

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	PROPOSED FINAL ORDER PROPOSING
T-13908, Lake County	)	APPROVAL OF ADDITIONAL POINTS OF
	)	APPROPRIATION AND CHANGES IN
	)	PLACES OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

JRS PROPERTIES III, LLP
PO BOX 27
BOISE, ID 83707

Findings of Fact

1. On January 31, 2022, JRS PROPERTIES III, LLP filed an application for additional points of appropriation and a change in the places of use under Certificates 26991, 27013, 46198, 48889, 48890, 50758, 65757, 65760, 76036, 76037, 76043, and 91057. The Department assigned the application number T-13908.
2. Notice of the application for transfer was published on February 8, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 27, 2023, the Department notified the applicant's agent that the authorized wells identified in Table 1 of each certificate were inconsistent with the authorized wells identified in the certificates. The agent was also notified that the acreage identified to be transferred in Table 2 of Certificates 26991, 27013 and 91057 was inconsistent with the acreage shown on the maps submitted.

Under ORS 540.520(8) and (9) and ORS 536.077(1), any person may file a protest of this Proposed Final Order within 30 days after publication of notice of this Proposed Final Order in the Department's weekly notice. Under ORS 540.520(9) and ORS 536.077(2), if a protest is filed, any person who supports this Proposed Final Order may file a request for party status within 30 days after the deadline for filing a protest. Please refer to the end of this document for further information about filing protests and requests for party status.

4. On June 28, 2023, the applicant's agent submitted a revised Table 1 for each certificate, identifying the correct authorized wells, and a revised Table 2 for Certificates 26991, 27013, and 91057, correcting the number of acres to be transferred to be consistent with the maps submitted.
5. On September 14, 2025, the Department sent a copy of the draft Preliminary Determination (further referred to as Initial Review) proposing to approve Transfer Application T-13908 to the applicant. The Initial Review cover letter set forth a deadline of October 16, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination (further referred to as Proposed Final Order) and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
6. The first right to be transferred is as follows:

Certificate: 26991 in the name of ALBERT E. ALBERTSEN (perfected under Permit G-410)

Use: IRRIGATION OF 156.9 ACRES

Priority Date: DECEMBER 7, 1954

Rate: 1.96 CUBIC FEET 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 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: VAUGHN WELL #3, a tributary of SILVER CREEK, tributary of SILVER LAKE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	15 E	WM	13	SE SW	1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed changes
28 S	15 E	WM	13	NE SW	30.0	APOA
28 S	15 E	WM	13	NE SW	8.4	APOA/POU
28 S	15 E	WM	13	NW SW	30.0	APOA
28 S	15 E	WM	13	NW SW	8.5	APOA/POU
28 S	15 E	WM	13	SW SW	30.0	APOA
28 S	15 E	WM	13	SW SW	10.0	APOA/POU
28 S	15 E	WM	13	SE SW	30.0	APOA
28 S	15 E	WM	13	SE SW	10.0	APOA/POU
TOTAL					156.9	

7. Transfer Application T-13908 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized point of appropriation
28 S	15 E	WM	13	NW NW	POA 2 (LAKE 4283) - 2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	4,015 ft. NE
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	3,857 ft. NE
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	2,980 ft. NE
28 S	15 E	WM	14	SE NE	POA 5 (LAKE 4437) - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF 14	3,120 ft. NW
28 S	15 E	WM	14	SE SW	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	2,867 ft. SW
28 S	16 E	WM	19	NE NW	POA 7 (LAKE 1405) - 1270 FEET NORTH AND 470 FEET WEST FROM THE CENTER 1/16 CORNER OF SECTION 19	6,335 ft. SE

8. Transfer Application T-13908 also proposes to change the place of use for a portion of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	11	SE SE	1.3
28 S	15 E	WM	12	SW SW	8.0
28 S	15 E	WM	12	SE SW	1.3
28 S	15 E	WM	13	NE NW	8.0
28 S	15 E	WM	13	SW NW	8.0
28 S	15 E	WM	13	SE NW	1.1
28 S	15 E	WM	14	NE NE	8.1
28 S	15 E	WM	14	SE NE	1.1
TOTAL					36.9

9. The second right to be transferred is as follows:

Certificate: 27013 in the name of ALBERT E. ALBERTSEN (perfected under Permit U-597)

Use: IRRIGATION OF 128.8 ACRES

Priority Date: JANUARY 11, 1954

Rate: 1.61 CUBIC FEET 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 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: VAUGHN WELL #1, a tributary of SILVER CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	16 E	WM	19	NE NW	1270 FEET NORTH AND 470 FEET WEST FROM THE SE CORNER OF THE NENW OF SECTION 19

