

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)	FINAL ORDER APPROVING
T-13083, Jackson County)	A DISTRICT PERMANENT TRANSFER FOR
)	PLACE OF USE AND PARTIAL DIMINUTION
)	OF A PERFECTED WATER RIGHT

Authority

Oregon Revised Statutes (ORS) 540.570 to 540.580 establish the process in which a district may submit a request to transfer a water right within district boundaries. Oregon Administrative Rule (OAR) Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

OAR 690-385-6000 establishes that if the water right records show two or more rights as primary on the same land, the right with the oldest priority date shall be considered the primary water right unless the applicant designates a right, other than the right with the oldest priority date, as the primary water right. All other water rights shall be diminished to supplemental water rights.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and request voluntarily cancellation.

Applicant

TALENT IRRIGATION DISTRICT
PO BOX 467
TALENT, OR 97540

Findings of Fact

1. On December 26, 2018, Talent Irrigation District (TID) filed a district transfer application to permanently change the place of use under Certificates 79212 and 83727. The Department assigned the application number T-13083.
2. Notice of the District Permanent Transfer Application was published on January 1, 2019, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Within 20 days after this final order is issued (i.e., mailing date), the district or any protestant may file with the commission exceptions to the final order. The commission shall issue an order granting or denying the exceptions within 30 days after receiving the exceptions. ORS 540.580(10).

3. The U.S. Bureau of Reclamation was notified of the transfer application on January 1, 2019; no comments were received within 90 days of the notification.
4. On April 10, 2019, TID submitted corrected place of use tables and nine revised maps to correct scrivener's errors on the maps submitted on December 26, 2018.
5. On February 27, 2020 and March 30, 2020, TID also submitted revised maps to clarify the OFF place of use.
6. The portion of the first right to be transferred is as follows:

Certificate: 79212, in the name of TALENT IRRIGATION DISTRICT

Use: PRIMARY IRRIGATION of 31.65 ACRES

Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other prior right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

Authorized Source, Tributaries (Trib.), Priority Date, and Points of Diversion:

Source	Trib.	Priority Date	Twp	Rng	Mer	Sec	Q-Q	Measured Distances/Description
Emigrant Creek	Bear Creek	05/23/1912	39 S	2 E	WM	20	SE SE	POINT OF DIVERSION IS LOCATED AT THE TOE OF EMIGRANT DAM
McDonald Creek	Little Applegate River	08/20/1915	40 S	1 W	WM	10	SE SE	INTO MCDONALD CREEK CANAL; 700 FEET NORTH AND 300 FEET WEST FROM THE SE CORNER OF SECTION 10
Greeley Creek	Little Applegate River	08/20/1915	40 S	1 W	WM	3	NW SE	INTO MCDONALD CREEK CANAL; 2400 FEET NORTH AND 2300 FEET WEST FROM THE SE CORNER OF SECTION 3
Bear Creek	Rogue River	07/31/1915	38 S	1 E	WM	33	SE SW	OAK STREET DAM; 150 FEET NORTH AND 2020 FEET EAST FROM THE SW CORNER OF SECTION 33
Neil Creek	Bear Creek	07/31/1915	39 S	2 E	WM	30	SE SW	ASHLAND LATERAL; 600 FEET NORTH AND 1350 FEET EAST FROM THE SW CORNER OF SECTION 30
Ashland Creek	Bear Creek	07/31/1915	39 S	1 E	WM	4	NE NW	710 FEET SOUTH AND 2000 FEET EAST FROM THE NW CORNER OF SECTION 4
Emigrant Creek	Bear Creek	07/31/1915	40 S	2 E	WM	2	SW NE	ASHLAND LATERAL; 520 FEET NORTH AND 1900 FEET WEST FROM THE E1/4 CORNER OF SECTION 2
Wagner Creek	Bear Creek	07/31/1915	39 S	1 W	WM	2	SW SE	UPPER WEST LATERAL; 100 FEET NORTH AND 1800 FEET WEST FROM THE SE CORNER OF SECTION 2
Wagner Creek	Bear Creek	07/31/1915	38 S	1 W	WM	35	SE SW	WEST LATERAL; 600 FEET NORTH AND 3600 FEET WEST FROM THE SE CORNER OF SECTION 35

