

FINAL ORDER

March 21, 1997

WATER
RESOURCES
DEPARTMENT

North Marion Irrigation District
5959 Champoeg Road
St. Paul, Oregon
97137

RE: Approval of Temporary Transfer # T-7674

Pursuant to ORS 540.570, North Marion Irrigation District filed a request to move the place of use of certain water rights within the District for the 1997 irrigation season. The changes requested are enumerated on the attached sheet. Notice of the request was published in summary form by the Water Resources Department on January 7, 1997. Public comments were accepted for 30 days following publication. No comments were received.

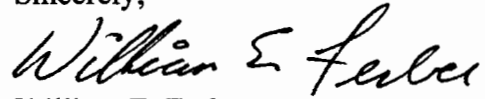
Pursuant to ORS 540.570 (3) and OAR 690-21-060 (2) staff has reviewed the requested changes. This review finds that the proposed changes do not injure existing rights or result in enlargement of the subject rights. Therefore, the request as enumerated on the attached sheet and as conditioned below, is approved for the 1997 irrigation season.

1. Pursuant to 540.570 (2) water will not be used on the subject lands until 60 days after the district's notice was received. The notice was received December 27, 1996.
2. The "FROM" lands will receive no water under the rights involved with T-7673 for the 1997 and 1998 irrigation seasons.
3. The "FROM" lands will receive no water under any other rights appurtenant to these lands for the 1997 and 1998 irrigation seasons, unless water rights are transferred to the "FROM" lands.
4. All restrictions and limitations contained in the decree or permit of the subject rights will apply to the "TO" lands.
5. Pursuant to 540.570 (6) the Department may further condition or revoke a temporary transfer at any time to the extent necessary to avoid injury if the department finds the transfer is causing injury to an existing water right.



Copies of the approved request and associated maps are on file at the Department's Northwest Region office in Salem.

Sincerely,

A handwritten signature in black ink that reads "William E. Ferber". The signature is written in a cursive style with a large, prominent "W" and "F".

William E. Ferber
Field Water Rights Specialist, Northwest Region

cc: Bill Ferber, Watermaster, District 16

Tom Paul, Northwest Region Manager

Laura A. Schroeder
Schroeder Law Offices
3355 N.E. Davis
Portland, Oregon
97232

North Marion Irrigation District Temporary Transfer, 1997 Irrigation Season

TEMPORARY TRANSFER, 1997 IRRIGATION SEASON
NORTH MARION IRRIGATION DISTRICT

1) Certificate 19958 - Irrigation - Authorized Source: Willamette River

Authorized Point of Diversion

POD - NE¼ NW¼, Section 33, T.3S., R.2W., W.M.

Priority date - February 11, 1941.

FROM LANDS									
Name	W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
Dority	Cert 19958	3S	2W	33	SWSW	400	2/11/41	IR	3.5
Dority	Cert 19958	3S	2W	33	SESW	400	2/11/41	IR	3.5
TOTAL									7

TO LANDS									
Name	W/R #	T.	R.	SEC	Q/Q	T.L.	PRIORITY	USE	ACRES
Dority	Cert 19958	3S	2W	33	SESW	600	2/11/41	IR	2.5
Dority	Cert 19958	3S	2W	33	SWSE	600	2/11/41	IR	2.0
Dority	Cert 19958	4S	2W	4	NENW	600	2/11/41	IR	2.0
Dority	Cert 19958	4S	2W	4	NWNE	600	2/11/41	IR	0.5
TOTAL									7

“TO” lands in T.4S, R.2W, Section 4 are mapped on county assessor map T.3S, R.2W, Section 33.