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	16 E	WM	18	SW SW	15.6
28 S	16 E	WM	18	SE SW	7.6
28 S	16 E	WM	19	NE NW	35.0
28 S	16 E	WM	19	NW NW	28.4
28 S	16 E	WM	19	SW NW	5.0
28 S	16 E	WM	19	SE NW	37.2
TOTAL					128.8

10. Transfer Application T-13908 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized point of appropriation (POA) in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 2 (LAKE 4283) - 2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	8,270 ft. NW
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	8,260 ft. NW
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	4,430 ft. NW
28 S	15 E	WM	13	SE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	6,335 ft. NW
28 S	15 E	WM	14	SE NE	POA 5 (LAKE 4437) - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF 14	9,400 ft. NW

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized point of appropriation (POA) in feet (ft.)
28 S	15 E	WM	14	SE SW	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	8,843 ft. NW

11. Transfer Application T-13908 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
28 S	15 E	WM	13	SE SE		3.6
28 S	15 E	WM	24	NE NE		1.3
28 S	16 E	WM	18	NE SW		4.4
28 S	16 E	WM	18	NW SW	3	4.4
28 S	16 E	WM	18	SW SW	4	39.4
28 S	16 E	WM	18	SE SW		27.5
28 S	16 E	WM	19	NE NW		10.7
28 S	16 E	WM	19	NW NW	1	16.4
28 S	16 E	WM	19	SW NW	2	12.1
28 S	16 E	WM	19	SE NW		9.0
TOTAL						128.8

12. The third right to be transferred is as follows:

Certificate: 46198 in the name of ALBERT E. ALBERTSEN (perfected under Permit G-411)

Use: IRRIGATION OF 127.2 ACRES

Priority Date: DECEMBER 7, 1954

Rate: 1.59 CUBIC FEET 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 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: VAUGHN WELL NO. 2, a tributary of SILVER CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	15 E	WM	14	SE NE	390 NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF SECTION 14

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed changes
28 S	15 E	WM	14	SW NE	4.0	APOA/POU
28 S	15 E	WM	14	SW NE	34.0	APOA
28 S	15 E	WM	14	NE SE	4.6	APOA/POU
28 S	15 E	WM	14	NE SE	34.0	APOA
28 S	15 E	WM	14	NW SE	4.6	APOA/POU
28 S	15 E	WM	14	NW SE	34.0	APOA
28 S	15 E	WM	14	SW SE	5.0	APOA/POU
28 S	15 E	WM	14	SW SE	1.0	APOA
28 S	15 E	WM	14	SE SE	5.0	APOA/POU
28 S	15 E	WM	14	SE SE	1.0	APOA
TOTAL					127.2	

13. Transfer Application T-13908 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 2 (LAKE 4283) - 2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	3,464 st. SW
28 S	15 E	WM	13	SE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	3,120 ft. NE
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	5,190 ft. SW
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	3,454 ft. NW
28 S	15 E	WM	14	SE SW	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	3,036 ft. NW
28 S	16 E	WM	19	NE NW	POA 7 (LAKE 1405) - 1270 FEET NORTH AND 470 FEET WEST FROM THE CENTER 1/16 CORNER OF SECTION 19	9.400 ft. NW

14. Transfer Application T-13908 also proposes to change the place of use for a portion of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	11	SE SE	1.6
28 S	15 E	WM	12	SW SW	4.2
28 S	15 E	WM	12	SE SW	1.7
28 S	15 E	WM	13	NE NW	4.2
28 S	15 E	WM	13	SW NW	4.1
28 S	15 E	WM	13	SE NW	1.6

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	14	NE NE	4.2
28 S	15 E	WM	14	SE NE	1.6
TOTAL					23.2

15. The fourth right to be transferred is as follows:

Certificate: 48889 in the name of VIEW POINT RANCHES (perfected under Permit G-5755)
Use: IRRIGATION OF 136.2 ACRES
Priority Date: APRIL 9, 1973
Rate: 1.70 CUBIC FEET 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 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.
Source: VAUGHN WELL NO. 1, a tributary of SILVER LAKE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	16 E	WM	19	NE NW	50 FEET SOUTH AND 2150 FEET EAST FROM THE NW CORNER OF SECTION 19

