

Limit/Duty: The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime, during the period of allowed use specified above, that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre during the irrigation season of each year.

Period of Use: YEAR ROUND

Source: A WELL in CHAMPOEG CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
5 S	2 W	WM	10	NE NW	81	1308 FEET NORTH AND 444 FEET WEST FROM THE SE CORNER OF DLC 81

Authorized Place of Use:

NURSERY OPERATIONS						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	2 W	WM	3	SW SW	81	10.8
5 S	2 W	WM	3	SE SW	81	10.5
5 S	2 W	WM	4	SE SW	81	4.8
5 S	2 W	WM	4	SW SE	81	11.4
5 S	2 W	WM	4	SE SE	81	11.1
5 S	2 W	WM	9	NE NE	81	18.2
5 S	2 W	WM	9	NW NE	81	15.2
5 S	2 W	WM	9	NE NW	81	6.3
5 S	2 W	WM	10	NW NE	81	5.4
5 S	2 W	WM	10	NE NW	81	23.7
5 S	2 W	WM	10	NW NW	81	21.3
					Total	138.7

4. Temporary Transfer Application T-13688 proposes to temporarily change the place of use of the right to:

NURSERY OPERATIONS						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	2 W	WM	9	NE NE	81	21.7
5 S	2 W	WM	9	NW NE	81	24.6
5 S	2 W	WM	9	SW NE	81	3.2
5 S	2 W	WM	9	SE NE	81	9.2
5 S	2 W	WM	9	NE NW	81	5.2
5 S	2 W	WM	10	NW NE	81	2.5
5 S	2 W	WM	10	SW NE	81	3.1
5 S	2 W	WM	10	NE NW	81	15.3

NURSERY OPERATIONS						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
5 S	2 W	WM	10	NW NW	81	18.4
5 S	2 W	WM	10	SW NW	81	14.9
5 S	2 W	WM	10	SE NW	81	20.6
					Total	138.7

Temporary Transfer Review Criteria

5. 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.
6. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
7. The proposed change would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).
8. 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

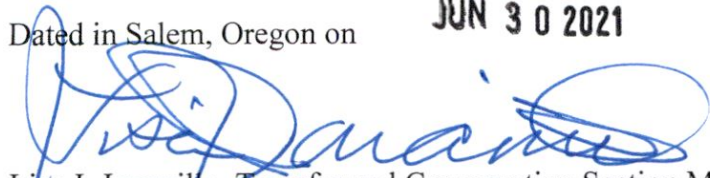
The temporary change in place of use proposed in Temporary Transfer Application T-13688 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-13688 is approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2021, 2022, 2023, 2024 and 2025 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2025 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 95641 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 95641.
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 95641 shall continue to be in accordance with the terms and conditions of Certificate 95641.

Dated in Salem, Oregon on **JUN 30 2021**



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

Mailing Date: **JUN 30 2021**