

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

In the Matter of Transfer Application            )           FINAL ORDER APPROVING  
T-12642, Klamath County                     )           TEMPORARY CHANGES IN PLACES  
  )           OF USE AND POINTS OF DIVERSION

**Authority**

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690; Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

**Applicant**

U.S. FISH AND WILDLIFE SERVICE  
911 NE 11<sup>TH</sup> AVENUE  
PORTLAND, OR 97232

**Findings of Fact**

1. On April 14, 2017, the U.S. Fish and Wildlife Service filed an application to temporarily change the places of use and change the points of diversion to serve the proposed places of use under Certificates 42581, 42582, and 42583, for a period of five years. The Department assigned the application number T-12642.

2. Notice of the application for transfer was published on April 25, 2017, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. The portion of the first right to be temporarily transferred is as follows:

- Certificate:** 42581 in the name of MEADOWS DRAINAGE DISTRICT (perfected under Permit S-309)
- Use:** IRRIGATION of 5277.3 ACRES
- Priority Date:** JANUARY 26, 1910
- Rate:** 66.29 CUBIC FEET PER SECOND
- Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a

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.

diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated.

**Source:** WOOD RIVER, a tributary of AGENCY LAKE

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	GLot	Measured Distances
34 S	7.5 E	WM	3	3	2470 FEET SOUTH AND 940 FEET EAST FROM THE NW CORNER OF SECTION 3

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
34 S	7.5 E	WM	29	NE NE		13.8
34 S	7.5 E	WM	29	NW NE		28.4
34 S	7.5 E	WM	29	SW NE		40.6
34 S	7.5 E	WM	29	SE NE		29.9
34 S	7.5 E	WM	29	NE NW		28.8
34 S	7.5 E	WM	29	NW NW		36.6
34 S	7.5 E	WM	29	SW NW		40.6
34 S	7.5 E	WM	29	SE NW		40.6
34 S	7.5 E	WM	29	NE SW		39.0
34 S	7.5 E	WM	29	NW SW		39.0
34 S	7.5 E	WM	29	SW SW		40.8
34 S	7.5 E	WM	29	SE SW		40.8
34 S	7.5 E	WM	29	NE SE		35.0
34 S	7.5 E	WM	29	NW SE		39.0
34 S	7.5 E	WM	29	SW SE		40.8
34 S	7.5 E	WM	29	SE SE		37.1
34 S	7.5 E	WM	32	NE NE		35.8
34 S	7.5 E	WM	32	NW NE		39.0
34 S	7.5 E	WM	32	SW NE		40.6
34 S	7.5 E	WM	32	SE NE		37.7
34 S	7.5 E	WM	32	NE NW		39.0
34 S	7.5 E	WM	32	NW NW		39.0
34 S	7.5 E	WM	32	SW NW		40.6
34 S	7.5 E	WM	32	SE NW		40.6
34 S	7.5 E	WM	32	NE SW		39.2
34 S	7.5 E	WM	32	NW SW		39.2
34 S	7.5 E	WM	32	SW SW		40.8
34 S	7.5 E	WM	32	SE SW		40.8
34 S	7.5 E	WM	32	NE SE		36.2
34 S	7.5 E	WM	32	NW SE		39.2
34 S	7.5 E	WM	32	SW SE		40.8
34 S	7.5 E	WM	32	SE SE		37.9
35 S	7.5 E	WM	5	NE NE		17.4
35 S	7.5 E	WM	5	NW NE		18.8
35 S	7.5 E	WM	5	NE NW		18.8
35 S	7.5 E	WM	5	NW NW		18.8
Subtotal						1271.0

The priority date for the following lands shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority

between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

IRRIGATION							Acres
Twp	Range	Mer	Sec	Q-Q	Gl. lot		
34 S	7.5 E	WM	21	NE NE		0.4	
34 S	7.5 E	WM	21	SW NE		18.9	
34 S	7.5 E	WM	21	SE NE		26.0	
34 S	7.5 E	WM	21	NE SW		17.1	
34 S	7.5 E	WM	21	SW SW		17.6	
34 S	7.5 E	WM	21	SE SW		40.5	
34 S	7.5 E	WM	21	NE SE		39.0	
34 S	7.5 E	WM	21	NW SE		38.9	
34 S	7.5 E	WM	21	SW SE		40.6	
34 S	7.5 E	WM	21	SE SE		40.6	
34 S	7.5 E	WM	22	SW NW		0.2	
34 S	7.5 E	WM	22	NW SW		22.3	
34 S	7.5 E	WM	22	SW SW		40.5	
34 S	7.5 E	WM	22	SE SW		16.6	
34 S	7.5 E	WM	26	NW SW	5	6.6	
34 S	7.5 E	WM	26	SW SW	6	0.9	
34 S	7.5 E	WM	27	NW NE		14.6	
34 S	7.5 E	WM	27	SW NE		40.4	
34 S	7.5 E	WM	27	SE NE		10.4	
34 S	7.5 E	WM	27	NE NW		40.6	
34 S	7.5 E	WM	27	NW NW		41.2	
34 S	7.5 E	WM	27	SW NW		41.2	
34 S	7.5 E	WM	27	SE NW		41.2	
34 S	7.5 E	WM	27	NE SW		41.2	
34 S	7.5 E	WM	27	NW SW		41.2	
34 S	7.5 E	WM	27	SW SW		41.2	
34 S	7.5 E	WM	27	SE SW		41.2	
34 S	7.5 E	WM	27	NE SE		39.0	
34 S	7.5 E	WM	27	NW SE		41.2	
34 S	7.5 E	WM	27	SW SE		41.2	
34 S	7.5 E	WM	27	SE SE	1	34.2	
34 S	7.5 E	WM	28	NE NE		41.2	
34 S	7.5 E	WM	28	NW NE		41.2	
34 S	7.5 E	WM	28	SW NE		41.2	
34 S	7.5 E	WM	28	SE NE		41.2	
34 S	7.5 E	WM	28	NE NW		41.2	
34 S	7.5 E	WM	28	NW NW		41.2	
34 S	7.5 E	WM	28	SW NW		41.2	
34 S	7.5 E	WM	28	SE NW		41.2	
34 S	7.5 E	WM	28	NE SW		41.2	
34 S	7.5 E	WM	28	NW SW		41.2	
34 S	7.5 E	WM	28	SW SW		41.2	
34 S	7.5 E	WM	28	SE SW		41.2	
34 S	7.5 E	WM	28	NE SE		41.2	
34 S	7.5 E	WM	28	NW SE		41.2	
34 S	7.5 E	WM	28	SW SE		41.2	
34 S	7.5 E	WM	28	SE SE		41.2	
34 S	7.5 E	WM	29	NE NE		11.6	
34 S	7.5 E	WM	29	SE NE		5.6	

