

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

Certificate: 5656 in the name of Earnest O. Mead
Use: Irrigation of 5.0 acres
Priority Date: 1867
Rate/Duty: Not to exceed 3 acre-feet per acre per year
Source: Ramsey Creek, tributary to Fifteen Mile Creek
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
2	S	13	E	W.M.	6	NW NW	

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
2	S	13	E	W.M.	6	NW NW	5.0

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

Certificate: 80508 in the name of Rick Cantrell
Use: Supplemental Irrigation of 5.0 acres
Priority Date: April 27, 1976
Quantity: 0.03 cubic foot per second (cfs)
Rate/Duty: 1/80 cfs per acre, not to exceed 3.0 acre-feet per acre per year
Source: Well #1, tributary to Ramsey Creek
Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
1	S	13	E	W.M.	31	SW SE	430 feet North and 3460 feet East from the SW corner, Section 31

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
2	S	13	E	W.M.	6	NW NW	5.0

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

Certificate: 50553 in the name of Rick Cantrell
Use: Supplemental Irrigation of 5.0 acres
Priority Date: April 11, 1977
Quantity: 0.02 cfs
Rate/Duty: 1/80 cfs per acre, not to exceed 3.0 acre-feet per acre per year
Source: Well #2, tributary to Fifteen Mile Creek
Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
2	S	13	E	W.M.	6	NW NE	330 feet South and 3530 feet East from the NW corner, Section 6.

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
2	S	13	E	W.M.	6	NW NW	5.0

8. Application T-6825 proposes to change the place of use of the rights described in Findings of Fact 5, 6 and 7 to:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	SW SW	5.0

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

Certificate: 31414 in the name of Harvey & Lucy McAllister
Use: Irrigation of 16.1 acres
Priority Date: 1861 for 10.6 acres, 1866 for 5.5 acres
Rate/Duty: Not to exceed 3.0 acre-feet per acre per year
Source: Ramsey Creek, tributary to Fifteenmile Creek
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
1	S	13	E	W.M.	31	SW SE	

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Tract	Priority	Acres
1	S	13	E	W.M.	31	SW SE	1	1861	7.1
1	S	13	E	W.M.	31	SE SE	1	1861	3.0
1	S	13	E	W.M.	31	SE SE	2	1866	5.5
2	S	13	E	W.M.	6	NW NE	1	1861	0.5

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

Certificate: 31814 in the name of Harvey & Lucy McAllister
Use: Supplemental Irrigation of 16.1 acres
Priority Date: December 29, 1960
Quantity: 0.20 cfs
Rate/Duty: 1/80 cfs per acre, not to exceed 3.0 acre-feet per acre per year
Source: McAllister Well, tributary to Ramsey Creek
Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
1	S	13	E	W.M.	31	SW SE	400 feet North and 1980 feet W from the SE corner, Section 31

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	SW SE	7.1
1	S	13	E	W.M.	31	SE SE	8.5

Township		Range		Meridian	Sec	¼ ¼	Acres
2	S	13	E	W.M.	6	NW NE	0.5

11. The portion of the sixth right to be transferred is as follows:

Certificate: 31821 in the name of Harvey & Lucy McAllister

Use: Supplemental Irrigation of 16.1 acres

Priority Date: May 24, 1962

Quantity: 0.27 cfs

Rate/Duty: 1/80 cfs per acre, not to exceed 3.0 acre-feet per acre per year

Source: Fifteenmile Creek, tributary to Colombia River

Authorized Points of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
1	S	13	E	W.M.	31	SE SE	
2	S	13	E	W.M.	6	NW NE	

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	SW SE	7.1
1	S	13	E	W.M.	31	SE SE	8.5
2	S	13	E	W.M.	6	NW NE	0.5

12. Application T-6825 proposes to change the place of use of the rights described in Findings of Fact 9, 10 and 11 to:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	SW SW	9.1
1	S	13	E	W.M.	31	SE SW	7.0