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	13	SE SE	40.0
28 S	15 E	WM	24	NE NE	40.0
28 S	16 E	WM	18	SW SW	24.4
28 S	16 E	WM	18	SE SW	12.4
28 S	16 E	WM	19	NE NW	5.0
28 S	16 E	WM	19	NW NW	11.6
28 S	16 E	WM	19	SE NW	2.8
TOTAL					136.2

16. Transfer Application T-13908 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 2 (LAKE 4283) - 2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	8,270 ft. NW

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	8,260 ft. NW
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	4,430 ft. SE
28 S	15 E	WM	13	NE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	6,335 st. SE
28 S	15 E	WM	14	SE NE	POA 5 (LAKE 4437) - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF 14	9,400 ft. SE
28 S	15 E	WM	14	SE SW	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	8,843 ft. SW

17. Transfer Application T-13908 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres
28 S	15 E	WM	13	SW SW		16.1
28 S	15 E	WM	13	SE SE		8.3
28 S	15 E	WM	24	NE NE		8.7
28 S	15 E	WM	24	NW NE		15.8
28 S	15 E	WM	24	SE NE		0.3
28 S	16 E	WM	18	NE NW		21.1
28 S	16 E	WM	18	NW NW	1	22.2
28 S	16 E	WM	18	SW NW	2	22.3
28 S	16 E	WM	18	SE NW		20.5
28 S	16 E	WM	18	SW SW	4	0.6
28 S	16 E	WM	18	SE SW		0.3
TOTAL						136.2

18. The fifth right to be transferred is as follows:

Certificate: 48890 in the name of JOHN C. & CHARLOTTE C. WEBER; DBA: VIEW POINT RANCHES (perfected under Permit G-6552)

Use: IRRIGATION OF 125.0 ACRES

Priority Date: AUGUST 18, 1975

Rate: 1.56 CUBIC FEET 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: VAUGHN VALLEY WELL NO. 1, a tributary of SILVER LAKE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	15 E	WM	13	NW SE	2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed changes
28 S	15 E	WM	13	SW NE	30.0	APOA
28 S	15 E	WM	13	SW NE	1.3	APOA/POU
28 S	15 E	WM	13	SE NE	30.0	APOA
28 S	15 E	WM	13	SE NE	1.2	APOA/POU
28 S	15 E	WM	13	NE SE	30.0	APOA
28 S	15 E	WM	13	NE SE	1.2	APOA/POU
28 S	15 E	WM	13	NW SE	30.0	APOA
28 S	15 E	WM	13	NW SE	1.3	APOA/POU
TOTAL					125.0	

19. Transfer Application T-13908 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 2 (LAKE 4283) - 2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	3,750 ft. NW
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	3,740 ft. NW
28 S	15 E	WM	13	SE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	2,980 ft. SW
28 S	15 E	WM	14	SE NE	POA 5 (LAKE 4437) - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF 14	5,190 ft. NE
28 S	15 E	WM	14	SE SW	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	5,886 ft. SW

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	16 E	WM	19	NE NW	POA 7 (LAKE 1405) - 1270 FEET NORTH AND 470 FEET WEST FROM THE CENTER 1/16 CORNER OF SECTION 19	4,430 ft. NW

20. Transfer Application T-13908 also proposes to change the place of use for a portion of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	13	SW SE	1.4
28 S	15 E	WM	13	SE SE	1.1
28 S	15 E	WM	24	NE NE	1.1
28 S	15 E	WM	24	NW NE	1.4
TOTAL					5.0

21. The sixth right to be transferred is as follows:

Certificate: 50758 in the name of ALDER CREEK RANCHES, INC. (perfected under Permit G-8123)

Use: IRRIGATION OF 134.4 ACRES

Priority Date: APRIL 4, 1978

Rate: 1.68 CUBIC FEET 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: B FIELD WELL, a tributary of MURDOCK CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	15 E	WM	14	SE SE	10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Changes
28 S	15 E	WM	14	SW SE	31.8	APOA
28 S	15 E	WM	14	SW SE	1.8	APOA/POU
28 S	15 E	WM	14	SE SE	31.8	APOA
28 S	15 E	WM	14	SE SE	1.8	APOA/POU
28 S	15 E	WM	23	NE NE	31.7	APOA
28 S	15 E	WM	23	NE NE	1.9	APOA/POU

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Changes
28 S	15 E	WM	23	NW NE	31.7	APOA
28 S	15 E	WM	23	NW NE	1.9	APOA/POU
TOTAL					134.4	

