

**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-11154, 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 10, 2012, the Department issued a final order, recorded in Special Order Volume 88, Pages 362 - 369, approving district permanent transfer application T-11154. The order established October 1, 2013, 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-11154.
3. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-11154.
4. 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.
5. Since the issuance of the final order approving Transfer Application T-11154 the assignment of a tax lot number related to a portion of the transfer has changed. The change to the tax lot number is described in the table below:

Twp	Rng	Mer	Sec	Q-Q	Acres	Previous Tax Lot #	Current Tax Lot #	Notice #
39 S	1 E	WM	24	NW NW	1.70	2507	1400	05-38

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. Additionally, since the issuance of the final order approving Transfer Application T-11154 the current water users of portions of the approved transfer have changed. The updated water users are described in the table below:

Twp	Rng	Mer	Sec	Q-Q	Acres	Current Tax Lot# (See above)	Water User (as documented on the Final Order)	Current Water User	Notice #
39 S	1 E	WM	24	NW NW	1.70	1400	Lawrence & Brim	Crowson Road LLC	05-38
38 S	1 E*	WM	35	SE SW	2.60	301	Finch	Ronsen	07-7
39 S	1 E	WM	12	NE SE	1.90	101	Sickler	Cohn	07-16

\*See below

7. A scrivener's error in the place of use table contained in the final order was noted during the review of the CBU. The erroneous location is listed in the table below:

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot #	Notice #
38 S	1 W	WM	35	SE SW	2.60	301	07-7

8. The **corrected** place of use, as illustrated on the CBU, is listed in the table below:

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot #	Notice #
38 S	1 E	WM	35	SE SW	2.60	301	07-7

9. 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 Transfer Application T-11154.

### 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-11154 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 29<sup>th</sup> day of March, 2013.



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

Mailing Date: APR 08 2013