

of the Preliminary Determination for the transfer application was published in the Department's weekly notice on November 15, 2023, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 38158 in the name of HUBERT/JANICE GRIFFITHS (perfected under Permit G-3356)

Use: IRRIGATION of 4.4 ACRES

Priority Date: JULY 7, 1965

Rate: 0.04 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, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, 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: WELL # 1, a tributary of SOUTH SANTIAM RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
12 S	1 W	WM	29	SE SW	2670 FEET WEST AND 1500 FEET NORTH FROM THE NE CORNER, KLUM DLC 40

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
12 S	1 W	WM	29	NE SW	53	1.6
12 S	1 W	WM	29	NW SW	53	0.6
12 S	1 W	WM	29	SE SW	53	2.2
Total						4.4

6. Transfer Application T-13831 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
12 S	1 W	WM	29	SE SW	53	1.6
12 S	1 W	WM	29	SE SW	53	0.6
12 S	1 W	WM	29	SE SW	53	2.2
Total						4.4

Transfer Review Criteria (OAR 690-380-4010)

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13831.
9. The proposed change would not result in enlargement of the right.
10. The proposed change would not result in injury to other water rights.
11. All other application requirements are met.

Conclusions of Law

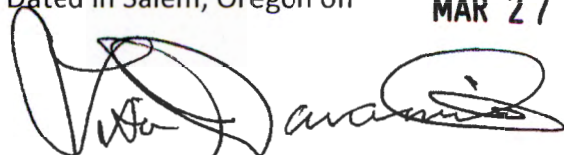
The change in place of use proposed in Transfer Application T-13831 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-13831 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 38158 and any related decree.
3. Water right Certificate 38158 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
4. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
5. The former place of use of the transferred right shall no longer receive water under the right.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
7. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

MAR 27 2024



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

Mailing date: **MAR 28 2024**