

**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 Application T-9209, Deschutes)
County)

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

Arnold Irrigation District
19604 Buck Canyon Rd.
Bend, OR 97702

Findings of Fact

1. On October 11, 2002, the Department issued a final order, recorded in Special Order Volume 56, Pages 1079 - 1081, approving district permanent transfer application T-9209. The order established October 1, 2004, as the date for completion of the authorized change in place of use.
2. On September 8, 2005, 2011, the Department received a claim of beneficial use for Transfer Application T-9209.
3. The Department reviewed the claim of beneficial use and final proof maps submitted by the applicant for district permanent transfer T-9209.
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. A portion of the transfer was proved up on differently than authorized by the final order and is more completely described in the tables below:

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.

As authorized by Special Order Volume 56, Pages 1079-1081

Twp	Rng	Sec	Q - Q	Tax Lot	Acres	Water User	Notice #
18 S	12 E	24	NW NE	501	0.60	Taylor	T-2001-003

As documented on Claim of Beneficial Use as associated map:

Twp	Rng	Sec	Q - Q	Tax Lot	Acres	Water User	Notice #
18 S	12 E	24	NE NE	501	0.60	Taylor	T-2001-003

6. The reconfigured change in location of use as mapped and described above in Finding of Fact #5 is determined satisfactory because the reconfiguration does not enlarge the right, the completed use is contiguous and the water right holder remains the same.
7. Satisfactory proof of the changes were submitted with evidence showing that water was used in the location and for the purpose as authorized by the final order approving Transfer Application T-9209 or as otherwise described herein.

Conclusions of Law

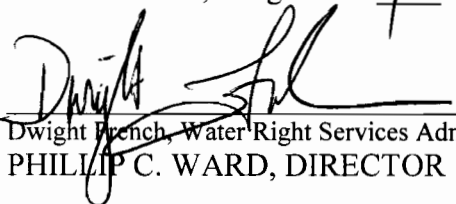
Pursuant to OAR 690-385-7600, the Department may issue a certificate upon a determination that the application of water to beneficial use under the terms of the final order approving a permanent district transfer was completed to the extent authorized.

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-9209 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 7 day of March, 2012.


Dwight French, Water Right Services Administrator for
PHILLIP C. WARD, DIRECTOR

Mailing Date: MAR 09 2012