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GlOt	Acres
34 S	7.5 E	WM	33	NE NE		41.2
34 S	7.5 E	WM	33	NW NE		41.2
34 S	7.5 E	WM	33	SW NE		41.2
34 S	7.5 E	WM	33	SE NE		41.2
34 S	7.5 E	WM	33	NE NW		41.2
34 S	7.5 E	WM	33	NW NW		40.0
34 S	7.5 E	WM	33	SW NW		39.6
34 S	7.5 E	WM	33	SE NW		41.2
34 S	7.5 E	WM	33	NE SW		41.2
34 S	7.5 E	WM	33	NW SW		39.2
34 S	7.5 E	WM	33	SW SW		28.9
34 S	7.5 E	WM	33	SE SW		30.4
34 S	7.5 E	WM	33	NE SE		41.2
34 S	7.5 E	WM	33	NW SE		41.2
34 S	7.5 E	WM	33	SW SE		30.4
34 S	7.5 E	WM	33	SE SE		30.4
34 S	7.5 E	WM	34	NE NE	1	16.4
34 S	7.5 E	WM	34	NW NE		41.2
34 S	7.5 E	WM	34	SW NE	3	41.0
34 S	7.5 E	WM	34	SE NE	2	3.8
34 S	7.5 E	WM	34	NE NW		41.2
34 S	7.5 E	WM	34	NW NW		41.2
34 S	7.5 E	WM	34	SW NW		41.2
34 S	7.5 E	WM	34	SE NW		41.2
34 S	7.5 E	WM	34	NE SW		41.2
34 S	7.5 E	WM	34	NW SW		41.2
34 S	7.5 E	WM	34	SW SW		30.4
34 S	7.5 E	WM	34	SE SW		30.4
34 S	7.5 E	WM	34	NW SE	4	35.3
34 S	7.5 E	WM	34	SW SE	5	29.0
34 S	7.5 E	WM	34	SE SE	5	4.0
34 S	7.5 E	WM	3	NE NE	1	31.6
34 S	7.5 E	WM	3	NW NE		40.0
34 S	7.5 E	WM	3	SW NE		40.0
34 S	7.5 E	WM	3	SE NE	2	40.0
34 S	7.5 E	WM	3	NE NW		40.0
34 S	7.5 E	WM	3	NW NW		40.0
34 S	7.5 E	WM	3	SW NW		40.0
34 S	7.5 E	WM	3	SE NW		40.0
34 S	7.5 E	WM	3	NE SW		40.0
34 S	7.5 E	WM	3	NW SW		40.0
34 S	7.5 E	WM	3	NE SE		40.0
34 S	7.5 E	WM	3	NW SE		40.0
34 S	7.5 E	WM	4	NE NE		40.0
34 S	7.5 E	WM	4	SW NE		40.0
34 S	7.5 E	WM	4	NW NE		40.0
34 S	7.5 E	WM	4	SE NE		40.0
34 S	7.5 E	WM	4	NE NW		40.0
34 S	7.5 E	WM	4	NW NW		40.0
34 S	7.5 E	WM	4	SW NW		37.8
34 S	7.5 E	WM	4	SE NW		38.0
34 S	7.5 E	WM	4	SE NW		40.0

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	-7.5 E	WM	4	NE SW		40.0
35 S	7.5 E	WM	4	NW SW		38.0
35 S	7.5 E	WM	4	NE SE		40.0
35 S	7.5 E	WM	4	NW SE		40.0
35 S	7.5 E	WM	5	NE NE		15.7
35 S	7.5 E	WM	5	NW NE		18.0
35 S	7.5 E	WM	5	SW NE		40.0
35 S	7.5 E	WM	5	SE NE		34.8
35 S	7.5 E	WM	5	NE NW		18.0
35 S	7.5 E	WM	5	NW NW		18.0
35 S	7.5 E	WM	5	SW NW		40.0
35 S	7.5 E	WM	5	SE NW		40.0
35 S	7.5 E	WM	5	NE SW		40.0
35 S	7.5 E	WM	5	NW SW		40.0
35 S	7.5 E	WM	5	NE SE		34.9
35 S	7.5 E	WM	5	NW SE		40.0
TOTAL						4006.3

