



**Authorized Point of Appropriation:**

Well #	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2	8 N	4 W	WM	35	NE SE	110 FEET NORTH AND 950 FEET WEST FROM THE E1/4 CORNER OF SECTION 35

**Authorized Place of Use:**

QUASI-MUNICIPAL USES				
Twp	Rng	Mer	Sec	Q-Q
7 N	4 W	WM	3	NE NE
7 N	4 W	WM	3	NW NE
7 N	4 W	WM	3	SW NE
7 N	4 W	WM	3	NW SE
7 N	4 W	WM	3	SW SE
7 N	4 W	WM	3	SE SE
7 N	4 W	WM	10	NW NE
8 N	4 W	WM	21	SW NE
8 N	4 W	WM	26	SW NE
8 N	4 W	WM	26	SW NW
8 N	4 W	WM	26	SE NW
8 N	4 W	WM	26	NE SW
8 N	4 W	WM	26	NW SW
8 N	4 W	WM	27	SE NE
8 N	4 W	WM	27	SE SW
8 N	4 W	WM	27	NE SE
8 N	4 W	WM	27	SW SE
8 N	4 W	WM	27	SE SE
8 N	4 W	WM	28	NE NE
8 N	4 W	WM	28	NE SW
8 N	4 W	WM	28	SE SW
8 N	4 W	WM	29	SE SE
8 N	4 W	WM	32	NW NE
8 N	4 W	WM	32	SW NE
8 N	4 W	WM	32	SE NW
8 N	4 W	WM	32	NW SE
8 N	4 W	WM	34	NW NE
8 N	4 W	WM	34	SW NE
8 N	4 W	WM	34	NE NW
8 N	4 W	WM	34	NE SE
8 N	4 W	WM	34	NW SE
8 N	4 W	WM	34	SE SE
8 N	4 W	WM	35	NE SW
8 N	4 W	WM	35	NW SE

4. Certificate 82858 describes the location of Well 2 as being 110 feet north of the E $\frac{1}{4}$  Corner of Section 35, however, the Department determined this is a scrivener's error because the Final Proof map for the right shows the well to be south of the E $\frac{1}{4}$  Corner, as confirmed by the T-11024 application and map and the Quincy Water Association. The correct coordinates are shown below:

**Authorized Point of Diversion:**

Well #	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2	8 N	4 W	WM	35	NE SE	110 FEET SOUTH AND 950 FEET WEST FROM THE E1/4 CORNER OF SECTION 35

5. Transfer Application T-11024 proposes to add an additional point of appropriation (Well 2B) approximately 477 feet northeasterly from the existing Well 2 to:

Well	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 B	8 N	4 W	WM	35	SE NE	33 FEET NORTH AND 497 FEET WEST FROM THE E ¼ CORNER OF SECTION 35

6. Notice of the application for transfer was published on March 2, 2010, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. On June 2, 2010, the Department mailed a copy of the Preliminary Determination proposing to approve Transfer Application T-11024 to the applicant. The Preliminary Determination cover letter set forth a deadline of July 7, 2010, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and on June 11, 2010 provided clarification that the remaining portion of the right from Well 3 is to receive a separate remaining right certificate.
8. On June 14, 2010, the Department issued a Preliminary Determination proposing to approve Transfer Application T-11024 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 June 15, 2010, 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)***

9. Water has been used within the last five years prior to the submittal of Transfer Application T-11024 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is 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 right were present within the five-year period prior to submittal of Transfer Application T-11024.
11. Provided totalizing flow meters are installed as conditioned below, the proposed change would not result in enlargement of the right.
12. If conditioned as followed, the proposed change would not result in injury to other water rights.

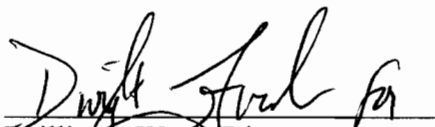
**Conclusions of Law**

The additional point of appropriation proposed in Transfer Application T-11024 is 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 point of appropriation proposed in application T-11024 is 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 Certificate 82858 and any related decree.
3. Water right certificate 82858 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
4. The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2015**. 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. When satisfactory proof of the completed change is received, a new certificate confirming the portion of the right transferred will be issued.

Dated at Salem, Oregon this 22 day of July 2010.

  
Phillip C. Ward, Director

**JUL 26 2010**

Mailing date: \_\_\_\_\_