22. Transfer Application T-13908 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 2 (LAKE 4283) - 2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	5,863 ft. NW
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	5,853 ft. NW
28 S	15 E	WM	13	SE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	2,867 ft. W
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	5,866 ft. NE
28 S	15 E	WM	14	SE NE	POA 5 (LAKE 4437) - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF 14	3,036 ft. NE
28 S	16 E	WM	19	NE NW	POA 7 (LAKE 1405) - 1270 FEET NORTH AND 470 FEET WEST FROM THE CENTER 1/16 CORNER OF SECTION 19	8,843 ft. NW

23. Transfer Application T-13908 also proposes to change the place of use for a portion of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	11	SE SE	1.0
28 S	15 E	WM	12	SW SW	0.8
28 S	15 E	WM	12	SE SW	1.0
28 S	15 E	WM	13	NE NW	0.9
28 S	15 E	WM	13	SW NW	0.8
28 S	15 E	WM	13	SE NW	1.0
28 S	15 E	WM	14	NE NE	0.9
28 S	15 E	WM	14	SE NE	1.0
TOTAL					7.4

24. The seventh right to be transferred is as follows:

Certificate: 65757 in the name of ZX RANCH (perfected under Permit G-6772)

Use: IRRIGATING 115.0 ACRES

Priority Date: APRIL 13, 1976

Rate: 1.44 CUBIC FEET 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), and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL in the SILVER LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	15 E	WM	13	NW NW	WELL 19 - 15 FEET SOUTH AND 1320 FEET EAST FROM THE NW CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	12	SW SW	30.9
28 S	15 E	WM	12	SE SW	21.8
28 S	15 E	WM	13	NE NW	30.9
28 S	15 E	WM	13	NW NW	31.4
TOTAL					115.0

25. Transfer Application T-13908 proposes additional points of appropriation as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	10 ft. NE
28 S	15 E	WM	13	SE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	4,015 ft. SE
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	3,750 ft. SE
28 S	15 E	WM	14	SE NE	POA 5 (LAKE 4437) - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF 14	3,464 ft. SE
28 S	15 E	WM	14	SE SE	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	5,843 ft. SE
28 S	16 E	WM	19	NE NW	POA 7 (LAKE 1405) - 1270 FEET NORTH AND 470 FEET WEST FROM THE CENTER 1/16 CORNER OF SECTION 19	8,270 ft. W

26. Transfer Application T-13908 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	11	SE SE	6.7
28 S	15 E	WM	12	SW SW	6.0
28 S	15 E	WM	12	SE SW	6.7
28 S	15 E	WM	13	NE NW	6.1
28 S	15 E	WM	13	SW NW	6.1
28 S	15 E	WM	13	SE NW	6.7
28 S	15 E	WM	13	SE SW	3.2
28 S	15 E	WM	13	SW SE	15.0
28 S	15 E	WM	13	SE SE	13.8
28 S	15 E	WM	14	NE NE	6.1
28 S	15 E	WM	14	SE NE	6.7
28 S	15 E	WM	24	NE NE	13.8
28 S	15 E	WM	24	NW NE	14.9
28 S	15 E	WM	24	NE NW	3.2
TOTAL					115.0

27. The eighth right to be transferred is as follows:

Certificate: 65760 in the name of ZX RANCH (perfected under Permit G-411)

Use: IRRIGATING 8.0 ACRES

Priority Date: DECEMBER 7, 1954

Rate: 0.10 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) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL in the SILVER LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	15 E	WM	14	SE NE	POA #5 - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF SECTION 14

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	14	SE NE	8.0

28. Transfer Application T-13908 proposes additional points of appropriation are as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 2 (LAKE 4283) - 2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	3,464 ft. NW
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	3,454 ft. NW
28 S	15 E	WM	13	SE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	3,120 ft. SW
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	5,190 ft. SW
28 S	15 E	WM	14	SE SE	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	3,036 ft. S
28 S	16 E	WM	19	NE NW	POA 7 (LAKE 1405) - 1270 FEET NORTH AND 470 FEET WEST FROM THE CENTER 1/16 CORNER OF SECTION 19	9,400 ft. NW

29. Transfer Application T-13908 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	11	SE SE	0.7
28 S	15 E	WM	12	SW SW	1.3
28 S	15 E	WM	12	SE SW	0.7
28 S	15 E	WM	13	NE NW	1.3
28 S	15 E	WM	13	SW NW	1.3
28 S	15 E	WM	13	SE NW	0.7
28 S	15 E	WM	14	NE NE	1.3
28 S	15 E	WM	14	SE NE	0.7
TOTAL					8.0

