



**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
5 S	1 W	WM	25	NE NW	73	3500 FEET NORTH AND 1750 FEET EAST FROM THE NW CORNER OF DLC 63

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	1 W	WM	25	NE SW	73	8.7
5 S	1 W	WM	25	SE SW	73	0.3

4. Transfer Application T-10629 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	1 W	WM	25	SW SW		9.0

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

**Certificate:** 84181 in the name of WILLIAM H. GRISSO (perfected under Permit S-33311)

**Use:** IRRIGATION of 4.7 ACRES

**Priority Date:** FEBRUARY 27, 1968

**Rate:** 0.06 CUBIC FOOT PER SECOND (cfs)

**Limit/Duty:** ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre 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	Survey Coordinates
5 S	1 W	WM	25	NE NW	73	3500 FEET NORTH AND 1750 FEET EAST FROM THE NW CORNER OF DLC 63

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	1 W	WM	25	SE NW	73	4.7

6. Transfer Application T-10629 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	1 W	WM	25	NW SW		1.40
5 S	1 W	WM	25	SW SW		0.60
5 S	1 W	WM	25	SE SW		2.66
5 S	1 W	WM	25	SE SW	73	0.04

7. Notice of the application for temporary transfer was published on June 24, 2008, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.

8. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights are present.
10. The proposed change would not result in enlargement of the rights.
11. 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 right.

### **Conclusions of Law**

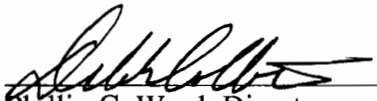
The temporary changes in place of use as proposed in Transfer Application T-10629 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

### **Now, therefore, it is ORDERED:**

1. The changes in place of use proposed in Transfer Application T-10629 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2008, 2009 and 2010 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2010 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 84180 and 84181 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 84180 and 84181.
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, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. 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 84181 shall continue to be in accordance with the terms and conditions of Certificate 84181.

Dated at Salem, Oregon this 28<sup>th</sup> day of July, 2008.

  
Phillip C. Ward, Director

Mailing Date: AUG 01 2008