

3. Application T-10243 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	21 E	WM	2	SW SW	16.8
Total					16.8

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

Certificate: 33374 in the name of GALE MERWIN (perfected under Permit S-22142)

Use: IRRIGATION of 13.8 ACRES

Priority Date: FEBRUARY 23, 1953

Rate: 0.205 CUBIC FOOT PER SECOND

Limit/Duty: ONE-FORTIETH cfs per acre, not to exceed 4 acre-feet per acre per year

Source: CAMP CREEK, tributary to CROOKED RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	21 E	WM	1	SW SE	150 FEET NORTH AND 2720 FEET EAST FROM NW CORNER, SECTION 12

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	21 E	WM	2	SE SW	0.2
17 S	21 E	WM	11	NW NE	4.2
17 S	21 E	WM	11	NE NW	7.4
17 S	21 E	WM	11	NW NW	2.0
Total					13.8

5. Application T-10243 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	21 E	WM	2	SW SW	3.7
17 S	21 E	WM	2	SE SW	7.5
17 S	21 E	WM	11	NE NW	2.1
17 S	21 E	WM	11	NW NW	0.5
Total					13.8

6. Notice of the application for transfer was published on October 17, 2006, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
7. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.

9. The proposed change would not result in enlargement of the rights.
10. The proposed change would not result in injury to other water rights.

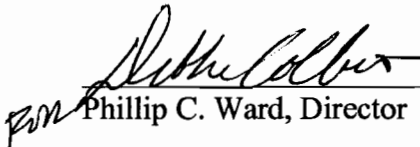
Determination and Proposed Action

The proposed change in place of use in application T-10243 appears to be consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000, and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If application T-10243 is approved, the final order will include the following:

1. *The change in place of use proposed in application T-10243 is approved.*
2. *Water right certificates 33373 and 33374 are cancelled. New certificates will be issued describing the portions of the rights not affected by this transfer.*
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 Certificates 33373 and 33374 and any related decree.*
4. *The former place of use of the transferred water shall no longer receive water as part of these rights.*
5. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. 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 changes and full beneficial use of the water.*
6. *When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 2nd day of April 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 Vern Church. If you have questions about the information in this document, you may reach me at 541 883-4182 or Vernon.L.Church@wrds.state.or.us