

Source: ONE WELL within the UMATILLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	28 E	WM	34	NW SE	1300 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER OF THE NWSE OF SECTION 34

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	28 E	WM	34	SW NE	30.0
3 N	28 E	WM	34	SE NE	24.4
3 N	28 E	WM	34	NW NW	11.3
3 N	28 E	WM	34	SW NW	31.5
3 N	28 E	WM	34	SE NW	10.0
3 N	28 E	WM	34	NE SW	8.0
3 N	28 E	WM	34	NW SW	30.1
3 N	28 E	WM	34	SW SW	2.4
3 N	28 E	WM	34	NE SE	33.6
3 N	28 E	WM	34	NW SE	38.0
3 N	28 E	WM	34	SW SE	4.2
3 N	28 E	WM	34	SE SE	2.6
Total					226.1

4. Transfer Application T-12024 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	28 E	WM	4	NE SW	33.7
2 N	28 E	WM	4	NW SW	33.5
2 N	28 E	WM	4	SW SW	31.2
2 N	28 E	WM	4	SW NW	0.8
2 N	28 E	WM	4	SE NW	0.8
3 N	28 E	WM	28	NE NE	35.1
3 N	28 E	WM	28	NW NE	33.7
3 N	28 E	WM	28	SW NE	26.1
3 N	28 E	WM	28	SE NE	31.2
Total					226.1

5. Additional points of appropriation are necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12024 proposes to the additional points as described below, with approximate distances from the authorized point of appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized POD
3 N	28 E	WM	23	SW SE	L & L WELL 1 - 960 FEET NORTH AND 30 FEET EAST FROM THE S1/4 CORNER OF SECTION 23	1.9 miles
3 N	28 E	WM	26	NW NE	L & L WELL 2 - 930 FEET SOUTH FROM THE N1/4 CORNER OF SECTION 26	1.5 miles
3 N	28 E	WM	23	NW NW	L & L WELL 3 - 60 FEET SOUTH AND 820 FEET EAST FROM THE NW CORNER OF SECTION 23	2.4 miles

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

Certificate: 79993 in the name of J R SIMPLOT COMPANY (perfected under Permit G-5812)

Use: IRRIGATION of 15.5 ACRES

Priority Date: JUNE 12, 1972

Rate: 0.19 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 a diversion of ONE-EIGHTIETH 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 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL within the UMATILLA RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	28 E	WM	34	NW SE	SPARKS WELL-1300 FEET NORTH AND 60 FEET WEST FROM THE SE CORNER OF THE NWSE OF SECTION 34

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	28 E	WM	34	NW NW	0.1
3 N	28 E	WM	34	SW NW	7.9
3 N	28 E	WM	34	SE NW	0.2
3 N	28 E	WM	34	NW SW	7.3
Total:					15.5

7. Temporary Transfer Application T-12024 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	28 E	WM	4	SW SW	1.5
2 N	28 E	WM	4	SE SW	14.0
Total:					15.5

8. Additional points of appropriation is necessary to convey the water to the proposed temporary place of use the point of appropriation is described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized POD
3 N	28 E	WM	23	SW SE	L & L WELL 1 - 960 FEET NORTH AND 30 FEET EAST FROM THE S1/4 CORNER OF SECTION 23	1.9 miles
3 N	28 E	WM	26	NW NE	L & L WELL 2 - 930 FEET SOUTH FROM THE N1/4 CORNER OF SECTION 26	1.5 miles
3 N	28 E	WM	23	NW NW	L & L WELL 3 -60 FEET SOUTH AND 820 FEET EAST FROM THE NW CORNER OF SECTION 23	2.4 miles

9. The proposed place of use as described in Finding of Facts #4 and #7 above have existing primary irrigation rights, the applicant has requested that those rights be made supplemental during the 2015 irrigation season.
10. Temporary Transfer Application T-12024 proposes to temporarily transfer water rights within the boundaries of Westland Irrigation District. The district was notified of the proposed temporary transfer and did not provide any comments.

Temporary Transfer Review Criteria

11. 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.
12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
13. The proposed changes would not result in enlargement of the rights.
14. 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 additional points of appropriation to serve the temporary place of use proposed in Temporary Transfer Application T-12024 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary changes in place of use and additional points of appropriation to serve the temporary place of use proposed in Temporary Transfer Application T-12024 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2015 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 2015 irrigation season. The authorization to use the temporary points of appropriation shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 76263 and 79993 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.

6. 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 76263 and 79993.
7. Certificates 76263 and 79993 shall be the primary water rights for the lands described in the proposed place of use for 2015 irrigation season all existing rights shall be made temporarily supplemental.
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. The use of the remaining water rights described by Certificate 79993 shall continue to be in accordance with the terms and conditions of Certificate 79993.

Dated at Salem, Oregon this 5 day of May 2015.



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: MAY 06 2015