

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
26 S	6 W	WM	33	NE NE	400 FEET SOUTH AND 2770 FEET WEST FROM THE N1/4 CORNER OF SECTION 34

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	6 W	WM	34	NE NW	27.6
26 S	6 W	WM	34	NW NW	0.8
26 S	6 W	WM	34	SE NW	25.3
26 S	6 W	WM	34	NE SW	1.0

4. Transfer Application T-6846 proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
26 S	6 W	WM	34	NE NW	3		15.4
26 S	6 W	WM	34	NW NW		54	1.2
26 S	6 W	WM	34	NW NW	2		6.1
26 S	6 W	WM	34	SW NW	4		10.5
26 S	6 W	WM	34	SW NW		54	4.0
26 S	6 W	WM	34	SE NW			17.5

5. Notice of the application for transfer was published on November 18, 1992, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. On October 16, 2007, the Department mailed a copy of the *draft* Preliminary Determination proposing to approve Transfer Application T-6846 to the applicant. The cover letter that accompanied the *draft* Preliminary Determination set forth a deadline of November 19, 2007, for the applicant to respond with comments. On October 21, 2007, the authorized agent requested that the Department proceed with issuance of a Preliminary Determination.

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, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A pump and pipeline system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-6846.
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.

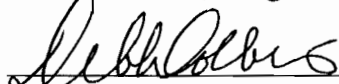
Determination and Proposed Action

The change in place of use proposed in Transfer Application T-6846 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 application will be approved.

If Transfer Application T-6846 is approved, the final order will include the following:

- 1. The change in place of use proposed in Transfer Application T-6846 is approved.*
- 2. Water right certificate 54905 is cancelled.*
- 3. 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 54905 and any related decree.*
- 4. The former place of use of the transferred right shall no longer receive water under the right.*
- 5. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.*
- 6. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2009. A Claim of Beneficial Use prepared by a Certified Water Rights 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.*
- 7. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 14th day of November, 2007.



Phillip C. Ward, Director

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

This Preliminary Determination was prepared by Susan Douthit. If you have questions about the information in this document, you may reach me at 503-986-0858 or Susan.M.Douthit@wrđ.state.or.us.