

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-FORTIETH 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 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: PRAIRIE CREEK within the WALLOWA RIVER BASIN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	45 E	WM	5	SW NE	580 FEET NORTH AND 510 FEET EAST FROM THE CENTER 1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	45 E	WM	31	NE SE		11.1
1 S	45 E	WM	31	SE SE		5.6
2 S	45 E	WM	6	NE NE	1	24.6
2 S	45 E	WM	6	NW NE	2	2.8
2 S	45 E	WM	6	SW NE		1.9
2 S	45 E	WM	6	SE NE		21.7

4. Temporary Transfer Application T-11579 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
1 S	44 E	WM	36	NE SE	9.2	3400
1 S	44 E	WM	36	NW SE	11.0	3400
1 S	44 E	WM	36	SW SE	24.0	3400
1 S	44 E	WM	36	SE SE	18.8	3400
2 S	44 E	WM	1	NE NE	4.70	601

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

Certificate: 62262 in the name of TIM J. MELVILLE (perfected under Permit S-40577)

Use: IRRIGATION of 20.6 ACRES

Priority Date: JUNE 9, 1976

Rate: 0.45 CUBIC FOOT PER SECOND

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Source: PRAIRIE CREEK within the WALLOWA RIVER BASIN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	45 E	WM	5	SW NE	580 FEET NORTH AND 510 FEET EAST FROM THE CENTER 1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	45 E	WM	31	NE SW		6.8
1 S	45 E	WM	31	NW SW	3	5.4
1 S	45 E	WM	31	SW SW	4	1.9
1 S	45 E	WM	31	SE SW		2.7
2 S	45 E	WM	6	NE NW	3	2.9
2 S	45 E	WM	6	NW NW	4	0.9

6. Temporary Transfer Application T-11579 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
1 S	44 E	WM	36	SE SE	5.0	3400
2 S	44 E	WM	1	NE NW	2.1	701
2 S	44 E	WM	1	NE NE	1.7	601
2 S	44 E	WM	1	SE NW	2.9	701
2 S	44 E	WM	1	SE NW	2.3	200
2 S	45 E	WM	6	NW NW	2.1	1501
2 S	45 E	WM	6	SW NW	4.5	1501

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. A pump, 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(5) if the Department later finds that the transfer is causing injury to any existing water right.

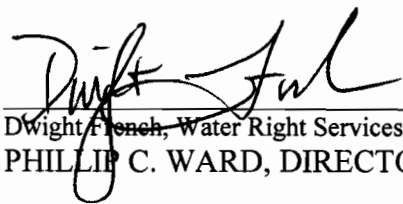
Conclusions of Law

The temporary change in place of use proposed in application Temporary Transfer Application T-11579 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-11579 is approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2013, 2014, 2015, 2016, 2017 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2017 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 62259 and 62262 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 62259.
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 62259 and 62262 shall continue to be in accordance with the terms and conditions of Certificates 62259 and 62262.

Dated at Salem, Oregon this 31 day of May, 2013.



Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

Mailing Date: JUNE 7 2013