

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

In the Matter of the Completion of a Change	)	DETERMINATION OF SATISFACTORY
in Use and Place of Use Under Transfer	)	PROOF OF COMPLETION FOR A
Application T-9343, Deschutes County	)	PERMANENT TRANSFER FOR A DISTRICT

**Authority**

Oregon Administrative Rule (OAR) 690-380-6030 describes the documentation that must be filed with the Department in order to provide proof of use.

OAR 690-380-6040 provides in pertinent part that satisfactory proof shall be (a) a determination by the Department that application of water to beneficial use under the terms of the transfer final order was completed to the extent authorized, or (b) a determination by the Department that the application of water to a beneficial use under the terms of the transfer final order was completed to an extent less than authorized.

Oregon Revised Statute (ORS) 540.530(2)(a) authorizes the Department to issue or modify a certificate of water right upon satisfactory proof of completion of the change or changes authorized by a final order approving a permanent transfer for an irrigation district.

**Order Issued To:**

CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

**Findings of Fact**

1. On May 10, 2006, the Department signed a final order, which was mailed on May 12, 2006, and recorded in Special Order Volume 68, Pages 414-417, approving Transfer Application T-9343 involving Certificates 76358 and 76714. The final order established October 1, 2007, as the date for completion of the authorized changes in use and place of use.
2. On September 26, 2007, the Department issued Certificate 83571 in the name of Central Oregon Irrigation District, which in part, superseded Certificate 76358. Certificate 83571 includes a description of the inchoate water rights reflected by Transfer T-9343.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

3. On September 11, 2008, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-9343 satisfying the requirements for providing proof of use under OAR 690-380-6030.
4. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-9343.
5. The proposed use and place of use for Certificate 83571 (formerly 76358) and 76714 as approved in the final order for Transfer Application T-9343, and as recorded in Special Order Volume 68, Pages 414-417, are shown in Table 1, below:

**Table 1:**

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres/Equivalent <sup>1</sup>	Use	Point of Diversion
17 S	12 E	WM	35	SE NE	1300	6.0	Pond Maintenance	POD 1 & Crane Prairie Reservoir Dam

<sup>1</sup> Used to calculate a diversion rate equivalent to the amount of water determined by decree for irrigation.

6. The maximum quantities of water from the Deschutes River (live flow), a tributary of the Columbia River, and Crane Prairie Reservoir (stored water) and the duty for pond maintenance as approved in the final order for Transfer Application T-9343, and as recorded in Special Order Volume 68, Pages 414-417, are shown in Table 2, below:

**Table 2:**

POND MAINTENANCE – CERTIFICATE 83571 <sup>1</sup>							
Source	Priority Date	Season 1	Season 2	Season 3	Acres/Equivalent <sup>2</sup>	Duty	Point of Diversion <sup>3</sup>
Deschutes River	10-31-1900	0.08 CFS	0.10 CFS	0.14 CFS	6.0	59.46 AF per year	POD 1
	12-02-1907	--	--	0.05 CFS			
POND MAINTENANCE – CERTIFICATE 76714 <sup>1</sup>							
Source	Priority Date	Season 1	Season 2	Season 3	Acres/Equivalent <sup>2</sup>	Duty	Point of Diversion <sup>3</sup>
Crane Prairie Reservoir	02-28-1913	0.08	0.10	0.19	6.0	59.46 AF per year	POD 1 & Crane Prairie Reservoir Dam

<sup>1</sup> The rates and duty for the 6.0 Acres/Equivalent are not additive for Certificates 83571 and 76714. The combined use of water from live flow (Certificate 83571) and stored water (Certificate 76714) may not exceed the rate and duty allowed under a single source.

<sup>2</sup> Used to calculate a diversion rate equivalent to the amount of water determined by decree for irrigation.

<sup>3</sup> Canal Diversion, rates include 45% Transmission Loss.

7. The locations of the points of diversion referenced above are as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
18 S	11 E	WM	13	SW NE	POD 1 (CENTRAL OREGON CANAL): 1520 FEET SOUTH AND 1535 FEET WEST OF THE NE CORNER OF SECTION 13.
21 S	08 E	WM	17	NE NE	CRANE PRAIRE RESERVOIR DAM

8. The season of use described in the final order and Certificate 83571 contains scrivener errors. Consistent with the Decree for the Deschutes River (Volume 12, Page 282), the seasons referenced above should be described as:

Season 1: April 1 through April 30 & October 1 through October 31

Season 2: May 1 through May 14 & September 15 through September 30

Season 3: May 15 through September 14

9. Based on the review of evidence submitted by the applicant, the Department finds that the application of water to beneficial use under the terms of the transfer final order for T-9343 was completed to the extent authorized in the transfer as described in Tables 1 and 2.

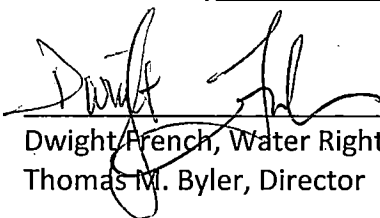
#### Conclusions of Law

1. The Applicant has submitted proof of use pursuant to OAR 690-380-6030.
2. Application of water to a beneficial use under the terms of the transfer final order has been made to the extent shown in Tables 1 and 2, above.
3. The applicant has demonstrated proof of completion under T-9343 to the satisfaction of the Department.
4. The Department is authorized to issue or modify irrigation district water rights involved in transfer T-9343 consistent with this determination of satisfactory proof of completion.

#### Now, therefore, it is ORDERED:

1. Water right Certificates 83571 and 76714 are modified as shown in Tables 1 and 2, above. The Department will issue superseding certificates describing these rights when it determines it is necessary for record keeping.

Issued this day JAN 10 2019



Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director

Mailing date: JAN 11 2019