKINS CANAL - 770 FEET NORTH AND 1650 FEET WEST FROM THE E1/4 CORNER OF SECTION 30

11. The authorized places of use for the above certificate are:

**Authorized Place of Use-**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice
37 S	2 W	WM	3	SE NW	1.00	100	RRVID	11-01
37 S	2 W	WM	3	SW NW	3.00	100	RRVID	11-02
37 S	2 W	WM	3	SW NW	0.80	100	RRVID	11-03
37 S	2 W	WM	3	SW SW	0.40	4500	RRVID	11-03
37 S	2 W	WM	9	SE NE	0.40	2100	RRVID	11-03
37 S	2 W	WM	9	SE SE	0.30	1200	RRVID	11-03
37 S	2 W	WM	9	NE SE	0.10	1200	RRVID	11-03
37 S	1 W	WM	18	SE SW	0.50	3301	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.50	6702	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.30	6700	RRVID	11-05
36 S	1 W	WM	32	SW SE	4.00	1300	RRVID	11-06
36 S	1 W	WM	29	SE NW	1.00	3000	RRVID	11-07
36 S	1 W	WM	32	SW SE	3.00	1300	RRVID	11-07
37 S	2 W	WM	4	SE SE	2.20	3200	RRVID	11-08
<b>Total:</b>					<b>17.50</b>			

12. Transfer Application T-11333 proposes to change the place of use of the above described right to:

**Proposed place of use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
36 S	1 W	WM	29	NW NE	0.80	207	Bischoff	11-01
36 S	1 W	WM	29	NE NE	0.20	207	Bischoff	11-01

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
36 S	2 W	WM	27	SW NE	3.00	1800	Oliver	11-02
36 S	1 W	WM	29	NW NE	2.00	202	Bischoff	11-03
36 S	1 W	WM	16	SE NW	1.00	600	Konrady	11-04
37 S	2 W	WM	3	SW SW	0.30	2500	Spencer	11-05
36 S	1 W	WM	28	SE NW	4.00	3800	Fish	11-06
36 S	1 W	WM	22	SE NE	4.00	400	Garner	11-07
37 S	2 W	WM	2	SE NW	2.20	600	Jackson County	11-08
<b>Total:</b>					<b>17.50</b>			

13. The portions of the next right to be transferred are as follows:

**Certificate:** 80575, in the name of Rogue River Valley Irrigation District

**Use:** Supplemental Irrigation of 9.00 acres.

**Priority Date:** June 24, 1913

**Source:** Bear Creek, tributary of the Rogue River

**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 (or its equivalent) for each acre irrigated during the irrigation season of each year.

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
37 S	1 W	WM	30	NE NW	870 FEET SOUTH AND 1460 FEET EAST FROM THE NW CORNER OF SECTION 30

14. The authorized places of use for the above certificate are:

**Authorized Places of Use**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice
37 S	2 W	WM	3	SE NW	1.00	100	RRVID	11-01
37 S	2 W	WM	3	SW NW	3.00	100	RRVID	11-02
37 S	2 W	WM	3	SW NW	0.80	100	RRVID	11-03
37 S	2 W	WM	3	SW SW	0.40	4500	RRVID	11-03
37 S	2 W	WM	9	SE NE	0.40	2100	RRVID	11-03
37 S	2 W	WM	9	SE SE	0.30	1200	RRVID	11-03
37 S	2 W	WM	9	NE SE	0.10	1200	RRVID	11-03
37 S	2 W	WM	9	SE SE	0.50	6702	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.30	6700	RRVID	11-05
37 S	2 W	WM	4	SE SE	2.20	3200	RRVID	11-08
<b>Total:</b>					<b>9.00</b>			

15. Transfer Application T-11333 proposes to change the place of use of the above described right to:

**Proposed place of use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
36 S	1 W	WM	29	NW NE	0.80	207	Bischoff	11-01
36 S	1 W	WM	29	NE NE	0.20	207	Bischoff	11-01
36 S	2 W	WM	27	SW NE	3.00	1800	Oliver	11-02