13. The seventh right to be transferred is as follows:

Certificate: 49487 in the name of Rick Cantrell

Use: Irrigation of 39.0 acres

Priority Date: October 24, 1911

Quantity: 0.49 cfs

Rate/Duty: 1/80 cfs per acre, not to exceed 3 acre-feet per acre per year, if available at the original point of diversion; NE ¼ SE ¼, Section 1, T2S, R12E, W.M., Galligan Ditch – 300 feet South and 1224 feet West from E ¼ corner, Sec 1

Source: Fifteenmile Creek, tributary to Colombia River

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
1	S	13	E	W.M.	31	SW SE	20 feet North and 3540 feet East from the SW corner, Section 31

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	NE SW	20.2
1	S	13	E	W.M.	31	NW SW	1.7
1	S	13	E	W.M.	31	SW SW	2.4
1	S	13	E	W.M.	31	SE SW	5.6
1	S	13	E	W.M.	31	NW SE	9.1

14. The portion of the eighth right to be transferred is as follows:

Certificate: Spec. Order Vol. 58, Page 388 (formerly 50552 in the name of Rick Cantrell)

Use: Supplemental Irrigation of 88.9 acres

Priority Date: April 27, 1976

Quantity: 0.445 cfs

Rate/Duty: 1/80 cfs per acre, not to exceed 3.0 acre-feet per acre per year

Source: Well #1, tributary to Ramsey Creek

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
1	S	13	E	W.M.	31	SW SE	430 feet North and 3460 feet East from the SW corner, Section 31

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres	Change
1	S	12	E	W.M.	36	NE SE	2.4	APOA
1	S	12	E	W.M.	36	SE SE	30.8	APOA
1	S	12	E	W.M.	31	NE SW	20.2	POU
1	S	13	E	W.M.	31	NW SW	3.8	APOA
1	S	13	E	W.M.	31	NW SW	1.7	POU
1	S	13	E	W.M.	31	SW SW	12.9	APOA
1	S	13	E	W.M.	31	SW SW	2.4	POU
1	S	13	E	W.M.	31	SE SW	5.6	POU
1	S	13	E	W.M.	31	NW SE	9.1	POU

15. The portion of the ninth right to be transferred is as follows:

Certificate: 50553 in the name of Rick Cantrell

Use: Supplemental Irrigation of 39.0 acres

Priority Date: April 11, 1977

Quantity: 0.16 cfs

Rate/Duty: 1/80 cfs per acre, not to exceed 3.0 acre-feet per acre per year

Source: Well #2, tributary to Fifteen Mile Creek

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
2	S	13	E	W.M.	6	NW NE	330 feet South and 3530 feet East from the NW corner, Section 6.

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	NE SW	20.2
1	S	13	E	W.M.	31	NW SW	1.7
1	S	13	E	W.M.	31	SW SW	2.4
1	S	13	E	W.M.	31	SE SW	5.6
1	S	13	E	W.M.	31	NW SE	9.1

16. Application T-6825 proposes to change the place of use of the rights described in Findings of Fact 13, 14 (the portion for which the change is listed as POU), and 15 to:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	SW SE	7.1
1	S	13	E	W.M.	31	SE SE	8.5
2	S	13	E	W.M.	6	NW NE	0.5
2	S	13	E	W.M.	6	NW NW	22.9

17. Application T-6825 proposes to add a point of appropriation for the portion of the right described in Findings of Fact 14 for which the change is listed as APOA at:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
1	S	12	E	W.M.	36	SE SE	338 feet North from SW corner, Section 31.

18. The portion of the tenth right to be transferred is as follows:

Certificate: 50113 in the name of Rick Cantrell
Use: Irrigation of 39.0 acres
Priority Date: April 27, 1976
Quantity: 0.49 cfs
Rate/Duty: 1/80 cfs per acre, not to exceed 3.0 acre-feet per acre per year
Source: Ramsey Creek, tributary to Fifteenmile Creek
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
2	S	13	E	W.M.	6	NW NW	140 feet South and 350 feet East from the NW corner, Section 6

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	SW SW	14.1

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	SE SW	7.0
2	S	13	E	W.M.	6	NW NW	17.9

