

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application)
T-13198, Benton County) **ORDER TERMINATING A TEMPORARY
TRANSFER**

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

JERALD BUSH
24402 MAXFIELD CREEK RD
PHILOMATH, OR 97370

Findings of Fact

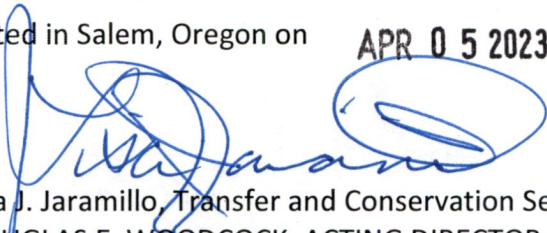
1. On June 5, 2019, JERALD BUSH filed an application to temporarily change the place of use and add an additional point of diversion to serve the proposed place of use under Certificate 76441 for a period of 5 years. The Department assigned the application number T-13198.
2. On August 27, 2019, the Department issued an order approving Temporary Transfer Application T-13198. The order was recorded at Special Order Volume 113, Pages 933-936.
3. Under the order the water right would revert to the authorized place of use described on Certificate 76441 at the end of the 2023 irrigation season.
4. The most recent use of the water at the place of use authorized under Temporary Transfer T-13198 was during the 2022 irrigation season.
5. On March 2, 2023, the applicant requested via email that Temporary Transfer T-13198 be voluntarily terminated.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Now, therefore, it is ORDERED:

Temporary Transfer T-13198 is terminated. The use shall revert to the place of use authorized under Certificate 76441. Water may not be used at the authorized place of use during the same season in which water was used under the Temporary Transfer.

Dated in Salem, Oregon on **APR 05 2023**



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

Mailing Date: **APR 06 2023**