

for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: CROOKED RIVER, a tributary of DESCHUTES RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	20 E	WM	2	NW NE	TWEEDT BOSTON DITCH – 810 FEET SOUTH AND 1820 FEET WEST FROM THE NE CORNER OF SECTION 2

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	20 E	WM	35	SW SW	10.0
17 S	20 E	WM	3	NE NE	4.0
Total					14.0

4. Temporary Transfer Application T-12797 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	20 E	WM	2	NW NW	4.1
17 S	20 E	WM	2	NE NW	9.9
Total					14.0

5. The second right to be temporarily transferred is as follows:

Certificate: 47487 in the name of MILLER TWEEDT (perfected under Permit S-3736)

Use: IRRIGATION of 50.0 ACRES

Priority Date: MARCH 22, 1918

Rate: 0.63 CUBIC FOOT 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, 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 4.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: CROOKED RIVER, a tributary of DESCHUTES RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	20 E	WM	2	NW NE	TWEEDT BOSTON DITCH – 810 FEET SOUTH AND 1820 FEET WEST FROM THE NE CORNER OF SECTION 2

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	20 E	WM	2	NW NE	20.0
17 S	20 E	WM	2	NE NW	20.0
17 S	20 E	WM	2	NW NW	10.0

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
Total					50.0

6. Temporary Transfer Application T-12797 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	20 E	WM	2	NW NE	0.4
16 S	20 E	WM	2	NE NW	8.3
16 S	20 E	WM	35	SW SW	8.0
16 S	20 E	WM	35	SE SW	8.2
17 S	20 E	WM	4	NE SW	2.4
17 S	20 E	WM	4	NW SE	5.7
17 S	20 E	WM	4	SW SE	15.0
17 S	20 E	WM	9	NW NE	2.0
Total					50.0

7. An additional point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12797 proposes an additional point of diversion approximately 3.0 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	20 E	WM	4	NE SW	POD 3 – 180 FEET SOUTH AND 2230 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 4

8. The third right to be temporarily transferred is as follows:

Certificate: 47488 in the name of MILLER TWEEDT (perfected under Permit S-27191)

Use: IRRIGATION of 32.7 ACRES

Priority Date: MARCH 16, 1961

Rate: 0.57 CUBIC FOOT 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, shall be limited to ONE-FORTIETH 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 4.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: CROOKED RIVER, a tributary of DESCHUTES RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	20 E	WM	2	NW NE	TWEEDT BOSTON DITCH – 810 FEET SOUTH AND 1820 FEET WEST FROM THE NE CORNER OF SECTION 2

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
16 S	20 E	WM	35	SW SW		13.2
16 S	20 E	WM	35	SE SW		17.2
16 S	20 E	WM	35	SW SE		2.0

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
17 S	20 E	WM	2	NW NE	2	0.2
17 S	20 E	WM	2	NE NW	3	0.1
Total						32.7

9. Temporary Transfer Application T-12797 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	20 E	WM	35	SW SW	8.9
16 S	20 E	WM	35	SE SW	11.4
16 S	20 E	WM	35	SW SE	2.0
17 S	20 E	WM	2	NW NE	1.3
17 S	20 E	WM	4	NE SW	2.0
17 S	20 E	WM	4	NW SE	7.1
Total					32.7

10. An additional point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12797 proposes an additional point of diversion approximately 3.0 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	20 E	WM	4	NE SW	POD 3 – 180 FEET SOUTH AND 2230 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 4

Temporary Transfer Review Criteria

11. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
13. The proposed changes would not result in enlargement of the rights.
14. The proposed changes 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(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary changes in place of use and additional point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12797 are 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 and additional point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12797 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2018, 2019, 2020, 2021 and 2022 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2022 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 47486, 47487, and 47488 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 Certificates 47486, 47487, and 47488.
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. Water use measurement 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 new 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.

Dated at Salem, Oregon this day MAR 22 2018 .



Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: MAR 26 2018