

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to of ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: TWO WELLS within the BUTTER CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	26 E	WM	20	NW SE	WELL #1: 2470 FEET NORTH AND 2910 FEET EAST FROM THE SW CORNER OF SECTION 20
2 N	26 E	WM	18	NE SE	WELL #3: 30 FEET SOUTH AND 30 FEET WEST FROM THE E1/4 CORNER OF SECTION 18

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	SW NW	6.3
2 N	26 E	WM	7	SE NW	7.5
2 N	26 E	WM	7	NE SW	7.7
2 N	26 E	WM	7	NW SW	15.4
2 N	26 E	WM	7	SW SW	10.5
2 N	26 E	WM	7	SE SW	2.6
2 N	26 E	WM	17	NW SW	5.5
2 N	26 E	WM	17	SW SW	2.1
2 N	26 E	WM	17	SE SE	10.0
2 N	26 E	WM	18	NE NW	13.2
2 N	26 E	WM	18	NW NW	12.5
2 N	26 E	WM	19	SE SW	1.5
2 N	26 E	WM	19	SW SE	2.1
2 N	26 E	WM	19	SE SE	6.8
2 N	26 E	WM	20	NE NE	31.4
2 N	26 E	WM	20	NW NE	31.4
2 N	26 E	WM	20	SW NE	31.4
2 N	26 E	WM	20	SE NE	31.4
2 N	26 E	WM	20	NW NW	17.8
2 N	26 E	WM	20	SW NW	8.0
2 N	26 E	WM	30	NE NE	21.8
2 N	26 E	WM	30	NW NE	0.7
2 N	26 E	WM	30	NE NW	15.1
2 N	26 E	WM	30	NW NW	11.3
Total					304.0

4. Temporary Transfer Application T-14229 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	17	SE SE	10.0
2 N	26 E	WM	19	SW SW	24.2
2 N	26 E	WM	19	SE SW	8.6
2 N	26 E	WM	20	NE NE	31.4
2 N	26 E	WM	20	NW NE	31.4
2 N	26 E	WM	20	SW NE	31.4
2 N	26 E	WM	20	SE NE	31.4
3 N	26 E	WM	30	NE SE	5.0
3 N	26 E	WM	30	SE SE	5.0
3 N	26 E	WM	31	SW NE	31.4
3 N	26 E	WM	31	SE NE	31.4
3 N	26 E	WM	31	NE SE	31.4
3 N	26 E	WM	31	NW SE	31.4
Total					304.0

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

Certificate: 61849 in the name of FAR WEST FARMS (perfected under Permit G-4504)

Use: SUPPLEMENTAL IRRIGATION of 304.0 ACRES

Priority Date: FEBRUARY 10, 1969

Rate: 0.56 CUBIC FEET PER SECOND, PROVIDED THAT WELL #3 SHALL NOT EXCEED THE CAPACITY OF WELL #2 AND BOTH WELLS SHALL NOT BE PUMPED SIMULTANEOUSLY

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The right shall be limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

Source: TWO WELLS within the BUTTER CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	26 E	WM	17	NW NE	WELL #2: 100 FEET SOUTH AND 1350 FEET WEST FROM THE NE CORNER OF SECTION 17
2 N	26 E	WM	18	NE SE	WELL #3: 30 FEET SOUTH AND 30 FEET WEST FROM THE E1/4 CORNER OF SECTION 18

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	7	SW NW	6.3
2 N	26 E	WM	7	SE NW	7.5
2 N	26 E	WM	7	NE SW	7.7
2 N	26 E	WM	7	NW SW	15.4
2 N	26 E	WM	7	SW SW	10.5
2 N	26 E	WM	7	SE SW	2.6
2 N	26 E	WM	17	NW SW	5.5
2 N	26 E	WM	17	SW SW	2.1
2 N	26 E	WM	17	SE SE	10.0
2 N	26 E	WM	18	NE NW	13.2
2 N	26 E	WM	18	NW NW	12.5
2 N	26 E	WM	19	SE SW	1.5
2 N	26 E	WM	19	SW SE	2.1
2 N	26 E	WM	19	SE SE	6.8
2 N	26 E	WM	20	NE NE	31.4
2 N	26 E	WM	20	NW NE	31.4
2 N	26 E	WM	20	SW NE	31.4
2 N	26 E	WM	20	SE NE	31.4
2 N	26 E	WM	20	NW NW	17.8
2 N	26 E	WM	20	SW NW	8.0
2 N	26 E	WM	30	NE NE	21.8
2 N	26 E	WM	30	NW NE	0.7
2 N	26 E	WM	30	NE NW	15.1
2 N	26 E	WM	30	NW NW	11.3
Total					304.0