30. The ninth right to be transferred is as follows:

Certificate: 76036 in the name of Z X RANCH (perfected under Permit G-6772)
Use: IRRIGATION of 10.3 ACRES
Priority Date: APRIL 13, 1976
Rate: 0.13 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) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL 19 in the SILVER LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	15 E	WM	13	NW NW	WELL 19 - 2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	12	NW SW	0.40
28 S	15 E	WM	12	SW SW	2.44
28 S	15 E	WM	13	NE NW	7.46
TOTAL					10.3

31. Transfer Application T-13908 proposes additional points of appropriation are as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	10 ft. NW
28 S	15 E	WM	13	SE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	4,015 ft. SE
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	3,750 ft. SE
28 S	15 E	WM	14	SE NE	POA 5 (LAKE 4437) - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF 14	3,464 ft. SE
28 S	15 E	WM	14	SE SE	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	5,843 ft. SE
28 S	16 E	WM	19	NE NW	POA 7 (LAKE 1405) - 1270 FEET NORTH AND 470 FEET WEST FROM THE CENTER 1/16 CORNER OF SECTION 19	8,270 ft. NE

32. Transfer Application T-13908 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	11	SE SE	0.7
28 S	15 E	WM	12	SW SW	1.3
28 S	15 E	WM	12	SE SW	0.7
28 S	15 E	WM	13	NE NW	1.3
28 S	15 E	WM	13	SW NW	1.3
28 S	15 E	WM	13	SE NW	0.7
28 S	15 E	WM	14	NE NE	1.3
28 S	15 E	WM	14	SE NE	0.7
TOTAL					10.3

33. The tenth right to be transferred is as follows:

Certificate: 76037 in the name of Z X RANCH (perfected under Permit G-8988)

Use: IRRIGATION of 20.2 ACRES

Priority Date: JUNE 3, 1980

Rate: 0.25 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) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 19 in the SILVER LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	15 E	WM	13	NW NW	2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	13	SW NW	20.2

34. Transfer Application T-13908 proposes additional points of appropriation are as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	10 ft. NW
28 S	15 E	WM	13	SE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	4,015 ft. SE
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	3,750 ft. SE
28 S	15 E	WM	14	SE NE	POA 5 (LAKE 4437) - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF 14	3,464 ft. SE
28 S	15 E	WM	14	SE SE	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	5,843 ft. SE
28 S	16 E	WM	19	NE NW	POA 7 (LAKE 1405) - 1270 FEET NORTH AND 470 FEET WEST FROM THE CENTER 1/16 CORNER OF SECTION 19	8,270 ft. NW

35. Transfer Application T-13908 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	11	SE SE	2.7
28 S	15 E	WM	12	SW SW	2.3
28 S	15 E	WM	12	SE SW	2.7
28 S	15 E	WM	13	NE NW	2.4
28 S	15 E	WM	13	SW NW	2.3
28 S	15 E	WM	13	SE NW	2.7
28 S	15 E	WM	14	NE NE	2.4
28 S	15 E	WM	14	SE NE	2.7
TOTAL					20.2

36. The eleventh right to be transferred is as follows:

Certificate: 76043 in the name of Z X RANCH (perfected under Permit G-411)

Use: IRRIGATION of 60.0 ACRES

Priority Date: DECEMBER 7, 1954

Rate: 0.75 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) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 19 in the SILVER LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	15 E	WM	13	NW NW	WELL 19 - 2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	12	SW SW	0.32
28 S	15 E	WM	12	SE SW	0.63
28 S	15 E	WM	13	NE NW	0.18
28 S	15 E	WM	14	NE NE	39.39
28 S	15 E	WM	14	SE NE	19.48
TOTAL					60.0

37. Transfer Application T-13908 proposes additional points of appropriation are as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	10 ft. NW
28 S	15 E	WM	13	SE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	4,015 ft. SE
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	3,750 ft. SE
28 S	15 E	WM	14	SE NE	POA 5 (LAKE 4437) - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF 14	3,464 ft. SE
28 S	15 E	WM	14	SE SE	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	5,843 ft. SE
28 S	16 E	WM	19	NE NW	POA 7 (LAKE 1405) - 1270 FEET NORTH AND 470 FEET WEST FROM THE CENTER 1/16 CORNER OF SECTION 19	8,270 ft. NW