4. Certificate 42581 does not specify a season of use or duty of water. Based on the Wood River Decree, the season of use is April 1 to October 1, and the duty of water is 5.0 acre feet per acre.
5. Temporary Transfer Application T-12642 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Remarks
47 N	2 E	MD			538.7	UNIT 10B - UNSURVEYED
47 N	2 E	MD			313.7	UNIT 11AN - UNSURVEYED
47 N	2 E	MD			117.5	UNIT 5B - UNSURVEYED
47 N	2 E	MD			300.7	UNIT 6B2 - UNSURVEYED
47 N	2 E	MD	10	SW SW	0.4	
TOTAL					1271.0	

The priority date for the following lands shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Remarks
47 N	2 E	MD			62.3	UNIT 6A - UNSURVEYED
47 N	2 E	MD			484.9	UNIT 6B2 - UNSURVEYED
47 N	2 E	MD			558.4	UNIT 6C - UNSURVEYED
48 N	2 E	MD			2.2	UNIT 3A - UNSURVEYED
48 N	2 E	MD			6.5	UNIT 3A - UNSURVEYED
48 N	2 E	MD			12.7	UNIT 3A - UNSURVEYED
48 N	2 E	MD			18.8	UNIT 3A - UNSURVEYED

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Remarks
48 N	2 E	MD			21.5	UNIT 3A - UNSURVEYED
48 N	2 E	MD			80.1	UNIT 3A - UNSURVEYED
48 N	2 E	MD			234.9	UNIT 3A - UNSURVEYED
48 N	2 E	MD			25.9	UNIT 3B1 - UNSURVEYED
48 N	2 E	MD			51.9	UNIT 3B1 - UNSURVEYED
48 N	2 E	MD			63.4	UNIT 3B1 - UNSURVEYED
48 N	2 E	MD			69.3	UNIT 3B1 - UNSURVEYED
48 N	2 E	MD			72.7	UNIT 3B1 - UNSURVEYED
48 N	2 E	MD			26.8	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			36.2	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			50.0	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			72.2	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			74.5	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			92.5	UNIT 3B2 - UNSURVEYED
48 N	2 E	MD			26.4	UNIT 5B - UNSURVEYED
48 N	2 E	MD			1119.0	UNIT 6A - UNSURVEYED
48 N	2 E	MD			241.7	UNIT 6B1 - UNSURVEYED
48 N	2 E	MD			32.2	UNIT 6B2 - UNSURVEYED
48 N	2 E	MD			74.5	UNIT 6C - UNSURVEYED
48 N	2 E	MD	28	SW NW	40.0	
48 N	2 E	MD	28	SE NW	40.0	
48 N	2 E	MD	28	NE SW	36.6	
48 N	2 E	MD	28	NW SW	12.5	
48 N	2 E	MD	28	SE SW	3.3	
48 N	2 E	MD	28	NW SE	6.9	
48 N	2 E	MD	28	NW SE	19.2	
48 N	2 E	MD	28	SW SE	23.5	
48 N	2 E	MD	29	SE NE	40.0	
48 N	2 E	MD	29	SE SW	40.0	
48 N	2 E	MD	29	NE SE	24.7	
48 N	2 E	MD	29	NW SE	40.0	
48 N	2 E	MD	29	SW SE	39.3	
48 N	2 E	MD	29	SE SE	5.4	
48 N	2 E	MD	32	NE NW	23.4	
TOTAL					4006.3	

6. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12642 proposes to move the authorized point of diversion for Certificate 42581 approximately 39.2 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	8 E	WM	15	NE NW	1220 FEET SOUTH AND 2730 FEET WEST FROM THE NE CORNER OF SECTION 15

The Applicant proposes to allow the water to remain instream until it reaches Upper Klamath Lake. The Applicant then proposes to request the Bureau of Reclamation release a similar volume of water from Upper Klamath Lake at the Link River Dam. The water

will then be diverted at the Ady Canal headgates on the Klamath River for use on the Lower Klamath National Wildlife Refuge.

7. The proposed new point of diversion is approximately 40 miles from the original point of diversion. Due to the distance between the points of diversion, the quantity of water under this right is subject to additional evaporative and stream channel losses. To prevent enlargement of the right, the quantity to be diverted from the Ady Canal is limited to the consumptive use of this right. Based on *Oregon Crop Water Use and Irrigation Requirements* (Cuenca 1992), the consumptive use or crop water requirement would be 1/133 (0.0075) cfs per acre and 2.73 acre feet per acre with a season of use of April 1 to October 1. Therefore, the total quantity diverted at the Ady Canal for this right is limited to an annual diversion of 39.69 cfs and 14,407.0 acre feet.

