

**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) DETERMINATION OF
Final Order Approving District Permanent) SATISFACTORY PROOF
Transfer T-10261)

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

Westland Irrigation District
PO Box 944
Hermiston, OR 97838

Findings of Fact

1. On January 2, 2007, the Department issued a final order, recorded in Special Order Volume 70, Page 775, approving district permanent transfer application T-10261. The order established October 1, 2008, as the date for completion of the authorized change in place of use.
2. The order cited in Finding of Fact #1 was superseded on March 2, 2007, by a correcting order recorded in Special Order Volume 71, Page 312.
3. On November 30, 2009, the Department received a claim of beneficial use for T-10261.
4. The Department reviewed the claim of beneficial use and final proof maps submitted by the applicant for district permanent transfer application T-10261.
5. Satisfactory proof of the change was submitted with evidence showing that water was used in the location and for the purpose as authorized by the final order approving T-10261.

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.

<p>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.</p>

Now, therefore, it is ORDERED:

1. The Department has determined that the application of water to beneficial use under the terms of the final order approving district permanent transfer T-10261 was completed to the extent authorized.
2. Certificate 86074 is issued confirming the portion of Certificate 38390 transferred in T-10261.
3. 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 11th day of February, 2010.


for Phillip C. Ward, Director

Mailing Date: FEB 17 2010