38. Transfer Application T-13908 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	12	SW SW	5.3
28 S	15 E	WM	13	NE NW	5.2
28 S	15 E	WM	13	NW NW	39.9
28 S	15 E	WM	13	SW NW	4.6
28 S	15 E	WM	14	NE NE	5.0
TOTAL					60.0

39. The twelfth right to be transferred is as follows:

Certificate: 91057 in the name of Z X RANCH (perfected under Permit G-6051)
Use: PRIMARY IRRIGATION of 78.19 ACRES
Priority Date: MARCH 5, 1974
Rate: 0.98 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) and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL 19 in the SILVER LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	15 E	WM	13	NW NW	2627 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	11	SE SE	23.25
28 S	15 E	WM	12	SW SW	5.87
28 S	15 E	WM	13	NW NW	8.60
28 S	15 E	WM	13	SW NW	17.81
28 S	15 E	WM	13	SE NW	20.69
28 S	15 E	WM	14	SE NE	1.97
TOTAL					78.19

40. Transfer Application T-13908 proposes additional points of appropriation are as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from authorized POA in feet (ft.)
28 S	15 E	WM	13	NW NW	POA 6 (LAKE 1331) - 2617 FEET NORTH AND 3961 FEET WEST FROM THE E1/4 CORNER OF SECTION 13	10 ft. NW
28 S	15 E	WM	13	SE SW	POA 3 (LAKE 1335) - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER OF SECTION 13	4,015 ft. SE
28 S	15 E	WM	13	NW SE	POA 1 (LAKE 1333) - 2640 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 13	3,750 ft. SE
28 S	15 E	WM	14	SE NE	POA 5 (LAKE 4437) - 390 FEET NORTH AND 1305 FEET WEST FROM THE E1/4 CORNER OF 14	3,464 ft. SE
28 S	15 E	WM	14	SE SE	POA 4 (LAKE 1336) - 10 FEET NORTH AND 1280 FEET WEST FROM THE SE CORNER OF SECTION 14	5,843ft. SE
28 S	16 E	WM	19	NE NW	POA 7 (LAKE 1405) - 1270 FEET NORTH AND 470 FEET WEST FROM THE CENTER 1/16 CORNER OF SECTION 19	8,270 ft. NW

41. Transfer Application T-13908 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	11	SE SE	8.49
28 S	15 E	WM	12	SW SW	11.20
28 S	15 E	WM	12	SE SW	8.50
28 S	15 E	WM	13	NE NW	11.20

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	13	SW NW	11.10
28 S	15 E	WM	13	SE NW	8.30
28 S	15 E	WM	14	NE NE	11.20
28 S	15 E	WM	14	SE NE	8.20
TOTAL					78.19

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2), OAR 690-380-2110(2), and 690-380-2200]

42. Water has been used within the last five years prior to the submittal of Transfer Application T-13908 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
43. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-13908.
44. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
45. The proposed points of appropriation develop groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
46. The proposed changes, as conditioned, would not result in enlargement of the rights.
47. The proposed change, as conditioned, would not result in injury to other existing water rights.
48. All other application requirements are met.

Determination and Proposed Action

The additional points of appropriation and change in places of use proposed in Transfer Application T-13908 appear to be consistent with the requirements of ORS 537.705, 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-13908 is approved, the final order will include the following:

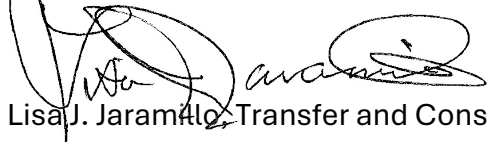
1. *The additional points of appropriation and change in places of use proposed in Transfer Application T-13908 are approved.*

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 Certificates 26991, 27013, 46198, 48889, 48890, 50758, 65757, 65760, 76036, 76037, 76043, 91057, and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of appropriation and/or the new places of use.*
4. *Water right Certificates 26991, 27013, 46198, 48889, 48890, 50758, 65757, 65760, 76036, 76037, 76043, and 91057 are cancelled.*
5. *The quantity of water diverted at the new additional points of appropriation under Certificate 26991 (POA 1, 2 and 4-7), together with that diverted at the original point of appropriation (Vaughn Well No. 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Vaughn Well No. 3).*
6. *The quantity of water diverted at the new additional points of appropriation under Certificate 27013 (POA 1-6), together with that diverted at the original point of appropriation (Vaughn Well #1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Vaughn Well #1).*
7. *The quantity of water diverted at the new additional points of appropriation under Certificate 46198 (POA 1-4, 6 and 7), together with that diverted at the original point of appropriation (Vaughn Well No. 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Vaughn Well No. 2).*
8. *The quantity of water diverted at the new additional points of appropriation under Certificate 48889 (POA 1-6), together with that diverted at the original point of appropriation (Vaughn Well No. 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Vaughn Well No. 1).*
9. *The quantity of water diverted at the new additional points of appropriation under Certificate 48890 (POA 2-7), together with that diverted at the original point of appropriation (Vaughn Valley Well No. 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (Vaughn Valley Well No. 1).*
10. *The quantity of water diverted at the new additional points of appropriation under Certificate 50758 (POA 1-3 and 5-7), together with that diverted at the original point of appropriation (B Field Well), shall not exceed the quantity of water lawfully available at the original point of appropriation (B Field Well).*