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
36 S	1 W	WM	29	NW NE	2.00	202	Bischoff	11-03
36 S	1 W	WM	16	SE NW	0.50	600	Konrady	11-04
37 S	2 W	WM	3	SW SW	0.30	2500	Spencer	11-05
37 S	2 W	WM	2	SE NW	2.20	600	Jackson County	11-08
<b>Total:</b>					<b>9.00</b>			

16. The portions of the next right to be transferred are as follows:

**Certificate:** 80576, in the name of Rogue River Valley Irrigation District

**Use:** Supplemental Irrigation of 17.50 acres

**Priority Date:** September 6, 1915

**Source:** Agate Reservoir (constructed under Permits R-4563 and R-6175) and Dry Creek, tributaries of Little Butte Creek.

**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 4.5 acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
36 S	1 W	WM	25	NW NW	AGATE DAM on DRY CREEK – 1090 FEET SOUTH AND 1250 FEET EAST FROM THE NW CORNER OF SECTION 25

17. The authorized places of use for the above certificate are:

**Authorized Place of Use-**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice
37 S	2 W	WM	3	SE NW	1.00	100	RRVID	11-01
37 S	2 W	WM	3	SW NW	3.00	100	RRVID	11-02
37 S	2 W	WM	3	SW NW	0.80	100	RRVID	11-03
37 S	2 W	WM	3	SW SW	0.40	4500	RRVID	11-03
37 S	2 W	WM	9	SE NE	0.40	2100	RRVID	11-03
37 S	2 W	WM	9	SE SE	0.30	1200	RRVID	11-03
37 S	2 W	WM	9	NE SE	0.10	1200	RRVID	11-03
37 S	1 W	WM	18	SE SW	0.50	3301	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.50	6702	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.30	6700	RRVID	11-05
36 S	1 W	WM	32	SW SE	4.00	1300	RRVID	11-06
36 S	1 W	WM	29	SE NW	1.00	3000	RRVID	11-07
36 S	1 W	WM	32	SW SE	3.00	1300	RRVID	11-07
37 S	2 W	WM	4	SE SE	2.20	3200	RRVID	11-08
<b>Total:</b>					<b>17.50</b>			

18. Transfer Application T-11333 proposes to change the place of use of the above described right to:

**Proposed place of use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
36 S	1 W	WM	29	NW NE	0.80	207	Bischoff	11-01
36 S	1 W	WM	29	NE NE	0.20	207	Bischoff	11-01
36 S	2 W	WM	27	SW NE	3.00	1800	Oliver	11-02
36 S	1 W	WM	29	NW NE	2.00	202	Bischoff	11-03
36 S	1 W	WM	16	SE NW	1.00	600	Konrady	11-04
37 S	2 W	WM	3	SW SW	0.30	2500	Spencer	11-05
36 S	1 W	WM	28	SE NW	4.00	3800	Fish	11-06
36 S	1 W	WM	22	SE NE	4.00	400	Garner	11-07
37 S	2 W	WM	2	SE NW	2.20	600	Jackson County	11-08
<b>Total:</b>					<b>17.50</b>			

19. The portions of the next right to be transferred are as follows:

**Certificate:** 80577, in the name of Rogue River Valley Irrigation District

**Use:** Supplemental Irrigation of 9.00 acres

**Priority Date:** September 6, 1915

**Source:** Griffin Creek and Jackson Creek, tributaries of Bear Creek.

**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 during the irrigation season of each year.

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
37 S	2 W	WM	15	SW NE	GRIFFIN CREEK INTO HOPKINS CANAL - 2700 FEET NORTH AND 2050 FEET WEST FROM THE SE CORNER OF SECTION 15
37 S	2 W	WM	15	SW NW	JACKSON CREEK INTO HOPKINS CANAL - 3000 FEET NORTH AND 4000 FEET WEST FROM THE SE CORNER OF SECTION 15