Anderson Creek	Bear Creek	07/31/1915	38 S	1 W	WM	33	NE SE	2100 FEET NORTH AND 600 FEET WEST FROM THE SE CORNER OF SECTION 33
Anderson Creek	Bear Creek	07/31/1915	38 S	1 W	WM	34	NE NW	WEST LATERAL; 800 FEET SOUTH AND 2400 FEET EAST FROM THE NW CORNER OF SECTION 34
Anderson Creek	Bear Creek	07/31/1915	38 S	1 W	WM	27	NE NW	TALENT MIDDLE CANAL; 4000 FEET NORTH AND 2500 FEET EAST FROM THE SW CORNER OF SECTION 27
Coleman Creek	Bear Creek	09/06/1915	38 S	1W	WM	20	SE NW	2100 FEET SOUTH AND 1500 FEET EAST FROM THE NW CORNER OF SECTION 20
Coleman Creek	Bear Creek	09/06/1915	38 S	1 W	WM	17	SE SE	TALENT MIDDLE CANAL; 900 FEET NORTH AND 1100 FEET WEST FROM THE SE CORNER OF SECTION 17
Kenutchen Creek (Knudsen Creek)	Bear Creek	09/06/1915	38 S	1 E	WM	18	SW NW	1450 FEET SOUTH AND 700 FEET EAST FROM THE NW CORNER OF SECTION 18
Meyers Creek (Myers Creek)	Bear Creek	09/06/1915	38 S	1 E	WM	20	SE SE	700 FEET NORTH AND 20 FEET WEST FROM THE SE CORNER OF SECTION 20
Butler Creek	Bear Creek	09/06/1915	38 S	1 E	WM	28	SE NW	2500 FEET SOUTH AND 2000 FEET EAST FROM THE NW CORNER OF SECTION 28
Keene Creek and Keene Creek Reservoir (Hyatt Reservoir)	Jenny Creek	05/23/1912	--	--	--	--	--	SOURCES ARE TRIBUTARIES OF JENNY CREEK IN THE KLAMATH RIVER BASIN. LIMITED TO 100 CFS
Keene Creek	Jenny Creek	09/06/1915	39 S	3 E	WM	16	SE SE	HYATT RESERVOIR; 15 FEET NORTH AND 1200 FEET WEST FROM THE SE CORNER OF SECTION 16
Keene Creek	Jenny Creek	09/06/1915	39 S	3 E	WM	20	SE SE	REDIVERSION-LITTLE HYATT POOL DIVERSION; 800 FEET NORTH AND 750 FEET WEST FROM THE SE CORNER OF SECTION 20
Keene Creek	Jenny Creek	09/06/1915	39 S	3 E	WM	33	SW SW	REDIVERSION AT KEENE CREEK DIVERSION DAM (beginning point of Green Springs Tunnel); 1200 FEET NORTH AND 1200 FEET EAST FROM THE SW CORNER OF SECTION 33
Emigrant Reservoir	Emigrant Creek	01/27/1920	39 S	2 E	WM	20	SE SE	POINT OF DIVERSION IS LOCATED AT THE TOE OF EMIGRANT DAM

Authorized Place of Use:

IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	Glot	DLC	Acres	Tax Lot	Water User	Notice
38 S	1 W	WM	10	NW NE	3		0.50	100	ARROWHEAD RANCH HOLDING CO	18-2
38 S	1 W	WM	10	NE NW			2.00	100	ARROWHEAD LAND & CATTLE CO	12-4
38 S	1 W	WM	20	NE SE			5.66	1800	ALTA CAPITAL GROUP	17-4
38 S	1 W	WM	20	NW SE			1.42	1800	ALTA CAPITAL GROUP	17-4
38 S	1 W	WM	23	NE SW			4.90	1001	AYALA LAZARO FAMILY TRUST	15-4
38 S	1 W	WM	23	NW SW			1.67	2200	TALENT IRRIGATION DISTRICT	15-02
38 S	1 W	WM	23	NW SW			0.80	2200	TALENT IRRIGATION DISTRICT	16-01
38 S	1 W	WM	23	NW SW			1.20	401	HECHT/GREY	17-2
38 S	1 E	WM	30	SE SE		45	0.20	8000	MOORE	18-4
38 S	1 E	WM	31	SE NE		48	2.10	501	OLSON HOLDINGS LLC ET AL	17-3

IRRIGATION											
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Tax Lot	Water User	Notice	
38 S	1 E	WM	32	SW NW		48	10.10	501	OLSON HOLDINGS LLC ET AL	17-3	
39 S	1 E	WM	10	NE SE			1.00	2500	MAHAR	16-01	
39 S	1 E	WM	15	NE NE			0.10	6500	TALENT IRRIGATION DISTRICT	16-01	
Total:							31.65				

7. Transfer Application T-13083 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION											
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Tax Lot	Water User	Notice	
38 S	1 W	WM	18	NW NW	4		1.67	1003	ANDERSON	16-1	
38 S	1 W	WM	20	NE SE			2.07	1800	ALTA CAPITAL GROUP	17-4	
38 S	1 W	WM	20	NW SE			5.01	1800	ALTA CAPITAL GROUP	17-4	
38 S	1 W	WM	28	SW SE			1.20	2400	HECHT	17-2	
38 S	1 E	WM	29	SW SW		45	0.20	6400	CANAL	18-4	
38 S	1 E	WM	32	SW NW		48	12.20	501	OLSON HOLDINGS LLC ET AL	17-3	
39 S	2 E	WM	19	NW NW		40	2.60	300	MANTA INVESTMENTS LLC	15-4	
39 S	2 E	WM	19	SW NW		40	2.30	300	MANTA INVESTMENTS LLC	15-4	
39 S	2 E	WM	34	SW NW			0.50	400	STIRITZ	18-2	
39 S	2 E	WM	35	SW SW			1.90	300	SEVEN GENERATIONS VILLAGE LLC	16-01	
40 S	2 E	WM	5	NE SE			2.00	102	JOHNSTON	12-4	
Total:							31.65				

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

Certificate: 83727, (perfected under Permit S-25915) in the name of U. S. Bureau of Reclamation

Use: PRIMARY IRRIGATION OF 56.14 ACRES and SUPPLEMENTAL IRRIGATION of 31.65 ACRES

Rate & 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 a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent), and 4.5 acre-feet for each acre irrigated during the irrigation season of each year, PROVIDED that the combined uses of water under permits 25915 and 25916, and all certificates issued in respect thereto, shall not exceed the maximum rate listed for each source above, at any one point in time.

Authorized Source, Tributaries, and Points of Diversion:

Source	Tributary	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Emigrant Creek and Emigrant Reservoir	Bear Creek	39 S	2 E	WM	20	SE SE	The point of diversion is located at the outlet of Emigrant Reservoir.
South Fork Little Butte Creek	Little Butte Creek	37 S	4 E	WM	16	SE SE	1240 FEET NORTH AND 1100 FEET WEST FROM THE SE1/4 CORNER OF SECTION 16
Conde Creek	South Fork Little Butte Creek	38 S	3 E	WM	9	SW SW	1320 FEET NORTH AND 600 FEET EAST FROM THE SW CORNER OF SECTION 9

