

Source: Mill Creek, tributary to Columbia River

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
1	N	12	E	W.M.	23	NE NW	

The portion of supplemental right to be transferred is as follows:

Permit: G-12408 in the name of Larry and Patricia Powell

Use: Supplemental Irrigation

Priority Date: December 15, 1993

Quantity: 0.066 cfs

Rate/Duty: 1/80 cfs per acre, 3.0 acre-feet for each acre irrigated during the irrigation season of April 1st to October 1st of each year.

Acres: 5.5

Source: a well, tributary to Mill Creek Basin

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
1	N	12	E	W.M.	14	SW SE	600'N & 2035'W from SE corner, Sec. 14

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	N	12	E	W.M.	14	SW SE	5.5

5. Application T-9746 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	N	12	E	W.M.	14	SW SE	0.4
1	N	12	E	W.M.	14	SE SE	5.1

6. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
7. 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.
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 result in enlargement of the rights.
10. The proposed change would not result in injury to other water rights.

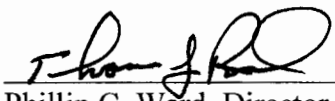
Conclusions of Law

The proposed change in place of use in application T-9746 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in application T-9746 is approved.
2. Water right certificates 5687 is cancelled. Permit G-12408 is modified as described in this order.
3. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 5687 and permit G-12408 and any related decree.
4. The proposed change shall be completed on or before October 1, 2006.
5. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2007.
6. The quantity of water diverted shall not exceed the quantity of water lawfully available at the original point of diversion.
7. The former place of use shall no longer be irrigated as part of this water right.
8. When required by the Department, the water user shall install and maintain a headgate, 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 headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
9. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 28th day of MARCH, 2005.


Phillip C. Ward, Director

Mailing date: APR 05 2005