



**Source:** COLUMBIA RIVER, A TRIBUTARY OF THE PACIFIC OCEAN

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	G-Lot	Measured Distances
4 N	25 E	WM	2	NE NW	7	150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2

**Authorized Place of Use:**

IRRIGATION							
Twn	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User
3N	26E	WM	16	NW NW	500	1.1	Easterday Farms Dairy, LLC
3N	26E	WM	16	SW NW	500	6.6	Easterday Farms Dairy, LLC
3N	26E	WM	16	NW SW	500	5.7	Easterday Farms Dairy, LLC
3N	26E	WM	16	SW SW	500	2.8	Easterday Farms Dairy, LLC
<b>Total</b>						<b>16.2</b>	

4. Transfer Application T-13389 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION							
Twn	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User
3N	26E	WM	16	NE NE	500	0.9	Easterday Farms Dairy, LLC
3N	26E	WM	16	NE NW	500	1.0	Easterday Farms Dairy, LLC
3N	26E	WM	16	NW NW	500	1.4	Easterday Farms Dairy, LLC
3N	26E	WM	16	SW NW	500	0.1	Easterday Farms Dairy, LLC
3N	26E	WM	26	SE NE	1401	0.5	Canyon Farm II, LLC
3N	26E	WM	26	NE SE	1401	12.3	Canyon Farm II, LLC
<b>Total</b>						<b>16.2</b>	

5. The portion of the second irrigation right to be transferred is as follows:

**Certificate:** 94873 issued in the name of BOARDMAN TREE FARM, LLC (perfected under Permit S-37150)

**Use:** IRRIGATION of 3.0 acres

**Priority Date:** JULY 25, 1973

**Rate:** 0.05 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 is limited to ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

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**Authorized Place of Use:**

IRRIGATION							
Twn	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User
3N	26E	WM	16	NW SW	500	2.0	Easterday Farms Dairy, LLC
3N	26E	WM	16	SW SW	500	0.3	Easterday Farms Dairy, LLC
3N	26E	WM	17	NE SE	500	0.7	Easterday Farms Dairy, LLC
<b>Total</b>						<b>3.0</b>	

6. Transfer Application T-13389 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION							
Twn	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User
3N	26E	WM	26	NE SE	1401	3.0	Canyon Farm II, LLC

7. The district temporary transfer application satisfies the criteria of ORS 540.570 and OAR 690-385-3000, contains the information required under OAR 690-385-3200, and includes a map meeting the requirements of OAR 690-385-3300.
8. 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.
9. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
10. Diversion structures, district canals, pumps, pump stations, ditches, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
11. The Watermaster review dated April 14, 2020, indicates the proposed changes in place of use, will not result in enlargement of the rights as defined in OAR 690-385-0100(6) nor result in injury to other water rights as defined in OAR 690-385-0100(4).
12. All other applicable requirements for district temporary water right transfers are met.

**Conclusions of Law**

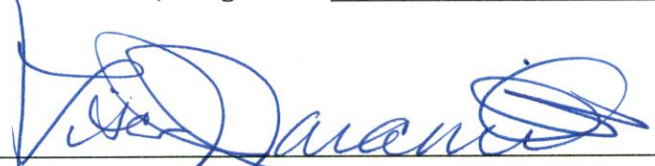
1. The proposed change in place of use, as conditioned, will not result in enlargement of the rights as defined in OAR 690-385-0100(6).
2. The proposed change in place of use, as conditioned would not result in injury to other water rights as defined in OAR 690-385-0100(4).
3. The temporary change in place of use proposed in Temporary Transfer Application T-13389, as conditioned above, is consistent with the requirements of ORS 540.570 and OAR 690-385-3500.

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

1. The temporary changes in place of use proposed in Transfer Application T-13389, as conditioned above, are approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the 2020 irrigation season.
3. The use shall revert to the authorized place of use after the 2020 irrigation season.
4. Any application for permanent transfer of Certificates 94871 and 94873 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Divisions 380 or 385. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
5. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture of Certificates 94871 and 94873, under ORS 540.610.
6. Use of water on lands from which the right is transferred and in the new temporary location during the same irrigation season or calendar year is prohibited and may subject the district and the landowner to civil penalties.
7. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
8. The use of water under this temporary transfer may be conditioned or revoked at any time to the extent necessary to avoid injury if the Department finds the transfer causes injury to any existing water right.
9. 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 94871 and 94873.
10. The use of the remaining water rights described by Certificates 94871 and 94873 not involved in this transfer shall continue to be in accordance with the terms and conditions of Certificates 94871 and 94873.

APR 29 2020

Signed at Salem, Oregon this \_\_\_\_\_.

  
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Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: APR 30 2020