

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	1 E	WM	8	NE NW	41	640 FEET SOUTH AND 2250 FEET EAST FROM THE NW CORNER OF SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	8	NW NE	41	3.50

3. Application T-11774 proposes to change the place of use to a different parcel within:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	8	NW NE	41	3.50

4. The portion of the second right to be transferred is as follows:

Certificate: 74654 in the name of H L "CASEY" JONES AND MARJORIE E. JONES (perfected under Permit S-12393)

Use: IRRIGATION of 3.5 acres

Priority Date: SEPTEMBER 29, 1936

Quantity: 0.04 CUBIC FOOT PER SECOND (cfs)

Rate/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 per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: BUTTE CREEK, tributary to the PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
6 S	1 E	W.M.	8	NE NW	41

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	8	NW NE	41	3.50

5. Application T-11774 proposes to change the place of use of the right to a different parcel within:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	8	NW NE	41	3.50

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

Certificate: 84068 in the name of H. L. "CASEY" JONES AND MARJORIE E. JONES (perfected under Permit S-12393)

Use: IRRIGATION of 11.8 ACRES

Priority Date: SEPTEMBER 29, 1936

Rate: 0.15 CUBIC FOOT PER SECOND (cfs)

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, 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: BUTTE CREEK, tributary to the PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	1 E	WM	8	NE NW	41	640 FEET SOUTH AND 2250 FEET EAST FROM THE NW CORNER OF SECTION 8

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	8	NW NE	41	5.60
6 S	1 E	WM	8	SW NE	41	6.20
Total						11.80

7. The fourth right to be transferred is as follows:

Certificate: 89069 in the name of H L "CASEY" AND MARJORIE E. JONES (perfected under Permit S-49627)

Use: IRRIGATION of 11.8 ACRES

Priority Date: JANUARY 15, 1986

Rate: 0.15 CUBIC FOOT PER SECOND (cfs)

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, 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: BUTTE CREEK, tributary to the PUDDING RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	1 E	WM	8	NE NW	41	640 FEET SOUTH AND 480 FEET WEST FROM THE N1/4 CORNER OF SECTION 8

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	8	NW NE	41	7.20
6 S	1 E	WM	8	NE NW	41	4.60

8. Temporary Transfer Application T-11774 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 E	WM	8	NW NE	41	7.20
6 S	1 E	WM	8	NE NW	41	4.60

9. Notice of the application for Temporary Transfer was published on April 8, 2014, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
10. Water has been used within the last five years according to the terms and conditions of the rights and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
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. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water rights.

Conclusions of Law


The temporary change in place of use proposed in Temporary Transfer Application T-11774 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Temporary Transfer Application T-11774 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2014, 2015, 2016, 2017 and 2018 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2018 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 74653, 74654, 84068, and 89069 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 74653, 74654, 84068, and 89069.

7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
9. The use of the remaining water right described by Certificate 74654 shall continue to be in accordance with the terms and conditions of Certificate 74654.

Dated at Salem, Oregon this 14 day of May, 2014.


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

Mailing date: MAY 19 2014

