

Source: AN UNNAMED STREAM AND RESERVOIR CONSTRUCTED UNDER PERMIT R-11247, tributaries to WEST FORK PALMER CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	3 W	WM	31	SW NE	660 FEET SOUTH AND 500 FEET EAST FROM THE NW CORNER OF THE SW¼NE¼ OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	31	NW NW	10.0
4 S	3 W	WM	31	SW NW	7.5
4 S	3 W	WM	31	SE NW	2.5
4 S	4 W	WM	36	NE NE	11.0

3. Temporary Transfer Application T-10821 proposes to temporarily change the place of use of a portion of Certificate 80060 to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	30	SE SW	6.0
4 S	3 W	WM	30	SW SE	10.0
4 S	3 W	WM	31	NW NE	10.0
4 S	3 W	WM	31	NE NW	5.0

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

Certificate: 80061 in the name of TIMOTHY AND SUZANNE KREDER (perfected under Permit G-11103)

Use: SUPPLEMENTAL IRRIGATION OF 31.0 ACRES

Priority Date: JUNE 6, 1990

Rate: 0.39 CUBIC FOOT 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-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. This right is limited to any deficiency in the available supply of any prior right existing for the same land

Source: ONE WELL within the WEST FORK PALMER CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	4 W	WM	36	NE NE	100 FEET SOUTH AND 990 FEET EAST FROM THE NW CORNER OF M. JEFFRIES DLC 57

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	31	NW NW	10.0
4 S	3 W	WM	31	SW NW	7.5
4 S	3 W	WM	31	SE NW	2.5
4 S	4 W	WM	36	NE NE	11.0

5. Temporary Transfer Application T-10821 proposes to temporarily change the place of use of a portion of Certificate 80061 to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	3 W	WM	30	SE SW	6.0
4 S	3 W	WM	30	SW SE	10.0
4 S	3 W	WM	31	NW NE	10.0
4 S	3 W	WM	31	NE NW	5.0

6. Notice of the application for temporary transfer was published on pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.

Temporary Transfer Review Criteria

7. 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.
8. Pumps, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
9. The proposed change would not result in enlargement of the rights.
10. The proposed change 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(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

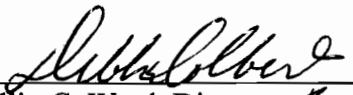
The temporary change in place of use proposed in Temporary Transfer Application T-10821 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-10821 is approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2009 irrigation season.

3. The use shall revert to the authorized place of use at the end of the 2009 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 80060 and 80061 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 80060 and 80061.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The use of the remaining water rights described by Certificates 80060 and 80061 shall continue to be in accordance with the terms and conditions of Certificates 80060 and 80061.

Dated at Salem, Oregon this 8th day of May, 2009.


Phillip C. Ward, Director *fw*

Mailing Date: MAY 13 2009