Source	Tributary	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Dead Indian Creek	South Fork Little Butte Creek	38 S	3 E	WM	15	SE SW	1310 FEET NORTH AND 1100 FEET WEST FROM THE SOUTH ¼ CORNER OF SECTION 15
Daley Creek	South Fork Little Butte Creek	37 S	4 E	WM	34	SW SE	750 FEET NORTH AND 480 FEET EAST FROM THE SOUTH ¼ CORNER OF SECTION 34
Beaver Dam Creek	South Fork Little Butte Creek	38 S	4 E	WM	4	NE SW	2000 FEET NORTH AND 1800 FEET EAST FROM THE SW CORNER OF SECTION 4
Pole Bridge Creek	South Fork Little Butte Creek	37 S	4 E	WM	28	SE NW	1380 FEET SOUTH AND 2000 FEET EAST FROM THE NW CORNER OF SECTION 28
Deadwood Creek	South Fork Little Butte Creek S	38 S	4 E	WM	6	NE SE	Not specified on certificate.
Keene Creek and Keene Creek Reservoir	Jenny Creek	39 S	3 E	WM	16	SE SE	HYATT RESERVOIR; 15 FEET NORTH AND 1200 FEET WEST FROM THE SE CORNER OF SECTION 16
Keene Creek and Keene Creek Reservoir	Jenny Creek	39 S	3 E	WM	20	SE SE	REDIVERSION AT LITTLE HYATT POOL DIVERSION; 800 FEET NORTH AND 750 FEET WEST FROM THE SE CORNER OF SECTION 20
Keene Creek and Keene Creek Reservoir	Jenny Creek	39 S	3 E	WM	33	SW SW	KEENE CREEK DIVERSION DAM (beginning of Green Springs Tunnel); 1200 FEET NORTH AND 1200 FEET EAST FROM THE SW CORNER OF SECTION 33
Grizzly Creek and Howard Prairie Reservoir	Jenny Creek	38 S	4 E	WM	32	E1/2 of SW1/4	Not specified on certificate
Soda Creek	Grizzly Creek	39 S	4 E	WM	8	SW NW	2200 FEET SOUTH AND 60 FEET EAST FROM THE NW CORNER OF SECTION 8
Little Beaver Creek	Jenny Creek	39 S	4 E	WM	19	SE SW	600 FEET NORTH AND 1930 FEET EAST FROM THE SW CORNER OF SECTION 19

Authorized Place of Use:

IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Tax Lot	Water User	Notice
37 S	1 W	WM	27	NE SE			2.40	1202	CRYSTAL SPRINGS DEVELOPMENT GROUP	16-1
37 S	1 W	WM	27	NE SE			4.50	1101	MAHAR	15-3
37 S	1 W	WM	27	NW SE			0.40	1101	CRYSTAL SPRINGS DEVELOPMENT GROUP	16-1
37 S	1 W	WM	27	NW SE			1.40	1001	CRYSTAL SPRINGS DEVELOPMENT GROUP	16-1
37 S	1 W	WM	27	SW SE			18.73	1200	CRYSTAL SPRINGS DEVELOPMENT GROUP	15-1
37 S	1 W	WM	27	SW SE			3.90	1202	CRYSTAL SPRINGS DEVELOPMENT GROUP	16-1
37 S	1 W	WM	27	SE SE			3.00	1202	CRYSTAL SPRINGS DEVELOPMENT GROUP	18-1
37 S	1 W	WM	27	SE SE			14.63	1202	CRYSTAL SPRINGS DEVELOPMENT GROUP	18-3
37 S	1 W	WM	27	SE SE			1.60	1202	CRYSTAL SPRINGS DEVELOPMENT GROUP	18-3
38 S	1 E	WM	31	SE NE		48	0.90	501	OLSON HOLDINGS LLC ET AL	17-3
38 S	1 E	WM	32	SW NW		48	0.20	501	OLSON HOLDINGS LLC ET AL	17-3
38 S	1 E	WM	32	NW SW		48	2.30	501	OLSON HOLDINGS LLC ET AL	17-3
39 S	2 E	WM	18	NW NW			2.18	300	CRYSTAL SPRINGS DEVELOPMENT GROUP	18-3
Total:							56.14			

