



4. The portion of the right to be temporarily transferred is as follows:

**Certificate:** 86616 in the name of BEESON AND ROBISON IRRIGATING DITCH  
 (confirmed by of Rogue River decree, Vol. 4, Page 1)  
**Use:** IRRIGATION of 0.11 ACRE  
**Priority Date:** 1854  
**Rate:** 0.0006 CUBIC FOOT PER SECOND (0.28 GPM)  
**Source:** WAGNER CREEK, tributary to BEAR CREEK

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	1 W	WM	35	NW NW	0.11

5. Certificate 86616 does not identify an authorized point of diversion. However, the Department's 1911 adjudication map and recent field inspection by the Department indicates that the original diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	1 W	WM	35	NE SW	Beeson Robison Ditch - <i>none given</i>

6. Temporary Transfer Application T-12920 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	1 W	WM	35	NE NW	0.09
38 S	1 W	WM	35	NW NW	0.02
Total					0.11

7. Temporary Transfer Application T-12920 proposes to temporarily transfer a water right within the boundaries of Talent Irrigation District. The district was notified of the proposed temporary transfer and indicated that the district did not object to the transfer.

***Temporary Transfer Review Criteria***

8. 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.
9. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right are present.
10. The proposed change would not result in enlargement of the right.
11. 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(5) 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-12920 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-12920 is approved.
2. The former place of use **shall not** be irrigated as part of this water right 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.
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 86616 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 86616.
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 use of the remaining water right described by Certificate 86616 shall continue to be in accordance with the terms and conditions of Certificate 86616.

Dated at Salem, Oregon this NOV 14 2018,

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

Mailing Date: NOV 15 2018