



**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** CALAPOOYA CREEK a tributary of UMPQUA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
24 S	5 W	WM	35	NE NE	4430 FEET NORTH AND 4080 FEET EAST FROM THE SW CORNER OF SECTION 35

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
24 S	5 W	WM	35	NE NE	1.45
24 S	5 W	WM	35	NW NE	3.02
24 S	5 W	WM	35	SW NE	13.40
24 S	5 W	WM	35	SE NE	7.95
Total					25.82

4. Temporary Transfer Application T-13544 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	6	SW SE	55	9.32
25 S	5 W	WM	7	NW NE	55	16.50
Total						25.82

5. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13544 proposes to move the authorized point of diversion approximately 6.3 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	5 W	WM	7	SW NE	POD #2 - 1950 FEET SOUTH AND 2080 FEET WEST FROM THE NE CORNER OF SECTION 7

**Temporary Transfer Review Criteria**

6. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.



8. The proposed change would not prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).
9. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

### **Conclusions of Law**

The temporary changes in place of use and point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-13544 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

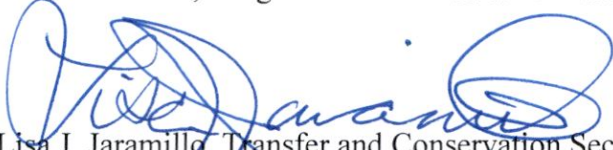
### **Now, therefore, it is ORDERED:**

1. The temporary change in place of use and change in point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-13544 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2021, 2022, 2023, 2024 and 2025 irrigation seasons.
3. The proposed place of use under T-13544 will become layered with Certificate 38942. The place of use under Certificate 38942 that will become layered with the temporary place of use under Certificate 50899, shall not be irrigated for the duration of this temporary transfer, being the 2021 and 2025 irrigations seasons.
4. The use shall revert to the authorized place of use at the end of the 2025 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
5. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
6. A subsequent application for permanent transfer of Certificate 50899 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 50899.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.

9. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of diversion.
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
10. The use of the remaining water right described by Certificate 50899 shall continue to be in accordance with the terms and conditions of Certificate 50899.

Dated in Salem, Oregon on

**MAR 0 2 2021**

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

*Mailing Date:*

**MAR 0 3 2021**