

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

In the Matter of Transfer Application            )     FINAL ORDER WITHDRAWING  
T-9605, Deschutes County                     )     AN APPLICATION FOR A WATER  
  )     RIGHT TRANSFER

**Authority**

ORS 537.211 establishes the process in which a water right permit holder may submit a request to change the point of appropriation and/or place of use authorized under an existing water right permit.

**Applicant**

Central Oregon Irrigation District  
For Bend Metropolitan Park & Recreation District  
2598 North Highway 97  
Redmond, OR 97756

**Findings of Fact**

1. Application T-9605, in the name of Central Oregon Irrigation District for Bend Metropolitan Park and Recreation District, was filed on November 24, 2003.
2. On November 22, 2005, the Department issued a draft Preliminary Determination, proposing to approve the application. The applicants responded, requesting the Department to continue processing the application.
3. On January 23, 2006, the Department issued a Preliminary Determination proposing to approve Transfer T-9605 and mailed a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on January 24, 2006, and in the The Bulletin newspaper on February 2, 9 and 16, 2006, pursuant to ORS 540.520 and OAR 690-380-4020.
4. On February 26, 2006, a protest was filed by WaterWatch. The parties entered into a settlement agreement, providing that a new transfer application (T-10466) would be filed to replace T-9605.
5. On November 9, 2007, Leslie Clark, of Central Oregon Irrigation District submitted a statement by email, agreeing that T-9605 would be withdrawn if a final order were to be issued approving T-10466.

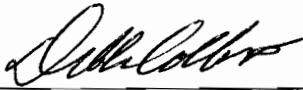
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review 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.

6. This order is being issued concurrently with issuance of an order approving transfer application T-10466.

**Now, therefore, it is ORDERED:**

Transfer Application T-9605, in the name of Central Oregon Irrigation District for Bend Metropolitan Park and Recreation District, is withdrawn and of no further force or effect. Application fees will be transferred to replacement Transfer Application T-10466.

Dated at Salem, Oregon this 26<sup>th</sup> day of February, 2008.



Phillip C. Ward  
Director

*For*

Mailing date: MAR 03 2008