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

**Certificate:** 42582 in the name of MEADOWS DRAINAGE DISTRICT (perfected under Permit S-4791)  
**Use:** IRRIGATION of 4104.7 ACRES  
**Priority Date:** SEPTEMBER 13, 1920  
**Rate:** 51.31 CUBIC FEET PER SECOND (cfs), being 11.00 cfs from Four Mile Creek, 32.99 cfs from Seven Mile Creek, and 7.32 cfs from Anna Creek Slough  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated.  
**Sources:** FOUR MILE CREEK, SEVEN MILE CREEK, and ANNA CREEK SLOUGH, tributaries of AGENCY LAKE

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
34 S	7.5 E	WM	18	NW SW	3	FOUR MILE CREEK: 2050 FEET NORTH AND 30 FEET EAST FROM THE SW CORNER OF SECTION 18
34 S	7.5 E	WM	6	SW SW	20	SEVEN MILE CREEK: 620 FEET NORTH AND 30 FEET EAST FROM THE SW CORNER OF SECTION 6
34 S	7.5 E	WM	5	NE NW	3	ANNA CREEK SLOUGH: 40 FEET SOUTH AND 1350 FEET EAST FROM THE NW CORNER OF SECTION 5

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
34 S	7.5 E	WM	30	NE NE		29.5
34 S	7.5 E	WM	30	NW NE		30.4
34 S	7.5 E	WM	30	SW NE		40.6
34 S	7.5 E	WM	30	SE NE		40.6
34 S	7.5 E	WM	30	NE NW		30.8
34 S	7.5 E	WM	30	NW NW	1	27.0

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
34 S	7.5 E	WM	30	SW NW	2	36.5
34 S	7.5 E	WM	30	SE NW		40.6
34 S	7.5 E	WM	30	NE SW		39.0
34 S	7.5 E	WM	30	NW SW	3	35.0
34 S	7.5 E	WM	30	SW SW	4	36.1
34 S	7.5 E	WM	30	SE SW		40.8
34 S	7.5 E	WM	30	NE SE		39.0
34 S	7.5 E	WM	30	NW SE		39.0
34 S	7.5 E	WM	30	SW SE		40.8
34 S	7.5 E	WM	30	SE SE		40.8
34 S	7.5 E	WM	31	NE NE		39.0
34 S	7.5 E	WM	31	NW NE		39.0
34 S	7.5 E	WM	31	SW NE		40.6
34 S	7.5 E	WM	31	SE NE		40.6
34 S	7.5 E	WM	31	NE NW		39.0
34 S	7.5 E	WM	31	NW NW	1	34.0
34 S	7.5 E	WM	31	SW NW	2	34.9
34 S	7.5 E	WM	31	SE NW		40.6
34 S	7.5 E	WM	31	NE SW		39.2
34 S	7.5 E	WM	31	NW SW	3	33.4
34 S	7.5 E	WM	31	SW SW	4	34.4
34 S	7.5 E	WM	31	SE SW		40.8
34 S	7.5 E	WM	31	NE SE		39.2
34 S	7.5 E	WM	31	NW SE		39.2
34 S	7.5 E	WM	31	SW SE		40.8
34 S	7.5 E	WM	31	SE SE		40.8
35 S	7.5 E	WM	6	NE NE		18.8
35 S	7.5 E	WM	6	NW NE		18.8
35 S	7.5 E	WM	6	NE NW		18.8
35 S	7.5 E	WM	6	NW NW		15.5
TOTAL						1273.9

The priority date for the following lands shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7.5 E	WM	3	SW SW		40.0
35 S	7.5 E	WM	3	SE SW		40.0
35 S	7.5 E	WM	3	SW SE		40.0
35 S	7.5 E	WM	3	SE SE	3	37.6
35 S	7.5 E	WM	4	SW SW		38.0
35 S	7.5 E	WM	4	SE SW		40.0
35 S	7.5 E	WM	4	SW SE		40.0
35 S	7.5 E	WM	4	SE SE		40.0
35 S	7.5 E	WM	5	SW SW		40.0
35 S	7.5 E	WM	5	SE SW		40.0
35 S	7.5 E	WM	5	SW SE		40.0



IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7.5 E	WM	5	SE SE		35.0
35 S	7.5 E	WM	6	NE NE		18.0
35 S	7.5 E	WM	6	NW NE		18.0
35 S	7.5 E	WM	6	SW NE		40.0
35 S	7.5 E	WM	6	SE NE		40.0
35 S	7.5 E	WM	6	NE NW		18.0
35 S	7.5 E	WM	6	NW NW		15.3
35 S	7.5 E	WM	6	SW NW		34.0
35 S	7.5 E	WM	6	SE NW		40.0
35 S	7.5 E	WM	6	NE SW		40.0
35 S	7.5 E	WM	6	NW SW		34.0
35 S	7.5 E	WM	6	SW SW		34.0
35 S	7.5 E	WM	6	SE SW		40.0
35 S	7.5 E	WM	6	NE SE		40.0
35 S	7.5 E	WM	6	NW SE		40.0
35 S	7.5 E	WM	6	SW SE		40.0
35 S	7.5 E	WM	6	SE SE		40.0
35 S	7.5 E	WM	7	NE NE		40.0
35 S	7.5 E	WM	7	NW NE		40.0
35 S	7.5 E	WM	7	SW NE		40.0
35 S	7.5 E	WM	7	SE NE		40.0
35 S	7.5 E	WM	7	NE NW		40.0
35 S	7.5 E	WM	7	NW NW		34.0
35 S	7.5 E	WM	7	SW NW		34.0
35 S	7.5 E	WM	7	SE NW		40.0
35 S	7.5 E	WM	7	NE SW		40.0
35 S	7.5 E	WM	7	NW SW		34.0
35 S	7.5 E	WM	7	SW SW		34.0
35 S	7.5 E	WM	7	SE SW		40.0
35 S	7.5 E	WM	7	NE SE		40.0
35 S	7.5 E	WM	7	NW SE		40.0
35 S	7.5 E	WM	7	SW SE		40.0
35 S	7.5 E	WM	7	SE SE		40.0
35 S	7.5 E	WM	8	NE NE		35.0
35 S	7.5 E	WM	8	NW NE		40.0
35 S	7.5 E	WM	8	SW NE		40.0
35 S	7.5 E	WM	8	SE NE		35.1
35 S	7.5 E	WM	8	NE NW		40.0
35 S	7.5 E	WM	8	NW NW		40.0
35 S	7.5 E	WM	8	SW NW		40.0
35 S	7.5 E	WM	8	SE NW		40.0
35 S	7.5 E	WM	8	NE SW		40.0
35 S	7.5 E	WM	8	NW SW		40.0
35 S	7.5 E	WM	8	SW SW		40.0
35 S	7.5 E	WM	8	SE SW		40.0
35 S	7.5 E	WM	8	NE SE		40.0
35 S	7.5 E	WM	8	NW SE		40.0
35 S	7.5 E	WM	8	SW SE		40.0
35 S	7.5 E	WM	8	SE SE		40.0
35 S	7.5 E	WM	8	NE NE		35.0
35 S	7.5 E	WM	8	NW NE		40.0
35 S	7.5 E	WM	8	SW NE		40.0
35 S	7.5 E	WM	8	SE NE		35.1
35 S	7.5 E	WM	8	NE NW		40.0
35 S	7.5 E	WM	8	NW NW		40.0
35 S	7.5 E	WM	8	SW NW		40.0
35 S	7.5 E	WM	8	SE NW		40.0
35 S	7.5 E	WM	8	NE SW		40.0
35 S	7.5 E	WM	8	NW SW		40.0
35 S	7.5 E	WM	8	SW SW		40.0
35 S	7.5 E	WM	8	SE SW		40.0
35 S	7.5 E	WM	8	NE SE		40.0
35 S	7.5 E	WM	8	NW SE		40.0
35 S	7.5 E	WM	8	SW SE		40.0
35 S	7.5 E	WM	8	SE SE		40.0
35 S	7.5 E	WM	8	NE NE		35.2
35 S	7.5 E	WM	8	NW NE		40.0
35 S	7.5 E	WM	8	SW NE		40.0
35 S	7.5 E	WM	8	SE NE		35.2
35 S	7.5 E	WM	9	NE NE		31.6
35 S	7.5 E	WM	9	NW NE		33.8

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Gl ot	Acres
35 S	7.5 E	WM	9	SW NE	2	15.1
35 S	7.5 E	WM	9	NE NW		34.0
35 S	7.5 E	WM	9	NW NW		32.5
35 S	7.5 E	WM	9	SW NW		38.0
35 S	7.5 E	WM	9	SE NW		39.8
35 S	7.5 E	WM	9	NE SW	3	33.8
35 S	7.5 E	WM	9	NW SW		38.0
35 S	7.5 E	WM	9	SW SW		38.0
35 S	7.5 E	WM	9	SE SW	4	24.8
35 S	7.5 E	WM	10	NE NE	1	11.3
35 S	7.5 E	WM	10	NW NE	1	28.0
35 S	7.5 E	WM	10	NE NW		29.2
35 S	7.5 E	WM	10	NW NW		30.4
35 S	7.5 E	WM	16	NE NW	1	7.6
35 S	7.5 E	WM	16	NW NW	1	14.8
35 S	7.5 E	WM	17	NE NE		13.4
35 S	7.5 E	WM	17	NW NE		15.2
35 S	7.5 E	WM	17	NE NW		14.8
35 S	7.5 E	WM	17	NW NW		14.4
35 S	7.5 E	WM	18	NE NE		14.2
35 S	7.5 E	WM	18	NW NE		13.8
35 S	7.5 E	WM	18	NE NW		13.6
35 S	7.5 E	WM	18	NW NW		12.3
TOTAL.						2830.8

9. Temporary Transfer Application T-12642 proposes to temporarily change the place of use of the right to:

IRRIGATION							REMARKS
Twp	Rng	Mer	Sec	Q-Q	Gl ot	Acres	
48 N	1 E	MD	23	NE NE	1	772.3	UNIT 2 - UNSURVEYED
48 N	1 E	MD	23	NE SE	3	15.8	
48 N	1 E	MD	24	SW SW	3	35.3	
48 N	1 E	MD	24	SE SW	2	37.8	
48 N	1 E	MD	24	SW SE	1	13.2	
48 N	1 E	MD	25	NW NE	5	7.4	
48 N	1 E	MD	25	SW NE	6	11.5	
48 N	1 E	MD	25	NE SE	8	11.3	
48 N	2 E	MD				70.6	UNIT 1 - UNSURVEYED
48 N	2 E	MD				72.5	UNIT 1 - UNSURVEYED
48 N	2 E	MD				76.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				82.3	UNIT 1 - UNSURVEYED
48 N	2 E	MD				84.0	UNIT 1 - UNSURVEYED
48 N	2 E	MD				91.4	UNIT 1 - UNSURVEYED
48 N	2 E	MD				94.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				102.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				115.2	UNIT 1 - UNSURVEYED
48 N	2 E	MD				2066.5	UNIT 1 - UNSURVEYED
48 N	2 E	MD	30	SW SW	1	29.0	
48 N	2 E	MD	31	NE NW	1	16.4	

