



**Authorized Place of Use:**

Township	Range	Meridian	Sec	¼ ¼	Acres		
17	S	46	E	W.M.	2	NE SW	20.9
17	S	46	E	W.M.	2	SE SW	18.5
17	S	46	E	W.M.	2	NW SE	20.0
17	S	46	E	W.M.	2	SW SE	39.5
17	S	46	E	W.M.	2	SE SE	6.4
17	S	46	E	W.M.	11	NW NE	19.2
17	S	46	E	W.M.	11	NE NW	23.0
17	S	46	E	W.M.	12	SW NE	39.2
17	S	46	E	W.M.	12	SW NW	19.6
17	S	46	E	W.M.	12	SE NW	39.2
17	S	46	E	W.M.	12	NW SW	7.7
17	S	46	E	W.M.	12	NW SE	5.6
17	S	46	E	W.M.	16	NE SW	38.6
17	S	46	E	W.M.	16	NW SW	38.4
17	S	46	E	W.M.	16	NE SE	39.1
17	S	46	E	W.M.	16	NW SE	39.4
17	S	46	E	W.M.	21	SE NW	1.2
17	S	46	E	W.M.	21	NE SW	1.4

**Certificate:** 74023 in the name of Skyline Farms, Incorporated

**Use:** Irrigation

**Priority Date:** October 25, 1968

**Quantity:** 2.4 Cubic Feet per Second (CFS)

**Rate/Duty:** 1/40 CFS per acre, not to exceed 4.0 acre-feet per acre

**Acres:** 97.3 acres

**Source:** Snake River, tributary to the Columbia River

**Authorized Point of Diversion:**

Township	Range	Meridian	Sec	¼ ¼	Lot	Location
17	S	47	E	W.M.	21	NE NW 1 350 feet South & 1980 feet East from the NW Corner, Section 21

**Authorized Place of Use:**

Township	Range	Meridian	Sec	¼ ¼	Acres		
17	S	46	E	W.M.	10	NE SE	14.7
17	S	46	E	W.M.	10	NW SE	3.4
17	S	46	E	W.M.	10	SW SE	5.1
17	S	46	E	W.M.	11	NW NW	4.9
17	S	46	E	W.M.	11	SW NW	9.6

Township		Range		Meridian	Sec	¼ ¼	Acres
17	S	46	E	W.M.	11	NW SW	20.8
17	S	46	E	W.M.	21	SW NW	9.2
17	S	46	E	W.M.	21	NW SW	29.6

**Certificate:** 76944 in the name of Skyline Farms, Incorporated

**Use:** Irrigation

**Priority Date:** June 27, 1966

**Quantity:** 1.8 Cubic Feet per Second (CFS)

**Rate/Duty:** 1/40 CFS per acre, not to exceed 4.0 acre-feet per acre

**Acres:** 70.7 acres

**Source:** Snake River, tributary to the Columbia River

**Authorized Point of Diversion:**

Township		Range		Meridian	Sec	¼ ¼	Lot	Location
17	S	47	E	W.M.	21	NE NW	1	350 feet South & 1980 feet East from the NW Corner, Section 21

**Authorized Place of Use:**

Township		Range		Meridian	Sec	¼ ¼	Acres
17	S	46	E	W.M.	23	SW SW	39.6
17	S	46	E	W.M.	23	SE SW	30.3
17	S	46	E	W.M.	23	SW SE	0.8

**Certificate:** 76948 in the name of Farrell Larson, Larson Skyline Farms

**Use:** Irrigation

**Priority Date:** October 25, 1968

**Quantity:** 8.1 Cubic Feet per Second (CFS)

**Rate/Duty:** 1/40 CFS per acre, not to exceed 4.0 acre-feet per acre

**Acres:** 324.0 acres

**Source:** Snake River, tributary to the Columbia River

**Authorized Point of Diversion:**

Township		Range		Meridian	Sec	¼ ¼	Lot	Location
17	S	47	E	W.M.	21	NE NW	1	350 feet South & 1980 feet East from the NW Corner, Section 21

**Authorized Place of Use:**

Township		Range		Meridian	Sec	¼ ¼	Acres
17	S	46	E	W.M.	20	SE SE	8.3
17	S	46	E	W.M.	21	SW SW	18.4
17	S	46	E	W.M.	21	SE SW	36.5
17	S	46	E	W.M.	21	SW SE	19.8

Township		Range		Meridian	Sec	¼ ¼	Acres
17	S	46	E	W.M.	28	NE NE	13.8
17	S	46	E	W.M.	28	NW NE	12.0
17	S	46	E	W.M.	28	SW NE	29.4
17	S	46	E	W.M.	28	NE NW	18.4
17	S	46	E	W.M.	28	NW NW	32.2
17	S	46	E	W.M.	28	SW NW	39.6
17	S	46	E	W.M.	28	SE NW	34.6
17	S	46	E	W.M.	28	NE SW	23.7
17	S	46	E	W.M.	28	NW SW	17.1
17	S	46	E	W.M.	28	NW SE	20.2

**Certificate:** 74021 in the name of Skyline Farms, Incorporated

**Use:** Irrigation

**Priority Date:** October 25, 1968

**Quantity:** 1.8 Cubic Feet per Second (CFS)

**Rate/Duty:** 1/40 CFS per acre, not to exceed 3.0 acre-feet per acre

**Acres:** 40.6 acres

**Source:** Malheur River, tributary to the Snake River

**Authorized Point of Diversion:**

Township		Range		Meridian	Sec	¼ ¼	Location
17	S	46	E	W.M.	10	NE NE	510 feet South & 600 feet West from the NE Corner, Section 10

