

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

In the Matter of the Completion of a ) DETERMINATION OF  
Change of Place of Use Authorized by the ) SATISFACTORY PROOF  
Final Order Approving District Permanent )  
Transfer T-10043, Jackson County )

**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**

Talent Irrigation District  
PO Box 467  
Talent, OR 97540-0467

**Findings of Fact**

1. On August 23, 2011, the Department issued a final order, recorded in Special Order Volume 85, Pages 253 - 259, approving district permanent transfer application T-10043. The order established October 1, 2012, as the date for completion of the authorized change in place of use.
2. On October 1, 2012, the Department received a Claim of Beneficial Use (CBU) for Transfer Application T-10043.
3. The Department reviewed the CBU and maps submitted by the applicant for district permanent Transfer Application T-10043.
4. Since the issuance of the final order approving Transfer Application T-10043 the assignment of tax lots numbers related to portions of the transfer have changed. The changes to the tax lot identification is further described in the table below:

Twp	Rng	Mer	Sec	Q-Q	Acres	Previous Tax Lot #	Current Tax Lot #	Notice #
38 S	1 E	WM	28	SW NE	2.00	119	103	04-24
38 S	2 W	WM	11	SE NW	0.40	6101	1500	04-6
38 S	2 W	WM	11	NE SW	0.10	6101	1500	04-6
38 S	2 W	WM	2	SW SE	2.00	8600	1200	04-58

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.

5. Additionally, since the issuance of the final order approving Transfer Application T-10043 the current water users of portions of the approved transfer have changed. The updated water users are further described in the table below:

Twp	Rng	Mer	Sec	Q-Q	Acres	Current Tax Lot# (See above)	Water User as indicated on Special Order	Current Water User	Notice #
38 S	1 E	WM	28	SW NE	2.00	103	Garden Valley Ctr.	Kania and Dubois	04-24
38 S	1 W	WM	18	NW NE	2.00	800	Bock	Haley	04-05A
39 S	1 E	WM	12	NE NE	0.16	112	Kerwin	Drapeau	04-12A
39 S	2 E	WM	6	SE SW	0.04	510	Kerwin	Hillers	04-12A

6. 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 approving T-10043.

**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-10043 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 21 day of March, 2013.

  
 Dwight French, Water Right Services Administrator for  
 PHILLIP C. WARD, DIRECTOR

Mailing Date: APR 08 2013