IRRIGATION							REMARKS
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	
48 N	2 E	MD	31	NE SW		40.0	
48 N	2 E	MD	31	SE SW		40.0	
48 N	2 E	MD	31	SW SE		40.0	
48 N	2 E	MD	31	SE SE		39.7	
48 N	2 E	MD	32	NW NE		34.9	
48 N	2 E	MD	32	SW NE		15.5	
48 N	2 E	MD	32	NE NW		16.6	
48 N	2 E	MD	32	SE NW		39.7	
48 N	2 E	MD	32	NE SW		15.5	
48 N	2 E	MD	32	SW SW		15.6	
TOTAL						4104.7	

10. To prevent enlargement of the right, the 2,830.8 acres listed in Finding of Fact #8 above, are subject to the following:

The priority date shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

11. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12642 proposes to move the authorized points of diversion for Certificate 42582 downstream approximately 37.1 miles from the point of diversion on Four Mile Creek, approximately 38.7 miles from from the point of diversion on Seven Mile Creek, and approximately 40.0 miles from the point of diversion on Ana Creek Slough to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	8 E	WM	15	NE NW	1220 FEET SOUTH AND 2730 FEET WEST FROM THE NE CORNER OF SECTION 15

The Applicant proposes to allow the water to remain instream until it reaches Upper Klamath Lake. The Applicant then proposes to request the Bureau of Reclamation release a similar volume of water from Upper Klamath Lake at the Link River Dam. The water will then be diverted at the Ady Canal headgates on the Klamath River for use on the Lower Klamath National Wildlife Refuge.

12. The proposed new point of diversion is approximately 40 miles from the original points of diversion. Due to the distance between the points of diversion, the quantity of water under this right is subject to additional evaporative and stream channel losses. To prevent enlargement of the right, the quantity to be diverted from the Ady Canal is limited to the consumptive use of this right. Based on *Oregon Crop Water Use and Irrigation Requirements* (Cuenca 1992), the consumptive use or crop water requirement would be 1/133 (0.0075) cfs per acre and 2.73 acre feet per acre with a season of use of April 1 to October 1. Therefore, the total quantity diverted at the Ady Canal for this right is limited to an annual diversion of 30.87 cfs and 11,205.8 acre feet.

13. The portion of the third right to be temporarily transferred is as follows:

**Certificate:** 42583 in the name of MEADOWS DRAINAGE DISTRICT (perfected under Permit S-23396)  
**Use:** IRRIGATION OF 24.0 ACRES and SUPPLEMENTAL IRRIGATION of 4104.7 ACRES  
**Priority Date:** FEBRUARY 2, 1955  
**Rate:** 53.96 CUBIC FEET PER SECOND  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH 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 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** WOOD RIVER, tributary of AGENCY LAKE

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	GLot	Measured Distances
34 S	7.5 E	WM	3	3	2470 FEET SOUTH AND 940 FEET EAST FROM THE NW CORNER OF SECTION 3

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7.5 E	WM	2	NW NW	1	0.4
35 S	7.5 E	WM	2	SW NW	1	9.8
35 S	7.5 E	WM	2	NW SW	1	12.0
35 S	7.5 E	WM	2	SW SW	1	1.8
TOTAL						24.0

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
34 S	7.5 E	WM	30	NE NE		29.5
34 S	7.5 E	WM	30	NW NE		30.4
34 S	7.5 E	WM	30	SW NE		40.6
34 S	7.5 E	WM	30	SE NE		40.6
34 S	7.5 E	WM	30	NE NW		30.8
34 S	7.5 E	WM	30	NW NW	1	27.0
34 S	7.5 E	WM	30	SW NW	2	36.5
34 S	7.5 E	WM	30	SE NW		40.6
34 S	7.5 E	WM	30	NE SW		39.0
34 S	7.5 E	WM	30	NW SW	3	35.0
34 S	7.5 E	WM	30	SW SW	4	36.1
34 S	7.5 E	WM	30	SE SW		40.8
34 S	7.5 E	WM	30	NE SE		39.0
34 S	7.5 E	WM	30	NW SE		39.0
34 S	7.5 E	WM	30	SW SE		40.8
34 S	7.5 E	WM	30	SE SE		40.8
34 S	7.5 E	WM	31	NE NE		39.0
34 S	7.5 E	WM	31	NW NE		39.0
34 S	7.5 E	WM	31	SW NE		40.6

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
34 S	7.5 E	WM	31	SE NE		40.6
34 S	7.5 E	WM	31	NE NW		39.0
34 S	7.5 E	WM	31	NW NW	1	34.0
34 S	7.5 E	WM	31	SW NW	2	34.9
34 S	7.5 E	WM	31	SE NW		40.6
34 S	7.5 E	WM	31	NE SW		39.2
34 S	7.5 E	WM	31	NW SW	3	33.4
34 S	7.5 E	WM	31	SW SW	4	34.4
34 S	7.5 E	WM	31	SE SW		40.8
34 S	7.5 E	WM	31	NE SE		39.2
34 S	7.5 E	WM	31	NW SE		39.2
34 S	7.5 E	WM	31	SW SE		40.8
34 S	7.5 E	WM	31	SE SE		40.8
35 S	7.5 E	WM	6	NE NE		18.8
35 S	7.5 E	WM	6	NW NE		18.8
35 S	7.5 E	WM	6	NE NW		18.8
35 S	7.5 E	WM	6	NW NW		15.5
TOTAL						1273.9

