

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
5	S	3	W	W.M.	8	SW NE	200	51	4.1
5	S	3	W	W.M.	8	SE NE	200	51	15.3

3. Application T-9674 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
5	S	3	W	W.M.	9	SE NW	500	53	19.4

4. 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.
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 pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right is 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

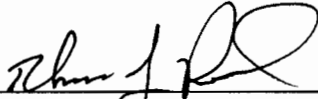
The change in place of use proposed in application T-9674 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580, and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in application T-9674 is approved.
2. Water right Certificate 50649 is cancelled.
3. When satisfactory proof of the completed change is received, a new certificate confirming the right will be issued.
4. The right to 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 50649 and any related decree.
5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
6. The proposed change shall be completed on or before October 1, 2005.

7. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2006.
8. When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. 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.

Dated at Salem, Oregon this 14th day of July 2004.


Phillip C. Ward
Acting Director

Mailing date: JUL 16 2004