

necessary information to demonstrate that the applicant is authorized to pursue the transfer.

5. On May 12, 2023, the Department issued a Preliminary Determination proposing to approve Transfer T-13928 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 May 16, 2023, and in the Heppner Gazette-Times newspaper on May 17, and 24, 2023 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
6. On May 15, 2023, the agent for the applicant contacted the Department by email regarding the completion date extension requested by the applicant. The Preliminary Determination issued on May 12, 2023, incorrectly described the completion date for Transfer Application T-13928 as October 1, 2024. The correct completion date requested by the applicant is October 1, 2030 as described in Finding of Fact No. 4.
7. The right to be transferred is as follows:

Certificate: 68545 in the name of PORT OF MORROW (perfected under Permit G-7158)
Use: INDUSTRIAL USE
Priority Date: FEBRUARY 4, 1977
Rate: 3.0 CUBIC FEET PER SECOND
Source: A WELL, in the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	10	SW NE	130 FEET NORTH AND 2650 FEET EAST FROM THE W1/4 CORNER OF SECTION 10

Authorized Place of Use:

INDUSTRIAL USE				
Twp	Rng	Mer	Sec	Q-Q
4 N	25 E	WM	2	NE SW
4 N	25 E	WM	2	NW SW
4 N	25 E	WM	2	SW SW
4 N	25 E	WM	2	SE SW
4 N	25 E	WM	3	NE SW
4 N	25 E	WM	3	SW SW
4 N	25 E	WM	3	SE SW
4 N	25 E	WM	3	NE SE
4 N	25 E	WM	3	SW SE
4 N	25 E	WM	3	SE SE
4 N	25 E	WM	4	SE SW
4 N	25 E	WM	4	SW SE
4 N	25 E	WM	4	SE SE
4 N	25 E	WM	9	NE NE
4 N	25 E	WM	9	NW NE
4 N	25 E	WM	9	NE NW
4 N	25 E	WM	10	NE NE

INDUSTRIAL USE				
Twp	Rng	Mer	Sec	Q-Q
4 N	25 E	WM	10	NW NE
4 N	25 E	WM	10	SW NE
4 N	25 E	WM	10	SE NE
4 N	25 E	WM	10	NE NW
4 N	25 E	WM	10	NW NW
4 N	25 E	WM	10	SW NW
4 N	25 E	WM	10	SE NW
4 N	25 E	WM	10	NE SW
4 N	25 E	WM	10	NW SW
4 N	25 E	WM	10	NE SE
4 N	25 E	WM	10	NW SE
4 N	25 E	WM	11	NE NW
4 N	25 E	WM	11	NW NW
4 N	25 E	WM	11	SW NW
4 N	25 E	WM	11	SE NW

8. Transfer Application T-13928 proposes additional points of appropriation all between approximately 1.49 and 2.43 miles NE from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	2	SW SW	WELL B1 - 855 FEET NORTH AND 65 FEET EAST FROM THE SW CORNER OF SECTION 2
4 N	25 E	WM	2	SW SW	WELL B2 - 835 FEET NORTH AND 95 FEET EAST FROM THE SW CORNER OF SECTION 2
4 N	25 E	WM	3	SW SE	WELL D1 - 475 FEET NORTH AND 2640 FEET EAST FROM THE SW CORNER OF SECTION 3
4 N	25 E	WM	3	SW SE	WELL D2 - 425 FEET NORTH AND 2640 FEET EAST FROM THE SW CORNER OF SECTION 3
4 N	25 E	WM	9	NE NE	WELL C1 - 235 FEET SOUTH AND 670 FEET WEST FROM THE NE CORNER OF SECTION 9
4 N	25 E	WM	9	NE NE	WELL C2 - 285 FEET SOUTH AND 670 FEET WEST FROM THE NE CORNER OF SECTION 9
4 N	25 E	WM	10	NE NE	WELL A1 - 1230 FEET SOUTH AND 1170 FEET WEST FROM THE NE CORNER OF SECTION 10
4 N	25 E	WM	10	NE NE	WELL A2 - 1230 FEET SOUTH AND 1210 FEET WEST FROM THE NE CORNER OF SECTION 10

9. Transfer Application T-13928 also proposes to change the place of use of the right to:

WITHIN PORT OF MORROW SERVICE AREA AUTHORIZED FOR INDUSTRIAL USE

Transfer Review Criteria (OAR 690-380-4010)

10. Water has been used within the last five years prior to submittal of Transfer Application T-13928 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. The proposed changes as conditioned would not result in enlargement of the right.

12. The proposed changes as conditioned would not result in injury to other water rights.
13. All other application requirements are met.

Conclusion of Law

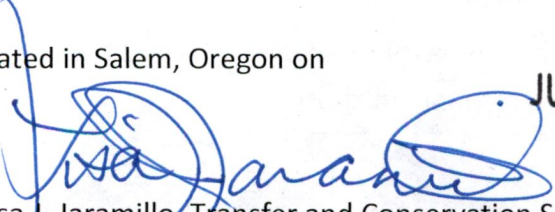
The additional points of appropriation and change in place of use proposed in Transfer Application T-13928 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional points of appropriation and change in place of use proposed in Transfer Application T-13928 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 Certificate 68545 and any related decree.
3. Water right Certificate 68545 is cancelled.
4. The quantity of water diverted at the new additional points of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2030**. A Claim of Beneficial Use prepared by a Certified Water Right 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. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

JUL 26 2023


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailed

JUL 27 2023