

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 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: MUDDY CREEK, tributary to MARYS RIVER, a tributary of WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
14 S	5 W	WM	9	SW NW	41

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
14 S	5 W	WM	4	SW SW	41	1.4
14 S	5 W	WM	5	SE SE	41	0.2
14 S	5 W	WM	8	NE NE	41	14.2
14 S	5 W	WM	9	NW NW	41	4.2
TOTAL						20.0

- Certificate 24030 does not describe the location of the point of diversion, however information is available from applicant indicating that the point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
14 S	5 W	WM	9	SW NW	41	44.36639, -123.30905

- Temporary Transfer Application T-12829 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
14 S	5 W	WM	4	SW SW	41	13.9
14 S	5 W	WM	9	SW SW	41	1.1
14 S	5 W	WM	4	SW SW	41	1.6
14 S	5 W	WM	9	NW NW	41	3.4
TOTAL						20.0

- Temporary Transfer Application T-12829 proposes to temporarily transfer a water right within the boundaries of Greenberry Irrigation District. The district was notified of the proposed temporary transfer and indicated that the district did not object to the transfer.

Temporary Transfer Review Criteria

- Water has been used under Temporary Transfer T-12829 during the period of 2018-2022 and there is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
9. The proposed change would not prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).
10. 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(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

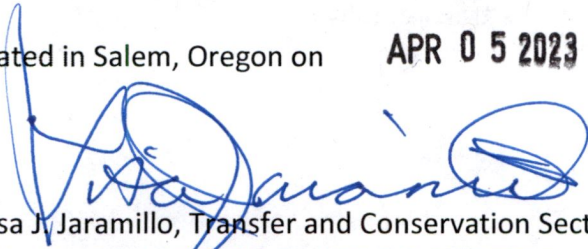
The temporary change in place of use proposed in Temporary Transfer Application T-14159 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-14159 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2023, 2024, 2025, 2026 and 2027 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2027 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 Certificate 24030 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 Certificate 24030.
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. 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 diversion.

- 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.
9. The use of the remaining water right described by Certificate 24030 shall continue to be in accordance with the terms and conditions of Certificate 24030.

Dated in Salem, Oregon on **APR 05 2023**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing Date: **APR 06 2023**