

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	32 E	WM	19	SW SW	1.0

- Application T-10234 proposes to change the place of use of the above described land to:

Proposed Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
2 N	32 E	WM	20	SW SE	800	1.0

- Application T-10234 also proposes to move the authorized point of appropriation for the above described land approximately 1½ miles east to a well located:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
2 N	32 E	WM	20	SW SE	800	675 feet North and 800 feet East from the S¼ Corner of Section 20, T 2 N, R 32 E, W.M.

- Notice of the application for transfer was published on September 5, 2006, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 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.
- A pump, pipeline, and sprinkler 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-10234.
- As required by OAR 690-380-4010(5)(c), written authorization and land ownership and lien information report were received on April 11, 2007, from the deeded landowners of the "FROM" lands.
- The proposed change would not result in enlargement of the right.
- The proposed change would not result in injury to other water rights.

Determination and Proposed Action

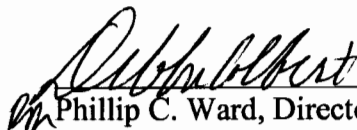
The changes in place of use and point of appropriation proposed in application T-10234 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10234 is approved, the final order will include the following:

- The changes in place of use and point of appropriation proposed in application T-10234 are approved.*
- Water right certificate 24263 is cancelled. A new certificate will be issued describing that portion of the right 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 Certificate 24263 and any related decree.*
4. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
5. *The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.*
6. *The former place of use of the transferred right shall no longer receive water under the right.*
7. *When required by the Department, the water user shall install, maintain and operate an in-line flow meter 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.*
8. *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.*
9. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 24th day of May 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 97301-1271

This Preliminary Determination was prepared by Ken Dowden. If you have any questions about the information in this preliminary determination, you may reach me at (541) 278-5456 or e-mail me at: Ken.D.Dowden@wrdd.state.or.us. Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrdd.state.or.us