

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

In the Matter of Temporary Transfer            )     ORDER TERMINATING A PORTION  
T-12100, Yamhill County, Oregon            )     OF A TEMPORARY TRANSFER AT  
  )     THE REQUEST OF THE WATER USER

**Authority**

Oregon Administrative Rule (OAR) 690-380-8002(3) and 690-380-8004(7) provide that the uses authorized under a temporary transfer revert to the terms and conditions of the originating water right on the written request of the applicant.

**Applicant**

WILLAMETTE VALLEY LAND LLC/ PAUL KUEHNE  
PO BOX 99  
LAFAYETTE, OR 97127

**Findings of Fact**

1. On August 10, 2015, the Water Resources Department issued an order approving the temporary changes proposed in Application T-12100. The order was recorded in Special Order Volume 96, Page 785.
2. Under the order, the water right would revert to the authorized place of use at the end of the 2019 irrigation season.
3. The most recent use of water at the place of use authorized under the temporary transfer was during the 2015 irrigation season.
4. The applicant's agent, on behalf of the applicant, Willamette Valley Land LLC/ Paul Kuehn, the owner of the lands to which the water right is appurtenant, submitted a written request to terminate a portion of the temporary transfer. As the owner of the lands, he is authorized to seek termination of the temporary transfer. The portion of the transfer to be terminated is as follows:

This is a final 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.

Certificate 48511

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	6	NE NW	64	1.2
5 S	4 W	WM	6	NW NW	64	0.2
5 S	4 W	WM	6	SW NW	64	3.0
5 S	4 W	WM	6	SE NW	64	12.5
Total:						16.9

Certificate 48512

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	4 W	WM	6	NE NW	64	6.4
5 S	4 W	WM	6	NW NW	64	1.3
Total:						7.7

5. The portion of the transfer to be terminated will revert as follows:

Certificate 48511

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	4 W	WM	31	NE SE	59	4.6
4 S	4 W	WM	31	SE SE	59	12.3
Total:						16.9

Certificate 48512

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
5 S	4 W	WM	6	NW NE	6		0.5
5 S	4 W	WM	6	SW NE	6		7.2
Total:							7.7

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

1. The order approving Temporary Transfer T-12100, recorded as Special Order Volume 96, Page 785, is amended by this order.
2. The use of water to irrigate 24.6 acres, being 16.9 acres under Certificate 48511 and 7.7 acres under Certificate 48512, shall revert to the place of use authorized under Certificates 48511 and 48512, as described in this order, effective upon signature of this order. The remaining portion of Temporary Transfer T-12100 shall remain in effect until the end of the 2019 irrigation season, at which time it will automatically revert to the authorized place of use under Certificates 48511 and 48512.

3. Water may not be used for the 16.9 acres under Certificate 48511 or the 7.7 acres under Certificate 48512 at the authorized place of use during the same season in which water was used under the Temporary Transfer.

Dated at Salem, Oregon this 26 day of May, 2016.



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

**MAY 30 2016**

Mailing date: \_\_\_\_\_