SUPPLEMENTAL IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Tax Lot	Water User	Notice
38 S	1 W	WM	10	NW NE	3		0.50	100	ARROWHEAD RANCH HOLDING CO	18-2
38 S	1 W	WM	10	NE NW			2.00	100	ARROWHEAD LAND & CATTLE CO	12-4
38 S	1 W	WM	20	NE SE			5.66	1800	ALTA CAPITAL GROUP	17-4
38 S	1 W	WM	20	NW SE			1.42	1800	ALTA CAPITAL GROUP	17-4
38 S	1 W	WM	23	NE SW			4.90	1001	AYALA LAZARO FAMILY TRUST	15-4
38 S	1 W	WM	23	NW SW			1.67	2200	TALENT IRRIGATION DISTRICT	15-02
38 S	1 W	WM	23	NW SW			0.80	2200	TALENT IRRIGATION DISTRICT	16-01
38 S	1 W	WM	23	NW SW			1.20	401	HECHT/GREY	17-2
38 S	1 E	WM	30	SE SE		45	0.20	8000	MOORE	18-4
38 S	1 E	WM	31	SE NE		48	2.10	501	OLSON HOLDINGS LLC ET AL	17-3
38 S	1 E	WM	32	SW NW		48	10.10	501	OLSON HOLDINGS LLC ET AL	17-3
39 S	1 E	WM	10	NE SE			1.00	2500	MAHAR	16-01
39 S	1 E	WM	15	NE NE			0.10	6500	TALENT IRRIGATION DISTRICT	16-01
Total:							31.65			

9. Transfer Application T-13083 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Tax Lot	Water User	Notice
38 S	1 W	WM	14	SW NE			1.06	1501	TUOHEY	15-3
38 S	1 W	WM	14	SE NE			3.44	1501	TUOHEY	15-3
38 S	1 W	WM	24	NE SW	5		3.34	100	NAUMES INC	15-1
38 S	1 W	WM	24	NW SE	6		4.82	100	NAUMES INC	15-1
38 S	2 W	WM	10	SE SE		48	3.00	2800	BAST TRACT 89 LLC	18-1
38 S	1 E	WM	19	NE SW	9		1.20	200	NAUMES INC	15-1
38 S	1 E	WM	19	NW SW	10		9.37	200	NAUMES INC	15-1
38 S	1 E	WM	32	SW NW		48	3.40	501	OLSON HOLDINGS LLC ET AL	17-3
39 S	2 E	WM	18	NW NW			7.83	300	DRR PROPERTIES INC	18-3
39 S	2 E	WM	18	SW NW			8.78	500	DRR PROPERTIES INC	18-3
39 S	2 E	WM	18	SE NW			0.20	303	DRR PROPERTIES INC	18-3
39 S	2 E	WM	18	NW SE			1.60	302	ROBERTS COMMUNITY PROP TRUST	18-3
39 S	2 E	WM	35	SW SW			1.10	300	SEVEN GENERATIONS VILLAGE LLC	16-1
39 S	2 E	WM	35	SE SW			0.70	300	SEVEN GENERATIONS VILLAGE LLC	16-1
40 S	2 E	WM	2	NE NW	3		0.85	500	SEVEN GENERATIONS VILLAGE LLC	16-1
40 S	2 E	WM	2	NE NW	3		3.28	102	SEVEN GENERATIONS VILLAGE LLC	16-1
40 S	2 E	WM	2	SE NW			2.17	102	SEVEN GENERATIONS VILLAGE LLC	16-1
Total:							56.14			

SUPPLEMENTAL IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Tax Lot	Water User	Notice
38 S	1 W	WM	18	NW NW	4		1.67	1003	ANDERSON	16-1
38 S	1 W	WM	20	NE SE			2.07	1800	ALTA CAPITAL GROUP	17-4
38 S	1 W	WM	20	NW SE			5.01	1800	ALTA CAPITAL GROUP	17-4
38 S	1 W	WM	28	SW SE			1.20	2400	HECHT	17-2
38 S	1 E	WM	29	SW SW		45	0.20	6400	CANAL	18-4
38 S	1 E	WM	32	SW NW		48	12.20	501	OLSON HOLDINGS LLC ET AL	17-3