6. Temporary Transfer Application T-14229 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	17	SE SE	10.0
2 N	26 E	WM	19	SW SW	24.2
2 N	26 E	WM	19	SE SW	8.6
2 N	26 E	WM	20	NE NE	31.4
2 N	26 E	WM	20	NW NE	31.4
2 N	26 E	WM	20	SW NE	31.4
2 N	26 E	WM	20	SE NE	31.4
3 N	26 E	WM	30	NE SE	5.0
3 N	26 E	WM	30	SE SE	5.0

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	31	SW NE	31.4
3 N	26 E	WM	31	SE NE	31.4
3 N	26 E	WM	31	NE SE	31.4
3 N	26 E	WM	31	NW SE	31.4
Total					304.0

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

Certificate: 68536 in the name of BOARDMAN FARMS INC. (perfected under Permit S-43877)

Use: SUPPLEMENTAL IRRIGATION of 135.6 ACRES

Priority Date: APRIL 11, 1977, FEBRUARY 15, 1979

Rate: 4.58 CUBIC FEET PER SECOND

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 and 4.5 acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation herein.

Source: COLUMBIA RIVER, tributary to PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	2	NE NW	SOUTH 86 DEGREES 32 MINUTES 38 SECONDS WEST; 2841.57 FEET FROM THE NE CORNER OF SECTION 2

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	17	SE SE	10.0
2 N	26 E	WM	20	NE NE	31.4
2 N	26 E	WM	20	NW NE	31.4
2 N	26 E	WM	20	SW NE	31.4
2 N	26 E	WM	20	SE NE	31.4
Total					135.6

8. Temporary Transfer Application T-14229 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	30	NE SE	5.0
3 N	26 E	WM	30	SE SE	5.0

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	31	SW NE	31.4
3 N	26 E	WM	31	SE NE	31.4
3 N	26 E	WM	31	NE SE	31.4
3 N	26 E	WM	31	NW SE	31.4
Total					135.6

- Temporary Transfer Application T-14229 proposes to temporarily transfer water rights within the boundaries of Columbia Improvement District. The district was notified of the proposed temporary transfer and concurred.

Temporary Transfer Review Criteria

- The water rights are subject to transfer as defined in OAR 690-380-0100(14).
- Water has been used within the last five years according to the terms and conditions of the water right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- Diversion structures, district canals, pumps, pump stations, ditches, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
- The proposed changes, as conditioned, would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7).
- The Department finds the proposed changes would not result in injury to other water rights in accordance with ORS 540.523(2). 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.
- All other applicable requirements for a temporary water right transfer pursuant to OAR Chapter 690, Division 380, are met.

Conclusions of Law

The temporary change in place of use proposed in Temporary Transfer Application T-14229 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

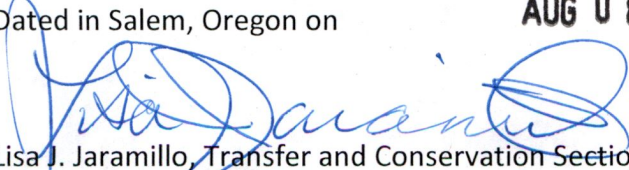
Now, therefore, it is ORDERED:

- The temporary change in place of use and change in point of diversion needed to convey water to the temporary place of use proposed in Temporary Transfer Application T-14229 is approved, as conditioned.

2. The lands from which the water right is removed under Certificates 61848, 61849, and 68536 shall receive no water under the transferred water rights during the 2023 irrigation season.
3. All use of water under this temporary transfer shall revert automatically to the authorized place of use at the end of the **2023** irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
4. Any subsequent application for permanent transfer of Certificates 61848, 61849, and 68536 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.
5. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
6. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
7. Water use measurement and reporting conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
8. The use of the remaining water rights described by Certificates 61848, 61849, and 68536 shall continue to be in accordance with the terms and conditions of Certificates 61848, 61849, and 68536 and any order allocating water for use.

Dated in Salem, Oregon on

AUG 08 2023


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date:

AUG 09 2023

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