

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
9 S	1 W	WM	11	SW SE	2	1800 feet South and 2830 feet East from the W¼ Corner of Section 11.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Name
9 S	1 W	WM	18	SW NE	0.7	Hartman, Robert
9 S	1 W	WM	18	SE NE	1.1	Hartman, Robert
9 S	1 W	WM	18	NW SE	0.1	Hartman, Robert

3. Transfer Application T-10670 proposes to change the place of use of the right described by Certificate 68662 to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Name
8 S	1 W	WM	33	SE SW	63	1.9	Santiam Golf Club

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

Certificate: 68663 in the name of SANTIAM WATER CONTROL DISTRICT
(perfected under Permit E-82)
Use: IRRIGATION of 15.9 ACRES
Priority Date: MAY 14, 1909
Rate: 0.2 CUBIC FOOT PER SECOND (CFS)
Limit/Duty: ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.5 acre-feet for each acre irrigated during the irrigation season of each year
Source: NORTH SANTIAM RIVER, tributary to the SANTIAM RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
9 S	1 W	WM	11	SW SE	2	1800 feet South and 2830 feet East from the W¼ Corner of Section 11.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Name
8 S	2 W	WM	34	NW NE	12.6	Scofield, Ernestine
8 S	2 W	WM	34	SW NE	3.3	Scofield, Ernestine

5. Transfer Application T-10670 proposes to change the place of use of the right described by Certificate 68663 to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Name
8 S	1 W	WM	33	NW NE	63	9.3	Santiam Golf Club
8 S	1 W	WM	33	SE SW	63	1.1	Santiam Golf Club
8 S	1 W	WM	33	SW SE	63	5.5	Santiam Golf Club

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

Certificate: 68668 in the name of VERNON COATES (confirmed by North Santiam River decree)
Use: IRRIGATION of 5.0 ACRES
Priority Date: MAY 14, 1909
Rate: 0.06 CUBIC FOOT PER SECOND (CFS)
Limit: To compensate for losses between the point of diversion to the place of use, an additional amount not exceeding ten percent is allowed.
Source: NORTH SANTIAM RIVER, tributary to the SANTIAM RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
9 S	1 W	WM	11	SW SE	2	1800 feet South and 2830 feet East from the W $\frac{1}{4}$ Corner of Section 11.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
8 S	2 W	WM	19	SE NW	60	5.0

7. Transfer Application T-10670 proposes to change the place of use of the right described by Certificate 68668 to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Name
8 S	1 W	WM	33	SE SW	60	0.2	Santiam Golf Club
9 S	2 W	WM	3	NW NW	64	4.8	Smith, Stephan

8. Notice of the application for transfer was published on July 22, 2008, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
9. On March 31, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10670 to the applicant. The cover letter for the draft Preliminary Determination set forth a deadline of May 15, 2009, for the applicants to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. On April 10, 2009, the Department issued a preliminary determination proposing to approve Transfer T-10670 and mailed a copy to the applicant. Additionally, notice of the preliminary determination for the transfer application was published on the Department's weekly notice on April 14, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

11. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10670.
13. The proposed changes would not result in enlargement of the rights.
14. The proposed change would not result in injury to other water rights.

Conclusions of Law

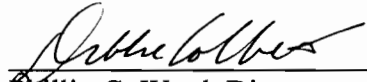
The changes in places of use proposed in Transfer Application T-10670 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The changes in places of use proposed in Transfer Application T-10670 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 68662, 68663, and 68668, and any related decree.
3. Water Right Certificates 68662 and 68663 are modified.
4. Water Right Certificate 68668 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
5. The former places of use of the transferred rights shall no longer receive water under the rights.
6. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2010**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
7. When satisfactory proof of the completed changes is received, the Department shall issue superseding water right certificates to Certificates 68662 and 68663 describing the changes due to this transfer, on a determination that it is necessary to produce new certificates describing the water rights.

8. When satisfactory proof of the completed change is received, a new certificate confirming the right described by Certificate 68668 being transferred will be issued.

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


Phillip C. Ward, Director *pcw*

Mailing date: MAY 20 2009