20. The authorized places of use for the above certificate are:

**Authorized Places of Use**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice
37 S	2 W	WM	3	SE NW	1.00	100	RRVID	11-01
37 S	2 W	WM	3	SW NW	3.00	100	RRVID	11-02
37 S	2 W	WM	3	SW NW	0.80	100	RRVID	11-03
37 S	2 W	WM	3	SW SW	0.40	4500	RRVID	11-03
37 S	2 W	WM	9	SE NE	0.40	2100	RRVID	11-03
37 S	2 W	WM	9	SE SE	0.30	1200	RRVID	11-03
37 S	2 W	WM	9	NE SE	0.10	1200	RRVID	11-03
37 S	2 W	WM	9	SE SE	0.50	6702	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.30	6700	RRVID	11-05
37 S	2 W	WM	4	SE SE	2.20	3200	RRVID	11-08
<b>Total:</b>					<b>9.00</b>			

21. Transfer Application T-11333 proposes to change the place of use of the above described right to:

**Proposed place of use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
36 S	1 W	WM	29	NW NE	0.80	207	Bischoff	11-01
36 S	1 W	WM	29	NE NE	0.20	207	Bischoff	11-01
36 S	2 W	WM	27	SW NE	3.00	1800	Oliver	11-02
36 S	1 W	WM	29	NW NE	2.00	202	Bischoff	11-03
36 S	1 W	WM	16	SE NW	0.50	600	Konrady	11-04
37 S	2 W	WM	3	SW SW	0.30	2500	Spencer	11-05
37 S	2 W	WM	2	SE NW	2.20	600	Jackson County	11-08
<b>Total:</b>					<b>9.00</b>			

22. The portions of the next right to be transferred are as follows:

**Certificate:** 83729, in the name of U. S. Bureau of Reclamation

**Use:** Supplemental Irrigation of 9.00 acres

**Priority Date:** June 8, 1953 for Soda and Little Beaver Creeks and September 6, 1915 for all other streams.

**Limit/Duty:** Limited to not more than the rate specified by source. Maximum of 1/40 cfs per acre irrigated and 4.5 acre-feet per acre irrigated during the irrigation season of each year.

**Sources:** Emigrant Creek and Emigrant Reservoir, tributaries of Bear Creek; South Fork Little Butte Creek, a tributary of Little Butte Creek; Conde Creek, a tributary of South Fork Little Butte Creek; Dean Indian Creek, a tributary of South Fork Little Butte Creek; Daley Creek, a tributary of the South Fork Little Butte Creek, Beaver Dam Creek, a tributary of the South Fork Little Butte Creek; Pole Bridge Creek, a tributary of the South Fork Little Butte Creek; Deadwood Creek, a tributary of the South Fork Little Butte Creek; Keene Creek and Keene Creek Reservoir, tributaries of Jenny Creek, Grizzly Creek and Howard Prairie Reservoir, tributaries of Jenny Creek, Soda Creek, a tributary of Grizzly Creek; Little Beaver Creek, a tributary of Jenny Creek.

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
37 S	4 E	WM	16	SE SE	SOUTH FORK LITTLE BUTTE CREEK: 1240 FEET NORTH AND 1100 FEET WEST OF THE SE $\frac{1}{4}$ CORNER OF SECTION 16.
37 S	4 E	WM	28	SE NW	POLE BRIDGE CREEK: 1380 FEET SOUTH AND 2000 FEET EAST FROM THE NW CORNER OF SECTION 28.
37 S	4 E	WM	34	SW SE	DALEY CREEK: 750 FEET NORTH AND 480 FEET EAST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 34.
38 S	3 E	WM	9	SW SW	CONDE CREEK: 1320 FEET NORTH AND 600 FEET EAST FROM THE SW CORNER OF SECTION 9.
38 S	3 E	WM	15	SE SW	DEAD INDIAN CREEK: 1310 FEET NORTH AND 1100 FEET WEST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 15.
38 S	4 E	WM	4	NE SW	BEAVER DAM CREEK: 2000 FEET NORTH AND 1800 FEET EAST OF THE SW CORNER OF