The priority date for the following lands shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7.5 E	WM	3	SW SW		40.0
35 S	7.5 E	WM	3	SE SW		40.0
35 S	7.5 E	WM	3	SW SE		40.0
35 S	7.5 E	WM	3	SE SE	3	37.6
35 S	7.5 E	WM	4	SW SW		38.0
35 S	7.5 E	WM	4	SE SW		40.0
35 S	7.5 E	WM	4	SW SE		40.0
35 S	7.5 E	WM	4	SE SE		40.0
35 S	7.5 E	WM	5	SW SW		40.0
35 S	7.5 E	WM	5	SE SW		40.0
35 S	7.5 E	WM	5	SW SE		40.0
35 S	7.5 E	WM	5	SE SE		35.0
35 S	7.5 E	WM	6	NE NE		18.0
35 S	7.5 E	WM	6	NW NE		18.0
35 S	7.5 E	WM	6	SW NE		40.0
35 S	7.5 E	WM	6	SE NE		40.0
35 S	7.5 E	WM	6	NE NW		18.0
35 S	7.5 E	WM	6	NW NW		15.3
35 S	7.5 E	WM	6	SW NW		34.0
35 S	7.5 E	WM	6	SE NW		40.0
35 S	7.5 E	WM	6	NE SW		40.0
35 S	7.5 E	WM	6	NW SW		34.0
35 S	7.5 E	WM	6	SW SW		34.0
35 S	7.5 E	WM	6	SE SW		40.0

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7.5 E	WM	6	NE SE		40.0
35 S	7.5 E	WM	6	NW SE		40.0
35 S	7.5 E	WM	6	SW SE		40.0
35 S	7.5 E	WM	6	SE SE		40.0
35 S	7.5 E	WM	7	NE NE		40.0
35 S	7.5 E	WM	7	NW NE		40.0
35 S	7.5 E	WM	7	SW NE		40.0
35 S	7.5 E	WM	7	SE NE		40.0
35 S	7.5 E	WM	7	NE NW		40.0
35 S	7.5 E	WM	7	NW NW		34.0
35 S	7.5 E	WM	7	SW NW		34.0
35 S	7.5 E	WM	7	SE NW		40.0
35 S	7.5 E	WM	7	NE SW		40.0
35 S	7.5 E	WM	7	NW SW		34.0
35 S	7.5 E	WM	7	SW SW		34.0
35 S	7.5 E	WM	7	SE SW		40.0
35 S	7.5 E	WM	7	NE SE		40.0
35 S	7.5 E	WM	7	NW SE		40.0
35 S	7.5 E	WM	7	SW SE		40.0
35 S	7.5 E	WM	7	SE SE		40.0
35 S	7.5 E	WM	8	NE NE		35.0
35 S	7.5 E	WM	8	NW NE		40.0
35 S	7.5 E	WM	8	SW NE		40.0
35 S	7.5 E	WM	8	SE NE		35.1
35 S	7.5 E	WM	8	NE NW		40.0
35 S	7.5 E	WM	8	NW NW		40.0
35 S	7.5 E	WM	8	SW NW		40.0
35 S	7.5 E	WM	8	SE NW		40.0
35 S	7.5 E	WM	8	NE SW		40.0
35 S	7.5 E	WM	8	NW SW		40.0
35 S	7.5 E	WM	8	SW SW		40.0
35 S	7.5 E	WM	8	SE SW		40.0
35 S	7.5 E	WM	8	NE SE		35.2
35 S	7.5 E	WM	8	NW SE		40.0
35 S	7.5 E	WM	8	SW SE		40.0
35 S	7.5 E	WM	8	SE SE		35.2
35 S	7.5 E	WM	9	NE NE		31.6
35 S	7.5 E	WM	9	NW NE		33.8
35 S	7.5 E	WM	9	SW NE	2	15.1
35 S	7.5 E	WM	9	NE NW		34.0
35 S	7.5 E	WM	9	NW NW		32.5
35 S	7.5 E	WM	9	SW NW		38.0
35 S	7.5 E	WM	9	SE NW		39.8
35 S	7.5 E	WM	9	NE SW	3	33.8
35 S	7.5 E	WM	9	NW SW		38.0
35 S	7.5 E	WM	9	SW SW		38.0
35 S	7.5 E	WM	9	SE SW	4	24.8
35 S	7.5 E	WM	10	NE NE	1	11.3
35 S	7.5 E	WM	10	NW NE	1	28.0
35 S	7.5 E	WM	10	NE NW		29.2
35 S	7.5 E	WM	10	NW NW		30.4

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	7.5 E	WM	16	NE NW	1	7.6
35 S	7.5 E	WM	16	NW NW	1	14.8
35 S	7.5 E	WM	17	NE NE		13.4
35 S	7.5 E	WM	17	NW NE		15.2
35 S	7.5 E	WM	17	NE NW		14.8
35 S	7.5 E	WM	17	NW NW		14.4
35 S	7.5 E	WM	18	NE NE		14.2
35 S	7.5 E	WM	18	NW NE		13.8
35 S	7.5 E	WM	18	NE NW		13.6
35 S	7.5 E	WM	18	NW NW		12.3
TOTAL						2830.8

