

Maximum Duty that can be applied to an acre:

Not to exceed 9.58 acre-feet (af) per acre per year.

The above listed rates and duty reflect allowance of a 43% transmission loss as determined by decree of the Circuit Court of Deschutes County, dated March 24, 1933. Those lands not served by direct pumping from the Deschutes River, are not allowed the 43% transmission loss and shall not exceed 5.46 af per acre irrigated during the irrigation season.

Source: The DESCHUTES RIVER, tributary of the COLUMBIA RIVER

Authorized Points of Diversion:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3	17 S	12 E	WM	29	SE NE	SWALLEY MAIN CANAL- 985 FEET NORTH AND 617 FEET WEST FROM THE E¼ CORNER OF SECTION 29
15	15 S	12 E	WM	14	NW SE	ADDITIONAL DIVERSION- 2170 FEET NORTH AND 1350 FEET WEST FROM THE SE CORNER OF SECTION 14

Authorized Place of Use:

NURSERY USE								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	16	SW SE	0.23	1700	ORB LAND MANAGEMENT LLC	2021-03

- Transfer Application T-13882 proposes to change the place of use to:

Proposed Place of Use:

NURSERY USE								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	16	SW SE	0.23	1700	ORB LAND MANAGEMENT LLC	2021-03

- The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.
- The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
- The water right is subject to transfer as defined in OAR 690-385-0100(17).
- The proposed change in place of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
- The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
- Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

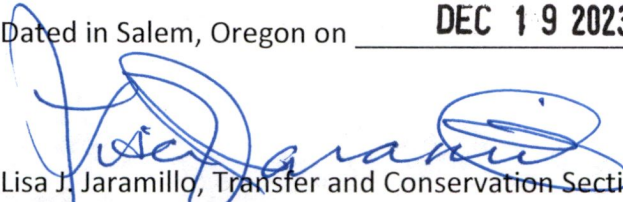
Conclusions of Law

The proposed change in place of use as proposed in Transfer Application T-13882, but omitted from the final order issued May 9, 2022 complies with and satisfies the requirements of ORS 540.580 and OAR 690-385-4500.

Now, therefore, it is ORDERED:

1. The proposed change in place of use identified in this correcting order as evidenced by Certificate 74145 is approved.
2. The place of use from which the water right is transferred off by Transfer T-13882 shall no longer be irrigated and is cancelled from Certificate 74145.
3. The right to the use of the water at the place of use NOT modified by this order is restricted to beneficial and is subject to all other conditions and limitations contained in Certificate 74145, and any related decree.
4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. A Claim of Beneficial Use shall be submitted by the District to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. Water right Certificate 74145 is modified. After satisfactory proof of completion has been determined by the Department, a superseding water right certificate will be issued when the Department determines it is necessary for record keeping.
7. All other provisions of Special Order Volume 125, Pages 11-14 remain in effect.

Dated in Salem, Oregon on DEC 19 2023


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

Mailing Date: DEC 20 2023