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-10762)	

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 April 28, 2009, the Department issued a final order, recorded in Special Order Volume 77, Pages 561 to 567, approving district permanent Transfer Application T-10762. The order established October 1, 2010, as the date for completion of the authorized change in place of use.
- 2. On May 18, 2009, the Department issued a correcting order recorded at Special Order Volume 77, Pages 728 to 729. The correcting order cancelled Certificate 85501, describing the portion of Certificate 52822 not modified by T-10762, due to a scrivener's error. The Department issued Certificate 85522 to supersede Certificate 52822.
- 3. On February 6, 2012, the Department received a claim of beneficial use for T-10762.
- 4. The Department reviewed the claim of beneficial use and final proof maps submitted by the applicant for district permanent transfer application T-10762.
- 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-10762.

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.

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 under the terms of the final order approving district permanent transfer T-10762 was completed to the extent authorized.
- 2. The Department issued Certificate 87417 to confirm the portion of Certificate 52822 transferred in T-10762.
- 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 16 day of February, 2012.
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Dwight French, Water Right Services Division Administrator for
Phillip/C. Ward, Director

Mailing Date: **FEB 1 7 2012**