

**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-9898)

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 June 29, 2005, the Department issued a final order, recorded in Special Order Volume 65, Pages 228 - 230, approving district permanent transfer application T-9898. The order established October 1, 2006, as the date for completion of the authorized change in place of use.
2. On June 22, 2007, the Department issued a final order, recorded in Special Order Volume 72, Pages 477 – 478, extending the completion date of the authorized change in place of use to October 1, 2008.
3. On July 27, 2009, the Department issued a final order, recorded in Special Order Volume 78, Pages 556 – 557, again extending the completion date of the authorized changes in place of use to October 1, 2009.
4. On July 20, 2011, the Department received a claim of beneficial use for T-9898.
5. Following submission of the claim of beneficial use for T-9898, Central Oregon Irrigation District contacted and informed the Department that a revised map for this claim of beneficial use was forthcoming
6. On August 26, 2011, a revised cover letter and claim of beneficial use map was received.

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.

7. The Department reviewed the claim of beneficial use and final proof map submitted by the applicant for district permanent transfer application T-9898.
8. The claim of beneficial use did not contain map(s) of the point(s) of diversion from the source. However, since these changes are for place of use only within an irrigation district, and do 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.
9. The claim of beneficial use for a portion of Transfer Application T-9898 identifies the complete change differently from that authorized by the final order approving the transfer. Additionally, the ownership of the parcel has changed. The affected place of use was identified in the final order to approve the transfer as :

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice #
15 S	12 E	WM	13	SE NE*	6.10	1100	CRAVENS	T-2005-003

10. The authorized place of use is now identified as follows:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice #
15 S	12 E	WM	13	SE NE*	6.10	1100	SIMMONS	T-2005-003

*Note-The reconfigured location of the place of use is within the same quarter-quarter as the authorized location.

11. The reconfigured change in location of use as mapped is determined satisfactory because the completed use is contiguous and within the same tax lot and ownership.
12. 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-9898.

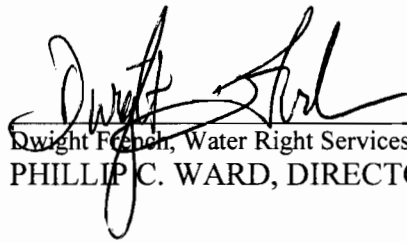
Conclusions of Law

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-9898 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 7 day of September, 2011.



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

Mailing Date: SEP 09 2011