14. Temporary Transfer Application T-12642 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
48 N	1 E	MD	23	NE NE	1	6.0
48 N	1 E	MD	23	SE NE	2	18.0
TOTAL						24.0

SUPPLEMENTAL IRRIGATION							REMARKS
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	
48 N	1 E	MD				772.3	UNIT 2 - UNSURVEYED
48 N	1 E	MD	23	NE NE	1	0.6	
48 N	1 E	MD	23	NE SE	3	15.8	
48 N	1 E	MD	24	SW SW	3	35.3	
48 N	1 E	MD	24	SE SW	2	37.8	
48 N	1 E	MD	24	SW SE	1	13.2	
48 N	1 E	MD	25	NW NE	5	7.4	
48 N	1 E	MD	25	SW NE	6	11.5	
48 N	1 E	MD	25	NE SE	8	11.3	
48 N	2 E	MD				70.6	UNIT 1 - UNSURVEYED
48 N	2 E	MD				72.5	UNIT 1 - UNSURVEYED
48 N	2 E	MD				76.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				82.3	UNIT 1 - UNSURVEYED
48 N	2 E	MD				84.0	UNIT 1 - UNSURVEYED
48 N	2 E	MD				91.4	UNIT 1 - UNSURVEYED
48 N	2 E	MD				94.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				102.7	UNIT 1 - UNSURVEYED
48 N	2 E	MD				115.2	UNIT 1 - UNSURVEYED
48 N	2 E	MD				2066.5	UNIT 1 - UNSURVEYED
48 N	2 E	MD	30	SW SW	1	29.0	
48 N	2 E	MD	31	NE NW	1	16.4	
48 N	2 E	MD	31	NE SW		40.0	
48 N	2 E	MD	31	SE SW		40.0	
48 N	2 E	MD	31	SW SE		40.0	
48 N	2 E	MD	31	SE SE		39.7	
48 N	2 E	MD	32	NW NE		34.9	
48 N	2 E	MD	32	SW NE		15.5	
48 N	2 E	MD	32	NE NW		16.6	

SUPPLEMENTAL IRRIGATION							REMARKS
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	
48 N	2 E	MD	32	SE NW		39.7	
48 N	2 E	MD	32	NE SW		15.5	
48 N	2 E	MD	32	SW SW		15.6	
TOTAL						4104.7	

15. To prevent enlargement of the right, 2,830.8 acres listed in Finding of Fact #13 above, are subject to the following:

The priority date shall be subsequent in time and inferior to all rights for appropriation of waters of Wood River, Four Mile Creek, Seven Mile Creek, and Anna Slough Drain, with diversion points located upstream from the diversions under permits numbered 309, 4791, 23396, and perfected under permits bearing dates of priority between January 26, 1910, and July 7, 1966, for Wood River, and between September 13, 1920 and July 7, 1966, for Four Mile Creek, Seven Mile Creek, and Anna Slough Drain.

16. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12642 proposes to move the authorized point of diversion for Certificate 42583 approximately 39.2 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	8 E	WM	15	NE NW	1220 FEET SOUTH AND 2730 FEET WEST FROM THE NE CORNER OF SECTION 15

The Applicant proposes to allow the water to remain instream until it reaches Upper Klamath Lake. The Applicant then proposes to request the Bureau of Reclamation release a similar volume of water from Upper Klamath Lake at the Link River Dam. The water will then be diverted at the Ady Canal headgates on the Klamath River for use on the Lower Klamath National Wildlife Refuge.

17. The proposed new point of diversion is approximately 39 miles from the original point of diversion. Due to the distance between the points of diversion, the quantity of water under this right is subject to additional evaporative and stream channel losses. To prevent enlargement of the right, the quantity to be diverted from the Ady Canal is limited to the consumptive use of this right. Based on *Oregon Crop Water Use and Irrigation Requirements* (Cuenca 1992), the consumptive use or crop water requirement would be 1/133 (0.0075) cfs per acre and 2.73 acre feet per acre with a season of use of April 1 to October 1. Therefore, the total quantity diverted at the Ady Canal for this right is limited to an annual diversion of 31.05 cfs and 11,271.4 acre feet.

***Temporary Transfer Review Criteria***

18. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
19. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights are present.



20. The proposed changes, as conditioned in Findings of Fact #7, #12, and #17, would not result in enlargement of the rights.
21. To prevent injury to other water rights, the quantity of water at the new point of diversion for these rights must be lawfully available at the original points of diversion.
22. The proposed changes, as conditioned in Finding of Fact #21, 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(5) 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 and points of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12642 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

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

1. The temporary changes in place of use and points of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12642 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2017, 2018, 2019, 2020, and 2021 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2021 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 42581, 42582, or 42583 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 42581, 42582, and 42583.
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.

9. The use of the remaining water rights described by Certificates 42581, 42582, and 42583 shall continue to be in accordance with the terms and conditions of Certificates 42581, 42582, and 42583.

Dated at Salem, Oregon this 2 day of August, 2017.



\_\_\_\_\_  
Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

*Mailing Date:* AUG 08 2017