Twp	Rng	Mer	Sec	Q-Q	Measured Distances
					SECTION 4.
38 S	4 E	WM	6	NE SE	DEADWOOD CREEK: NO MEASURED DISTANCES SPECIFIED.
38 S	4 E	WM	32	SW	GRIZZLY CREEK AND HOWARD PRAIRIE RESERVOIR: E½ OF THE SW¼.
39 S	2 E	WM	20	SE SE	EMIGRANT RESERVOIR DIVERSION IS LOCATED AT THE OUTLET.
39 S	3 E	WM	16	SE SE	KEENE CREEK AND KEENE CREEK RESERVOIR: 15 FEET NORTH AND 1200 FEET WEST OF THE SE CORNER OF SECTION 16.
39 S	3 E	WM	20	SE SE	KEENE CREEK AND KEENE CREEK RESERVOIR (LITTLE HYATT POOL DIVERSION): 800 FEET NORTH AND 750 FEET WEST OF THE SE CORNER OF SECTION 20.
39 S	3 E	WM	33	SW SW	KEENE CREEK AND KEENE CREEK RESERVOIR: 1200 FEET NORTH AND 1200 FEET EAST OF SW THE CORNER OF SECTION 33.
39 S	4 E	WM	8	SW NW	SODA CREEK: 2200 FEET SOUTH AND 60 FEET EAST OF THE NW CORNER OF SECTION 8.
39 S	4 E	WM	19	SE SW	LITTLE BEAVER CREEK: 600 FEET NORTH AND 1930 FEET EAST FROM THE SW CORNER OF SECTION 19.

23. The authorized places of use for the above certificate are:

**Authorized Places of Use**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice
37 S	2 W	WM	3	SE NW	1.00	100	RRVID	11-01
37 S	2 W	WM	3	SW NW	3.00	100	RRVID	11-02
37 S	2 W	WM	3	SW NW	0.80	100	RRVID	11-03
37 S	2 W	WM	3	SW SW	0.40	4500	RRVID	11-03
37 S	2 W	WM	9	SE NE	0.40	2100	RRVID	11-03
37 S	2 W	WM	9	SE SE	0.30	1200	RRVID	11-03
37 S	2 W	WM	9	NE SE	0.10	1200	RRVID	11-03
37 S	2 W	WM	9	SE SE	0.50	6702	RRVID	11-04
37 S	2 W	WM	9	SE SE	0.30	6700	RRVID	11-05
37 S	2 W	WM	4	SE SE	2.20	3200	RRVID	11-08
<b>Total:</b>					<b>9.00</b>			

24. Transfer Application T-11333 proposes to change the place of use of the above described right to:

**Proposed place of use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
36 S	1 W	WM	29	NW NE	0.80	207	Bischoff	11-01
36 S	1 W	WM	29	NE NE	0.20	207	Bischoff	11-01
36 S	2 W	WM	27	SW NE	3.00	1800	Oliver	11-02
36 S	1 W	WM	29	NW NE	2.00	202	Bischoff	11-03
36 S	1 W	WM	16	SE NW	0.50	600	Konrady	11-04
37 S	2 W	WM	3	SW SW	0.30	2500	Spencer	11-05

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax lot	Owner Name	Notice
37 S	2 W	WM	2	SE NW	2.20	600	Jackson County	11-08
<b>Total:</b>					<b>9.00</b>			

25. The District permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
26. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
27. The proposed change in place of use would not result in enlargement of the rights.
28. The proposed change in place of use will not result in injury to other water rights.

### Conclusions of Law

The change in place of use proposed in Transfer Application T-11333 satisfies the requirements of ORS 540.574(3) and 540.580

### Now, therefore, it is ORDERED:

1. The proposed change to the water rights evidenced by Certificates 85288, 85876, 85877, 80575, 80576, 80577 and 83729 are approved.
2. The right to the use of water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 85288, 85876, 85877, 80575, 80576, 80577 and 83729, any related decree and the Final Order approving T-11333.
3. The former places of use shall no longer be irrigated as part of these water rights.
4. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2013.
5. A Claim of Beneficial Use (COBU) shall be submitted by Rogue River Valley Irrigation District to the Department by October 1, 2014.
6. Certificates 85288, 85876, 85877, 80575, 80576, 80577 and 83729 are modified. The Department will issue a superseding certificate describing the rights when it determines that is necessary for record keeping.

Dated at Salem, Oregon this 13 day of February, 2012.

  
 Dwight French, Water Right Services Division Administrator for  
 PHILLIP C. WARD, DIRECTOR

Mailing date: **FEB 15 2012**