

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

In the Matter of the Completion of a)
Change of Place of Use Authorized by the)
Final Order Approving District Permanent)
Transfer T-10059)

DETERMINATION OF
SATISFACTORY PROOF

Authority

OAR 690-385-7600 describes the process for the Water Resources Department to issue a water right certificate upon determination that an applicant has made satisfactory proof of completion of the changes authorized by a final order approving a district permanent transfer.

Applicant

North Unit Irrigation District
2024 NW Beech St.
Madras, OR 97741

Findings of Fact

1. On November 13, 2008, the Department issued a final order, recorded in Special Order Volume 76, Pages 702 - 709, approving district permanent transfer application T-10059. The order established October 1, 2009, as the date for completion of the authorized change in place of use.
2. On September 24, 2010, the Department received a claim of beneficial use for T-10059.
3. The Department reviewed the claim of beneficial use and final proof maps submitted by the applicant for district permanent transfer T-10059.
4. The claim of beneficial use did not contain map(s) of the point(s) of diversion from the source. However, since these changes are for place of use only within an irrigation district, and do not involve changes in point of diversion, the existing map(s) on file with the Department are sufficient to identify the point(s) of diversion from the source.
5. The claims of beneficial use and final proof map for portions of T-10059 (Notices 05-13 and 05-21) identify portions of the completed change slightly differently from that authorized by the final order approving the transfer.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Change authorized by final order approving transfer:

Certificate	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	User	Notice #
72279	11 S	13 E	WM	15	NE SW	400	5.50	Moorhead	05-21
72281	11 S	13 E	WM	15	NW SW	400	14.50	Moorhead	05-21
72283	11 S	13 E	WM	15	NE NE	100	8.70	Hamilton	05-13
Total:							28.70		

Change described by claim of beneficial use report and final proof map:

Certificate	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	User	Notice #
72279	11 S	13 E	WM	15	NE SW	400	5.50	Moorhead	05-21
72281	11 S	13 E	WM	15	NW SW	400	14.50	Moorhead	05-21
72283	11 S	13 E	WM	15	NE NE	100	8.70	Hamilton	05-13
Total:							28.70		

Note-The completed change is within the same quarter-quarter as authorized.

6. The reconfigured change in location of use as mapped is determined satisfactory because the reconfigured, completed use is within the same tax lot and ownership and affects the same number of irrigated acres.
7. Satisfactory proof of the changes was submitted with evidence showing that water was used in the location and for the purpose as authorized by the final order approving T-10059.

Conclusions of Law

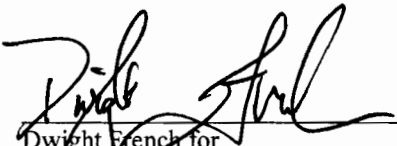
Pursuant to OAR 690-385-7600, the Department may issue a certificate upon a determination that the application of water to beneficial use under the terms of the final order approving a permanent district transfer was completed to the extent authorized.

Now, therefore, it is ORDERED:

The Department has determined that the application of water to beneficial use under the terms of the final order approving district permanent transfer T-10059 was completed to the extent authorized.

Pursuant to OAR 690-385-7600, the Department will issue a water right certificate on a determination that it is necessary to produce a certificate describing the right.

Dated at Salem, Oregon this 25 day of October, 2010.



 Dwight French for
 PHILLIP C. WARD, DIRECTOR

Mailing Date: OCT 27 2010