

Source: UNNAMED STREAM, tributary to the YAMHILL RIVER
RESERVOIR constructed under App. No. R-26608, Permit No. R-1275.

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC
4 S	3 W	WM	8	NW SW	45

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	3 W	WM	7	NE SE	45	6.31
4 S	3 W	WM	7	SE SE	45	3.50
4 S	3 W	WM	8	SW NW	45	11.11
4 S	3 W	WM	8	SE NW	45	0.04
4 S	3 W	WM	8	NW SW	45	17.50
4 S	3 W	WM	8	SW SW	45	1.40
Total						39.86

- Temporary Transfer Application T-11113 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
4 S	3 W	WM	7	NW NE	45	0.38
4 S	3 W	WM	7	SW NE	45	0.59
4 S	3 W	WM	7	NE NW	45	4.62
4 S	3 W	WM	7	SW NW	45	7.91
4 S	3 W	WM	7	SE NW	45	26.36
Total						39.86

- Notice of the application for transfer was published on August 3, 2010, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Temporary Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
- The proposed change would not result in enlargement of the right.
- 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 Temporary Transfer Application T-11113 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-11113 is approved.
2. The former place of use **shall not** be irrigated as part of this water right 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 Certificate 22135 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 Certificate 22135.
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 Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.
9. The use of the remaining water right described by Certificate 22135 shall continue to be in accordance with the terms and conditions of Certificate 22135.

Dated at Salem, Oregon this 8th day of September, 2010.


Phillip C. Ward, Director

Mailing Date: SEP 09 2010