

**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 T-10241, Deschutes County) **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

Central Oregon Irrigation District
1055 SW Lake Court
Redmond, OR 97756

Findings of Fact

1. On April 2, 2008, the Department issued a final order, recorded in Special Order Volume 74, Pages 513 – 516, approving district permanent transfer application T-10241. The order established October 1, 2009, as the date for completion of the authorized change in place of use.
2. On September 16, 2010, the Department issued the first of two final orders approving an extension of the completion date for Transfer Application T-10241 and recorded it in Special Order Volume 81, Pages 904 – 905. This order extended the time for completion of beneficial use authorized by Transfer Application T-10241 to October 1, 2011.
3. On May 22, 2012, the Department issued the second of two final orders approving an extension of the completion date for Transfer Application T-10241 and recorded it in Special Order Volume 87, pages 690 - 691. This order extended the time for completion of beneficial use authorized by Transfer Application T-10241 to October 1, 2012.
4. On November 7, 2012, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant.
5. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-10241.

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. The CBU did not contain map(s) of the point(s) of diversion from the source. However, since the transfer involved the transfer of places of use only within an irrigation district, and did 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.
7. The final proof map for a portion of this transfer reconfigures a portion of the place of use under District Notice #2006-010. The reconfiguration is deemed satisfactory because the number of acres has not increased and the water right holder remains the same.
8. Satisfactory proof of the changes was submitted with evidence showing that water was used in the location and for the purpose as authorized by the final order (see Finding of Fact #7 for reconfigured place of use notation) approving Transfer Application T-10241.


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 permanent district Transfer Application T-10241 was completed to the extent authorized.
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 4 day of August, 2014.



Dwight French, Water Right Services Administrator for
DIRECTOR, Oregon Water Resources Department

AUG 14 2014

Mailing Date: _____