19. The portion of the eleventh right to be transferred is as follows:

Certificate: 80508 in the name of Rick Cantrell
Use: Supplemental Irrigation of 39.0 acres
Priority Date: April 27, 1976
Quantity: 0.20 cfs
Rate/Duty: 1/80 cfs per acre, not to exceed 3.0 acre-feet per acre per year
Source: Well #1, tributary to Ramsey Creek

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
1	S	13	E	W.M.	31	SW SE	430 feet North and 3460 feet East from the SW corner, Section 31

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	SW SW	14.1
1	S	13	E	W.M.	31	SE SW	7.0
2	S	13	E	W.M.	6	NW NW	17.9

20. The portion of the twelfth right to be transferred is as follows:

Certificate: 50553 in the name of Rick Cantrell
Use: Supplemental Irrigation of 39.0 acres
Priority Date: April 11, 1977
Quantity: 0.16 cfs
Rate/Duty: 1/80 cfs per acre, not to exceed 3.0 acre-feet per acre per year
Source: Well #2, tributary to Fifteen Mile Creek

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
2	S	13	E	W.M.	6	NW NE	330 feet South and 3530 feet East from the NW corner, Section 6.

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
1	S	13	E	W.M.	31	SW SW	14.1
1	S	13	E	W.M.	31	SE SW	7.0
2	S	13	E	W.M.	6	NW NW	17.9

21. Application T-6825 proposes to add a point of diversion for the right described in Finding of Fact 18 approximately 300 feet upstream in Ramsey Creek to:

Township		Range		Meridian	Sec	¼ ¼		Survey Coordinates
2	S	13	E	W.M.	6	NW	NW	232 feet South and 82 feet East from the NW corner, Section 6

22. Application T-6825 proposes to add a point of appropriation for the right described in Finding of Fact 19 at:

Township		Range		Meridian	Sec	¼ ¼		Survey Coordinates
1	S	12	E	W.M.	36	SE	SE	338 feet North from the SW corner, Section 31

23. Application T-6825 proposes to change the place of use of the rights described in Findings of Fact 18, 19 and 20 to:

Township		Range		Meridian	Sec	¼ ¼		Acres
1	S	13	E	W.M.	31	NE	SW	20.2
1	S	13	E	W.M.	31	NW	SW	1.7
1	S	13	E	W.M.	31	SW	SW	2.4
1	S	13	E	W.M.	31	SE	SW	5.6
1	S	13	E	W.M.	31	NW	SE	9.1

24. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
25. Water has been used within the five years prior to filing of the application according to the terms and conditions of the rights and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
26. A diversion structure, ditch, pump, and pipeline sufficient to use the full amount of water allowed under the existing rights are present.
27. The proposed change would not result in enlargement of the rights.
28. The proposed change would not result in injury to other water rights.
29. On May 17, 2006, the Department issued a preliminary determination proposing to approve Transfer T-6825 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 23, 2006, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the Department's weekly notice.

Conclusions of Law

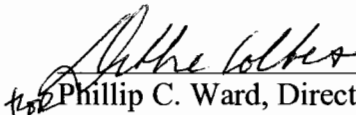
The proposed changes in point of diversion, point of appropriation and place of use in application T-6825 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

The change in point of appropriation authorized under T-9016 will revert to the last authorized point as per OAR 690-380-6010(6).

Now, therefore, it is ORDERED:

1. The changes proposed in application T-6825 are approved.
1. Water right certificates 5656, 80508, 50553, 31414, 31814, 31821, 49487, 50113 and 50552 are cancelled. New certificates will be issued describing the portions of the rights evidenced by Certificates 5656, 80508, 50553, 31414, 31814, 31821, 50113 and 50552 not involved in this transfer. 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 5656, 31414, 49487, 50113, 31814, 31821, 50552, 50553, 80508, and any related decree.
2. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2007**. 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.
3. The quantity of water diverted at the additional points of diversion and appropriation, together with that diverted at the old points of diversion and appropriation, shall not exceed the quantity of water lawfully available at the original points of diversion and appropriation.
4. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
5. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 26th day of June, 2006.


Phillip C. Ward, Director

Mailing date: JUL 11 2006