



# Oregon

John A. Kitzhaber, MD, Governor

## Water Resources Department

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725 Summer Street NE, Suite A  
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May 13, 2014

VIA E-MAIL

KIRPAL LIGHT SATSANG INC.  
PO BOX 10  
UMPQUA, OR 97486

SUBJECT: Water Right Transfer Application T-11577

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-11577. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Roseburg News-Review newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at Tracy.L.Fox@ wrd.state.or.us or 503 986-0827 if I may be of assistance.

Sincerely,

Ms. Tracy Fox  
Transfer Specialist  
Transfer and Conservation Section

cc: T-11577  
Dave S. Williams, District 15 Watermaster (via e-mail)  
Clay Jordan, CWRE #431

enclosure



5. The right to be transferred is as follows:

**Certificate:** 87403 in the name of KIRPAL LIGHT SATSANG INC. (perfected under Permit R-11367)  
**Use:** STORAGE for IRRIGATION AND SUPPLEMENTAL IRRIGATION, AND DOMESTIC USE FOR TWO FAMILIES  
**Priority Date:** JUNE 14, 1990  
**Rate:** The amount of water entitled to be stored each year under this right is not more than 11.455 ACRE-FEET (af), being 2.5 af in Reservoir A, 1.4 af in Reservoir B, 2.0 af in Reservoir C, 5.524 af in Reservoir D, and 0.0307 af in Reservoir E.  
**Source:** UNNAMED SPRINGS, a tributary of the UMPQUA RIVER

**The dams are located as follows:**

Res	Twp	Rng	Mer	Sec	Q-Q
A	25 S	7 W	WM	10	SW NE
B	25 S	7 W	WM	10	SW NE
C	25 S	7 W	WM	10	SW NE
D	25 S	7 W	WM	10	SE NW
E	25 S	7 W	WM	10	SE NW

**The areas submerged by these reservoirs are as follows:**

Twp	Rng	Mer	Sec	Q-Q
25 S	7 W	WM	10	NW NE
25 S	7 W	WM	10	SW NE
25 S	7 W	WM	10	NE NW
25 S	7 W	WM	10	SE NW

6. Transfer Application T-11577 proposes to change the character of use from storage for irrigation and supplemental irrigation, and domestic use for two families to storage for multi-purpose use.

***Transfer Review Criteria [OAR 690-380-4010(2)]***

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. The dam structures and reservoirs are sufficient to store the amount of water allowed in the water right as evidenced by Certificate 87403 being issued within the last five years.
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.

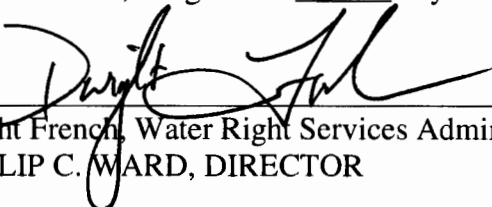
**Determination and Proposed Action**

The change in character of use proposed in Transfer Application T-11577 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

*If Transfer Application T-11577 is approved, the final order will include the following:*

- 1. The change in character of use proposed in Transfer Application T-11577 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 87403 and any related decree.*
- 3. Water right certificate 87403 is cancelled.*
- 4. Reservoir water use measurement:*
  - a. Before water use may begin under this order, the water user shall install staff gages, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*
  - b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.*
- 5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2015**. 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 change and full beneficial use of the water.*
- 6. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 13 day of May, 2014.

  
Dwight French, Water Right Services Administrator, for  
PHILLIP C. WARD, DIRECTOR

This Preliminary Determination was prepared by Tracy Fox. If you have questions about the information in this document, you may reach me at 503 986-0827 or Tracy.L.Fox@ wrd.state.or.us.

Protests should be addressed to the Water Rights Services Division, Oregon Water Resources Department, 725 Summer Street, Suite A, Salem, OR 97301-1266.