11. *The quantity of water diverted at the new additional points of appropriation under Certificate 65757 (POA 1 and 3-7), together with that diverted at the original point of appropriation (Well 19), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 19).*
12. *The quantity of water diverted at the new additional points of appropriation under Certificate 65760 (POA 1-4, 6 and 7), together with that diverted at the original point of appropriation (POA #5), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA #5).*
13. *The quantity of water diverted at the new additional points of appropriation under Certificates 76036, 76037, 76043, and 91057 (POA 1 and 3-7), together with that diverted at the original point of appropriation (Well 19), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 19).*
14. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
15. *The former places of use of the transferred rights shall no longer receive water under the rights.*
16. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
17. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. 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(s) and full beneficial use of the water.*

18. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on 9/10/2026



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Proposed Final Order was prepared by Joan Smith. If you have questions regarding the information in this document, you may reach me at 503-986-0892 or Joan.M.Smith@water.oregon.gov.

Pursuant to ORS 536.077(4) and (5), if no protest of this Proposed Final Order is received by 10/15/2026, and the Department does not withdraw this Proposed Final Order on or before 11/17/2026, this Proposed Final Order is a final order without any further action by the Department on 11/17/2026.

Protests and Requests for Party Status

The following sections explain how to: (1) file a protest in opposition to this Proposed Final Order to request a contested case hearing on this Proposed Final Order; and (2) file a request for party status to request to participate in any contested case proceeding in support of this Proposed Final Order.

Protests: Under the provisions of ORS 540.520(8) and (9) and ORS 536.077(1), any person may protest this Proposed Final Order. Protests may be mailed or hand delivered to the Oregon Water Resources Department at 725 Summer Street NE, Suite A, Salem, OR 97301. If you submit a protest by U.S. mail, please consider mailing early to ensure the Department receives the protest by the deadline. Protests may be emailed to will.d.davidson@water.oregon.gov, but payment of Protest fees cannot be accepted electronically and must be received by the Department by mail or hand delivery prior to the deadline. Protests and protest fees must be received by the Water Resources Department no later than **10/15/2026**.

Protests must meet the following requirements:

- Be in writing;
- Include the protestant's name, address, telephone number, and email address, if the protestant has an email address;

- Include the name, address, telephone number, and email address of the protestant's attorney, if the protestant is represented by an attorney;
- Include a description of the protestant's interest in the Proposed Final Order, and, if the protestant claims to represent the public interest, a precise statement of the public interest represented;
- Include a detailed description of how the action proposed in the Proposed Final Order would impair or be detrimental to the protestant's interest and/or the claimed public interest;
- Identify which of the Proposed Final Order's recommended findings of fact, conclusions of law or conditions of approval the protestant objects to;
- Raise all reasonably ascertainable issues and include all reasonably available arguments that support the protestant's position;
- Include any citation of legal authority to support the protest, if known;
- Explain how the issues raised in the protest are within the Department's jurisdiction;
- If the protestant is the applicant, include a protest fee of \$720 required by ORS 536.050; and
- If the protestant is not the applicant, include a protest fee of \$1,425 required by ORS 536.050.

Requests for Party Status: Under the provisions of ORS 540.520(9) and ORS 536.077(2), if this Proposed Final Order is protested, any person who supports this Proposed Final Order may file a request for party status to request to participate in any contested case proceeding on the Proposed Final Order or for judicial review of a final order resulting from the Proposed Final Order. There is no need for the applicant to file a request for party status. The applicant will automatically be a party to any contested case proceeding on this Proposed Final Order. Requests for party status may be mailed or hand delivered to the Oregon Water Resources Department at 725 Summer Street NE, Suite A, Salem, OR 97301. If you submit a request for party status by U.S. mail, please consider mailing early to ensure the Department receives the request by the deadline. Requests for party status may be emailed to will.d.davidson@water.oregon.gov, but payment of request for party status fees cannot be accepted electronically and must be received by the Department by mail or hand delivery prior to the deadline. Requests for party status and request for party status fees must be received by the Water Resources Department no later than **11/16/2026**.

