

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
17 S	47 E	WM	21	NE NW	1	350 FEET SOUTH AND 1980 FEET EAST FROM THE NW CORNER OF SECTION 21

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	46 E	WM	2	NE SW	20.9
17 S	46 E	WM	2	SE SW	16.1
17 S	46 E	WM	2	NW SE	17.4
17 S	46 E	WM	2	SW SE	5.0
17 S	46 E	WM	11	NW NE	11.3
17 S	46 E	WM	11	NE NW	23.0
17 S	46 E	WM	16	NE SW	38.6
17 S	46 E	WM	16	NW SW	38.4
17 S	46 E	WM	16	NE SE	39.1
17 S	46 E	WM	16	NW SE	39.4

3. Temporary Transfer Application T-10915 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	46 E	WM	1	SW SW	27.7
17 S	46 E	WM	1	SE SW	23.1
17 S	46 E	WM	1	SW SE	9.5
17 S	46 E	WM	2	NE SE	9.8
17 S	46 E	WM	2	NW SE	2.3
17 S	46 E	WM	2	SE SE	18.0
17 S	46 E	WM	12	NW NE	18.2
17 S	46 E	WM	12	NE NW	39.4
17 S	46 E	WM	12	NW NW	19.5
17 S	46 E	WM	20	NE NE	18.9
17 S	46 E	WM	27	NE SW	26.6
17 S	46 E	WM	27	NW SW	26.4
17 S	46 E	WM	27	NW SE	9.8

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

Certificate: 84863 in the name of Larson Land Co., LLC dba Larson Skyline Farms Partnership (perfected under Permit S-31231)
Use: Irrigation of 70.7 acres
Priority Date: June 27, 1966
Rate: 0.935 cubic foot per second
Limit/Duty: 1/75.61 of one cubic foot per second 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: Snake River, tributary to the Columbia River

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
17 S	47 E	WM	21	NE NW	1	350 FEET SOUTH AND 1980 FEET EAST FROM THE NW CORNER OF SECTION 21

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	46 E	WM	23	SW SW	39.6
17 S	46 E	WM	23	SE SW	30.3
17 S	46 E	WM	23	SW SE	0.8

5. Temporary Transfer Application T-10915 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	46 E	WM	26	NW SW	39.2
17 S	46 E	WM	27	NE SE	31.5

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

Certificate: 84866 in the name of Larson Land Co., LLC dba Larson Skyline Farms Partnership (perfected under Permit S-33944)
Use: Irrigation of 89.6 acres
Priority Date: October 25, 1968
Rate: 1.185 cubic feet per second
Limit/Duty: 1/75.61 of one cubic foot per second 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.
Period of Use: March 1 to October 31 of each year
Source: Snake River, tributary to the Columbia River

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
17 S	47 E	WM	21	NE NW	1	350 FEET SOUTH AND 1980 FEET EAST FROM THE NW CORNER OF SECTION 21

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	46 E	WM	21	SW SW	18.4
17 S	46 E	WM	21	SE SW	36.5
17 S	46 E	WM	28	NE NE	16.3
17 S	46 E	WM	28	NE NW	18.4

7. Temporary Transfer Application T-10915 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	46 E	WM	4	SW NE	39.1
18 S	46 E	WM	4	SE NE	40.0
18 S	46 E	WM	4	NW NW	10.5

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

Certificate: 84867 in the name of Larson Land Co., LLC dba Larson Skyline Farms Partnership (perfected under Permits S-31231, S-33944, S-33945 and S-33946)
Use: Irrigation of 29.8 acres
Priority Date: June 27, 1966 and October 25, 1968
Rate: 0.395 cubic foot per second (cfs), being 0.116 cfs under the June 27, 1966 priority date and 0.279 cfs under the October 25, 1968 priority date
Limit/Duty: 1/75.61 of one cubic foot per second 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: Snake River, tributary to the Columbia River

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	47 E	WM	21	NE NW	350 FEET SOUTH AND 1980 FEET FROM THE NW CORNER OF SECTION 21

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	46 E	WM	10	NW SW	11.6
17 S	46 E	WM	29	NE SE	4.3
17 S	46 E	WM	29	SE SE	13.9

9. Temporary Transfer Application T-10915 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	46 E	WM	27	NW SE	12.6
17 S	46 E	WM	34	SW NW	17.2

10. The portion of the fifth right to be temporarily transferred is as follows:

Certificate: 85585 in the name of Larson Land Co., LLC dba Larson Skyline Farms Partnership (perfected under Permit S-33944)
Use: Irrigation of 80.6 acres
Priority Date: October 25, 1968
Rate: 1.066 cubic feet per second
Limit/Duty: 1/75.61 of one cubic foot per second 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: Snake River, tributary to the Columbia River

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
17 S	47 E	WM	21	NE NW	1	350 FEET SOUTH AND 1980 FEET EAST FROM THE NW CORNER OF SECTION 21

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	46 E	WM	10	SW SW	5.8
17 S	46 E	WM	10	NE SE	14.7
17 S	46 E	WM	10	NW SE	1.9
17 S	46 E	WM	10	SW SE	5.1
17 S	46 E	WM	11	NW NW	4.9
17 S	46 E	WM	11	NW SW	9.4
17 S	46 E	WM	21	SW NW	9.2
17 S	46 E	WM	21	NW SW	29.6

11. Temporary Transfer Application T-10915 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	46 E	WM	32	SE SE	35.9
17 S	46 E	WM	34	NE NW	4.2
17 S	46 E	WM	34	NW NW	17.9
17 S	46 E	WM	34	SW NW	0.7
18 S	46 E	WM	4	NW NW	21.9

12. Notice of the application for temporary transfer was published on July 14, 2009 pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.

Temporary Transfer Review Criteria

13. 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.
14. A series of pumps, wheel lines, linears, hand lines and drip systems sufficient to use the full amount of water allowed under the existing rights are present.
15. The proposed change would not result in enlargement of the rights.
16. 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

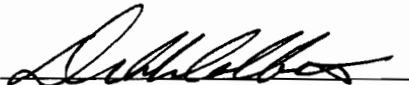
The temporary change in place of use proposed in Transfer Application T-10915 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Transfer Application T-10915 is approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2009, 2010, 2011, 2012 and 2013 irrigation seasons.

3. The use shall revert to the authorized place of use at the end of the 2013 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 84862, 84863, 84866, 84867 or 85585 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 84862, 84863, 84866, 84867 and 85585.
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 water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

Dated at Salem, Oregon this 18th day of August, 2009.


Phillip C. Ward, Director *PCW*

Mailing Date: AUG 31 2009