SUPPLEMENTAL IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres	Tax Lot	Water User	Notice
39 S	2 E	WM	19	NW NW		40	2.60	300	MANTA INVESTMENTS LLC	15-4
39 S	2 E	WM	19	SW NW		40	2.30	300	MANTA INVESTMENTS LLC	15-4
39 S	2 E	WM	34	SW NW			0.50	400	STIRITZ	18-2
39 S	2 E	WM	35	SW SW			1.90	300	SEVEN GENERATIONS VILLAGE LLC	16-01
40 S	2 E	WM	5	NE SE			2.00	102	JOHNSTON	12-4
Total:							31.65			

The Partial Diminution of Water Right Certificate 15939

- Certain proposed place of use parcels under Certificates 79212 and 83728 will become appurtenant to portions of primary irrigation right Certificate 15939. Therefore, to avoid layering of two primary water rights for irrigation, portions of lands under Certificate 15939 will be diminished to supplemental irrigation as a result of this order.
- On April 10, 2019, the Department received an affidavit from Brooks Downey Newton on behalf of Seven Generations Village, LLC, stating it is the owner of the lands and the appurtenant water right as evidenced by water right Certificate 15939. The affiant has requested the water right for primary irrigation as described below be diminished to supplemental irrigation.

Certificate: 15923 in the name of W.H. Leeds and Ellen H. Wagner (confirmed by decree of the Circuit Court of the State of Oregon for Jackson County)

Use: IRRIGATION of 4.55 ACRES

Priority Date: 1864

Rate: 0.07 CUBIC FOOT PER SECOND

Source: EMIGRANT CREEK, tributary of BEAR CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
40 S	2 E	WM	02	NE NW	1005 FEET SOUTH AND 450 FEET WEST FROM THE N1/4 CORNER OF SECTION 2

Authorized Place of Use to be Diminished:

Lands Diminished from Primary to Supplemental						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
39 S	2 E	WM	35	SW SW	500	3.00
39 S	2 E	WM	35	SW SW	500	0.70
40 S	2 E	WM	02	NE NW	500	0.85
Total:						4.55

- 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 OAR 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.

14. The proposed change in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
15. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
16. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

Conclusions of Law

1. The proposed changes in place of use as proposed in Transfer Application T-13083 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.
2. The water right for the use of water for primary irrigation on 4.55 acres, as described in Finding of Fact #10 is diminished to use for supplemental irrigation.

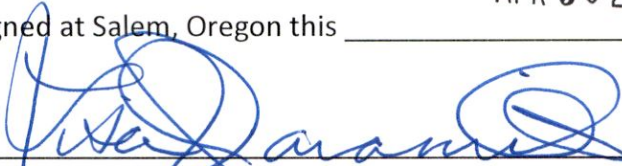
Now, therefore, it is ORDERED:

1. The proposed changes in place of use to the water rights evidenced by Certificates 79212 and 83727 are approved.
2. The diminution of 4.55 acres under Certificate 15939 from primary irrigation to supplemental irrigation is approved.
3. The right to the use of the water is restricted to beneficial use at the place of use not modified by this order and is subject to all other conditions and limitations contained in Certificates 79212 and 83727, and any related decree.
4. The place of use from which the water right is removed by T-13083 shall no longer be irrigated under the transferred right.
5. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2021**. A Claim of Beneficial Use shall be submitted by TID to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
7. Water right Certificate 15939 is cancelled. A new certificate will be issued to describe the partial diminution of the right.

8. Water right Certificates 79212 and 83727 are modified. After satisfactory proof of completion has been determined by the Department, superseding confirming-remaining water right certificates will be issued when the Department determines it is necessary for record keeping.

APR 30 2020

Signed at Salem, Oregon this _____.



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

Mailing Date: MAY 01 2020