Requests for party status must be in writing and include the following:

- Names, addresses, and email addresses (if any) of the requestor and any organization the requestor represents;
- Name, address, and email address of the requestor's attorney, if any;

- A statement of whether the request is for participation as a party or a limited party, and, if as a limited party, the precise area or areas in which participation is sought;
- If the requestor seeks to protect a personal interest in the outcome of any contested case hearing on the Proposed Final Order, a detailed statement of the requestor's interest, economic or otherwise, and how such interest may be affected by the results of the hearing;
- If the requestor seeks to represent a public interest in the results of any contested case hearing on the Proposed Final Order, a detailed statement of such public interest, the manner in which such public interest will be affected by the results of the hearing, and the requestor's qualifications to represent such public interest;
- A statement of the reasons why existing parties to the proceeding cannot adequately represent the private and/or public interest(s) the requestor seeks to represent; and
- The request for party status fee of \$1,425 required by ORS 536.077(2)(b)(C) and ORS 536.050.

After the deadline for requests for party status, the Department will provide copies of any timely requests for party status, accept responses to requests for party status, and consider and rule on timely requests for party status as provided in OAR 690-002-0225.

Additional Notices

Notice of requirement to provide updated contact information: Parties must timely provide the Department with updated contact information, including any change of address or primary means of electronic communication. The contact information provided in the protest or request for party status, as applicable, is presumed to be valid for the purposes of service and notification of upcoming referral to the Office of Administrative Hearings unless timely updated by the party. OAR 690-002-0081.

Notice of the circumstances under which this Proposed Final Order will become a final order: If no protest of this Proposed Final Order is timely received and the Department does not withdraw this Proposed Final Order for reconsideration within 33 days after the close of the period for submitting a protest, this Proposed Final Order will become a final order on the date that is 33 days after the close of the period for submitting a protest, with no further action required by the Department. If a protest or protests are timely received, but later: (1) all timely-filed protests are withdrawn and the withdrawals are not based on a settlement agreement requiring changes to this Proposed Final Order; (2) all protestants fail to appear at a scheduled hearing; or (3) all protestants notify the Department or the administrative law judge that the protestants will not appear at a scheduled hearing, the protestants will have waived any right to a hearing, and the Department or the administrative law judge will issue an order dismissing the protests and notifying the parties that this Proposed Final Order has become a final order. OAR 690-002-

0235; OAR 137-003-0672. The Department designates the relevant portions of its file on this matter, including all materials that you have submitted relating to this matter, as the record for the purpose of proving a prima facie case upon default. OAR 137-003-0672.

Notice of Right to Pursue Approval of Transfer through Consent to Injury Process after Contested Case Hearing: If after a contested case hearing on this Proposed Final Order the Department issues a proposed order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding OAR 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of OAR 690-380-5030 to 690-380-5050.

Notice of right to be represented by an attorney: You may be represented by an attorney at any contested case hearing on this Proposed Final Order. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 137-003-0555, an “authorized representative” as defined at OAR 137-003-0555(1)(b) may represent a partnership, corporation, association, governmental subdivision or public or private organization if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice to active duty servicemembers: Active-duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or a request for party status, or if you have previously filed a protest or a request for party status and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

September 10, 2026

VIA CERTIFIED MAIL AND E-MAIL

JRS PROPERTIES III. LLP
3439 NE SANDY BOULEVARD 356
PORTLAND, OR 97232

SUBJECT: Water Right Transfer Application T-13809

Please find enclosed the Proposed Final Order indicating that, based on the information available, the Department intends to approve application T-13809. 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 Lake County Examiner newspaper, simultaneously with issuance of the Proposed Final Order. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Proposed Final Order or a request for party status supporting the Department's decision. The protest period will end 30 days after the Department's notice.

The Proposed Final Order will become a Final Order 33 days after the protest period ends without any further action by the Department, as a matter of law, if no protest is filed.

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 Proposed Final Order to present information and arguments supporting their position in a quasi-judicial proceeding.

Please don't hesitate to contact me at Joan.M.Smith@water.oregon.gov, if I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13809
Shavon L. Haynes, District 13 Watermaster (*via e-mail*)
Evan Malepsy, Agent for the applicant (*via e-mail*)

encs