**Authorized Place of Use:**

Township		Range		Meridian	Sec	¼ ¼	Acres
17	S	46	E	W.M.	26	NE SW	25.2
17	S	46	E	W.M.	26	NW SE	15.4

**Certificate:** 74022 in the name of Skyline Farms, Incorporated

**Use:** Supplemental Irrigation (supplemental to certificate 74021)

**Priority Date:** October 25, 1968

**Quantity:** 1.8 Cubic Feet per Second (CFS)

**Rate/Duty:** 1/40 CFS per acre, not to exceed 4.0 acre-feet per acre

**Acres:** 40.6 acres

**Source:** Snake River, tributary to the Columbia River

**Authorized Point of Diversion:**

Township		Range		Meridian	Sec	¼ ¼	Lot	Location
17	S	47	E	W.M.	21	NE NW	1	350 feet South & 1980 feet East from the NW Corner, Section 21

**Authorized Place of Use:**

Township		Range		Meridian	Sec	¼ ¼	Acres
17	S	46	E	W.M.	26	NE SW	25.2
17	S	46	E	W.M.	26	NW SE	15.4

3. Application T-9699 proposes to change the place of use of the rights to:

Township		Range		Meridian	Sec	¼ ¼	Acres
<b>Certificate 75566</b>							
17	S	46	E	W.M.	1	SW SW	13.1
17	S	46	E	W.M.	2	SE SE	12.3
17	S	46	E	W.M.	12	NE NW	6.4
17	S	46	E	W.M.	12	NW NW	19.4
17	S	46	E	W.M.	20	NE NE	19.1
17	S	46	E	W.M.	26	NW SW	39.0
17	S	46	E	W.M.	26	SW SW	0.8
17	S	46	E	W.M.	27	NE SW	26.8
17	S	46	E	W.M.	27	NW SW	27.4
17	S	46	E	W.M.	27	SW SW	39.0
17	S	46	E	W.M.	27	SE SW	40.0
17	S	46	E	W.M.	27	NE SE	29.2
17	S	46	E	W.M.	27	NW SE	25.4
17	S	46	E	W.M.	27	SW SE	40.0
17	S	46	E	W.M.	27	SE SE	28.0
17	S	46	E	W.M.	34	NE NE	27.6
17	S	46	E	W.M.	35	NW NW	23.4
<b>Certificate 76948</b>							
17	S	46	E	W.M.	28	NE SW	5.0
17	S	46	E	W.M.	28	NW SW	11.8
17	S	46	E	W.M.	28	SW SW	40.0
17	S	46	E	W.M.	28	SE SW	40.0
17	S	46	E	W.M.	28	NE SE	7.0
17	S	46	E	W.M.	28	NW SE	10.6
17	S	46	E	W.M.	28	SW SE	40.0
17	S	46	E	W.M.	28	SE SE	40.0
17	S	46	E	W.M.	29	NE SE	9.2
17	S	46	E	W.M.	29	SE SE	37.4
17	S	46	E	W.M.	32	NE NE	2.0
17	S	46	E	W.M.	33	NE NE	26.8
17	S	46	E	W.M.	33	NW NE	32.0

Township		Range		Meridian	Sec	¼ ¼	Acres
17	S	46	E	W.M.	33	NE NW	14.6
17	S	46	E	W.M.	33	NW NW	7.6
<b>Certificate 74023</b>							
17	S	46	E	W.M.	34	NE NE	12.4
17	S	46	E	W.M.	34	NW NE	40.0
17	S	46	E	W.M.	34	SW NE	32.3
17	S	46	E	W.M.	34	NE NW	12.6
<b>Certificate 76944</b>							
17	S	46	E	W.M.	34	SW NE	7.7
17	S	46	E	W.M.	34	SE NE	40.0
17	S	46	E	W.M.	35	SW NW	23.0
<b>Certificates 74021 (primary) &amp; 74022 (supplemental)</b>							
17	S	46	E	W.M.	33	NE NE	13.2
17	S	46	E	W.M.	34	NE NW	27.4

4. Notice of the application for temporary transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
5. Water has been used within the last five years according to the terms and conditions of the right and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
6. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right are present.
7. The proposed change would not result in enlargement of the right.
8. The proposed change would not result in injury to other water rights.

#### **Conclusions of Law**

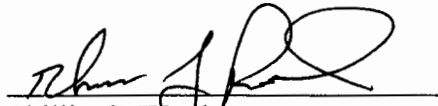
The temporary changes in place of use proposed in application T-9699 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

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

1. The changes in place of use proposed in application T-9699 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2004, 2005, 2006, 2007 and 2008 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2008 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. 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 75566, 74023, 76944, 76948, 74021 and 74022.
6. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
7. The use of the remaining water right described by Certificates 75566, 74023, 76944, 76948, 74021 and 74022 shall continue to be in accordance with the terms and conditions of Certificates 75566, 74023, 76944, 76948, 74021 and 74022.

Dated at Salem, Oregon this 6<sup>th</sup> day of October, 2004.

  
Phillip C. Ward  
Acting Director

Mailing date: OCT 21 2004

*Requests for Reconsideration should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271*