

**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-10910                        )        **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**

Three Sisters Irrigation District  
PO Box 2230  
Sisters, OR 97759

**Findings of Fact**

***Background***

1. On September 28, 2011, the Department issued a final order, recorded in Special Order Volume 85, Pages 466 - 468, approving district permanent Transfer Application T-10910. The order established October 1, 2012, as the date for completion of the authorized change in place of use.
2. On April 4, 2013, the Department received a claim of beneficial use for T-10910.
3. The Department reviewed the claim of beneficial use and final proof maps submitted by the applicant for district permanent Transfer Application T-10910.
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 Transfer Application T-10910 identify the completed change differently from that authorized by the final order approving the transfer.
6. The change in place of use under Certificate 74135 authorized in the order was as follows:

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.

Irrigation								
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User
1895	15S	10E	WM	10	NE SE	2.10	1300	Jones
1895	15S	10E	WM	10	SE SE	9.00	1300	Jones
1895	15S	10E	WM	11	SW NW	0.70	1300	Jones
1895	15S	10E	WM	11	SE NW	14.60	1300	Jones
1895	15S	10E	WM	11	NE SW	16.60	1300	Jones
1895	15S	10E	WM	11	NW SW	6.30	1300	Jones
1889	15S	10E	WM	11	SW SW	20.00	1300	Jones
1895	15S	10E	WM	11	SW SW	1.50	1300	Jones
1895	15S	10E	WM	11	SE SW	9.90	1300	Jones
<b>Total:</b>						<b>80.70</b>		

7. The map submitted with the Claim of Beneficial Use illustrates the following:

Irrigation								
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User
1895	15S	10E	WM	10	NE SE	2.10	1300	Jones
1895	15S	10E	WM	10	SE SE	9.00	1300	Jones
1895	15S	10E	WM	11	SW NW	0.70	1300	Jones
1895	15S	10E	WM	11	SE NW	9.50	1300	Jones
1895	15S	10E	WM	11	NE SW	23.10	1300	Jones
1895	15S	10E	WM	11	NW SW	6.30	1300	Jones
1889	15S	10E	WM	11	SW SW	20.00	1300	Jones
1895	15S	10E	WM	11	SW SW	1.50	1300	Jones
1895	15S	10E	WM	11	SE SW	8.50	1300	Jones
<b>Total:</b>						<b>80.70</b>		

8. The reconfigured change in location of place of use as described in Findings of Fact #7 is determined satisfactory because the reconfigured, completed use is for same water right holder and affects the same number of irrigated acres.

9. Satisfactory proof of the changes was submitted with evidence showing that water was used in the location and for the purpose as authorized or as reconfigured (see above) by the final order approving Transfer Application T-10910.

### 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:

1. The Department has determined that the application of water to beneficial use was completed consistent with the authorization.
2. 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 30 day of August, 2013.

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

Mailing Date: SEP 03 2013