



limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.

**Source:** LUCKIAMUTE RIVER, a tributary of WILLAMETTE RIVER

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q
9 S	4 W	WM	20	NE SW
9 S	4 W	WM	29	NW NW

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	4 W	WM	20	NE SW	10.0
9 S	4 W	WM	20	SW SW	10.0
9 S	4 W	WM	20	SE SW	40.0
9 S	4 W	WM	29	NE NW	40.0
9 S	4 W	WM	29	NW NW	20.0
Total:					120.0

4. Temporary Transfer Application T-11826 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	4 W	WM	30	SE SE	46	8.8
9 S	4 W	WM	31	NE NE		26.5
9 S	4 W	WM	31	NW NE		1.9
9 S	4 W	WM	31	SW NE		18.6
9 S	4 W	WM	31	SE NE		36.2
9 S	4 W	WM	31	NE SE		5.7
9 S	4 W	WM	31	NW SE		3.6
9 S	4 W	WM	32	SW NW		9.7
9 S	4 W	WM	32	SE NW		1.8
9 S	4 W	WM	32	NE SW		0.7
9 S	4 W	WM	32	NW SW		6.5
Total:						120.0

5. A change in the points of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-11826 proposes to move the authorized points of diversion approximately 0.6 mile and 1.0 mile downstream as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	4 W	WM	29	NE SW	1000 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF DLC 46
9 S	4 W	WM	30	NE SE	1640 FEET NORTH AND 125 FEET WEST FROM THE SE CORNER OF SECTION 30

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

**Certificate:** 22676 in the name of E. H. LORENCE (perfected under Permit S-19640)  
**Use:** IRRIGATION of 55.14 ACRES  
**Priority Date:** DECEMBER 9, 1949  
**Rate:** 0.69 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** LUCKIAMUTE RIVER, a tributary of WILLAMETTE RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC
9 S	5 W	WM	24	NE NW	62

**Authorized Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
9 S	5 W	WM	24	NE NW	1		2.40
9 S	5 W	WM	24	NE NW		62	3.20
9 S	5 W	WM	24	NW NW		62	10.05
9 S	5 W	WM	24	SW NW	3		2.40
9 S	5 W	WM	24	SW NW		62	21.90
9 S	5 W	WM	24	SE NW		62	1.40
9 S	5 W	WM	24	SE NW	2		13.79
Total:							55.14

7. Temporary Transfer Application T-11826 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	4 W	WM	31	SE NE	4.20
9 S	4 W	WM	31	NE SE	3.34
9 S	4 W	WM	32	NE NW	3.50
9 S	4 W	WM	32	NW NW	6.00
9 S	4 W	WM	32	SW NW	30.70
9 S	4 W	WM	32	SE NW	7.40
Total:					55.14

8. A change in point of diversion and an additional point of diversion are necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-11826 proposes to move the authorized point of diversion approximately 2.1 miles downstream and

add an additional point of diversion approximately 2.4 miles downstream from the authorized point of diversion, to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	4 W	WM	29	NE SW	1000 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF DLC 46
9 S	4 W	WM	30	NE SE	1640 FEET NORTH AND 125 FEET WEST FROM THE SE CORNER OF SECTION 30

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

**Certificate:** 26647 in the name of E. H. LORENCE (perfected under Permit S-22946)

**Use:** IRRIGATION of 30.17 ACRES

**Priority Date:** MAY 24, 1954

**Rate:** 0.37 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** LUCKIAMUTE RIVER, a tributary of WILLAMETTE RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	DLC
9 S	5 W	WM	24	NE NW	62

**Authorized Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
9 S	5 W	WM	23	SE NE		62	1.00
9 S	5 W	WM	23	NE SE		62	2.66
9 S	5 W	WM	24	SW NW	3		4.60
9 S	5 W	WM	24	SW NW		62	7.80
9 S	5 W	WM	24	SE NW	2		6.61
9 S	5 W	WM	24	NW SW		62	7.50
Total:							30.17

10. Temporary Transfer Application T-11826 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	4 W	WM	29	SW SW		16.50
9 S	4 W	WM	29	SE SW		4.17
9 S	4 W	WM	32	NE NW	69	3.00
9 S	4 W	WM	32	NW NW	69	6.50

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
Total:						30.17

11. A change in point of diversion and an additional point of diversion are necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-11826 proposes to move the authorized point of diversion approximately 2.14 miles downstream and add an additional point of diversion approximately 2.36 miles downstream from the authorized point of diversion, to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	4 W	WM	29	NE SW	1000 FEET NORTH AND 100 FEET WEST FROM THE SE CORNER OF DLC 46
9 S	4 W	WM	30	NE SE	1640 FEET NORTH AND 125 FEET WEST FROM THE SE CORNER OF SECTION 30

12. Water right Permit S-54129, with an approved period of use from April 1 through June 30 of each year, exists on the proposed place of use for Temporary Transfer Application T-11826.

***Temporary Transfer Review Criteria***

13. 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.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
15. The proposed changes would not result in enlargement of the rights.
16. 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**

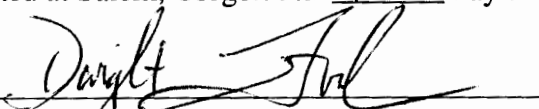
The temporary changes in place of use, points of diversion and additional points of diversion to convey water to the temporary places of use proposed in application Temporary Transfer Application T-11826 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

**Now, therefore, it is ORDERED:**

1. The temporary changes in place of use, points of diversion and additional point of diversion to convey water to the temporary places of use proposed in Temporary Transfer Application T-11826 are approved.

2. The former place of use **shall not** be irrigated as part of these water rights during the 2014, 2015, 2016, 2017, and 2018 irrigation seasons.
3. On the lands covered by Water Right Permit S-54129, this Temporary Transfer Application T-11825 shall only be exercised when water under Water Right Permits S-54129 is unavailable.
4. The use shall revert to the authorized place of use at the end of the 2018 irrigation season. The authorization to use the additional points of diversion shall be terminated concurrently.
5. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
6. A subsequent application for permanent transfer of Certificates 10645, 22676, and 26647 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.
7. The use of water at the temporary places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 10645, 22676, and 26647.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
9. The use of the remaining water rights described by Certificates 22676 and 26647 shall continue to be in accordance with the terms and conditions of Certificates 22676 and 26647 and is subject to all other conditions and limitations contained in said decree.

Dated at Salem, Oregon this 10 day of July, 2014.

  
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Dwight French  
Water Right Services Administrator, for  
Director  
Oregon Water Resources Department

Mailing Date: JUL 15 2014