

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
17	S	2	W	W.M.	3	NW NE		63	0.6
17	S	2	W	W.M.	3	NE NW	8		1.2
17	S	2	W	W.M.	3	SE NW		63	0.5
17	S	2	W	W.M.	3	NE SW	2	63	0.8

3. Application T-9718 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
17	S	2	W	W.M.	3	SW NE		71	1.6
17	S	2	W	W.M.	3	NW SE		71	1.5

4. Notice of the application for temporary transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
5. Water has been used within the last five years according to the terms and conditions of the right and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
6. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right are present.
7. The proposed change would not result in enlargement of the right.
8. The proposed change would not result in injury to other water rights.

Conclusions of Law

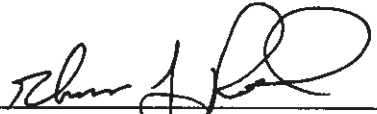
The temporary changes in place of use proposed in application T-9718 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The changes in place of use proposed in application T-9718 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2004, 2005, 2006, 2007 and 2008 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 29982.

6. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
7. The use of the remaining water right described by Certificate 29982 shall continue to be in accordance with the terms and conditions of Certificate 29982.

Dated at Salem, Oregon this 25th day of October, 2004.


Phillip C. Ward
Acting Director

Mailing date: NOV 05 2004

*Requests for Reconsideration should be addressed to the attention of Field Services Division,
Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271*