

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

In the Matter of the Completion of a Change )	DETERMINATION OF SATISFACTORY PROOF
in Place of Use Under Transfer Application )	OF COMPLETION FOR A PERMANENT
T-13284, Hood River County )	DISTRICT TRANSFER

**Authority**

Oregon Administrative Rule (OAR) 690-385-7400 describes the documentation the district must file with the Department in order to provide proof of use.

OAR 690-385-7600 provides in pertinent part that satisfactory proof shall be (a) a determination by the Department that application of water to beneficial use under the terms of the transfer final order was completed to the extent authorized, or (b) a determination by the Department that the application of water to a beneficial use under the terms of the transfer final order was completed to an extent less than authorized.

Oregon Revised Statute (ORS) 540.530(2)(a) and OAR 690-385-7600 authorize the Department to issue or modify a certificate of water right upon satisfactory proof of completion of the change or changes authorized by a final order approving a permanent district transfer.

**Applicant**

EAST FORK IRRIGATION DISTRICT  
PO BOX 162  
ODELL, OR 97044

**Findings of Fact**

1. On January 16, 2020, the Department signed a final order, which was mailed on January 17, 2020, and recorded in Special Order Volume 114, Pages 903-908, approving Transfer Application T-13284 involving Certificates 80928, 80929, 84803, and 92000 as modified by CW-93. The final order established October 1, 2021, as the date for completion of the authorized changes in place of use.
2. On August 18, 2021, the Department signed a final order, which was mailed on August 19, 2021, and recorded in Special Order Volume 121, Pages 403-404, extending the completion date of the authorized change in place of use to October 1, 2022.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

3. On October 2, 2022, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-13284 satisfying the requirements for providing proof of use under OAR 690-385-7400.
4. The Department reviewed the CBU and map(s) submitted by the applicant for Transfer Application T-13284.
5. The CBU did not contain a map of the point 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 a change in the point of diversion, the existing maps on file with the Department are sufficient to identify the point of diversion from the source.
6. The proposed place of use for Certificate 80928 as approved the final order for Transfer Application T-13284, and as recorded in Special Order Volume 121, Pages 403-404, is shown in Table 1, below:

**Table 1:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 N	11 E	WM	6	SW NW	0.25	600	MCNAUGHTON / KAVANAUGH	2019-1
2 N	10 E	WM	23	SW NW	0.45	1900	MOORE	2019-1
2 N	10 E	WM	23	NW SW	0.15	1900	MOORE	2019-1
<b>Total:</b>					<b>0.85</b>			

7. The proposed place of use for Certificate 80929 as approved the final order for Transfer Application T-13284, and as recorded in Special Order Volume 121, Pages 403-404, is shown in Table 2, below:

**Table 2:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User <sup>1</sup>	Notice
1 N	10 E	WM	22	SW NE	0.70	503	<b>BELIEL/DUNLAP</b>	2019-1
2 N	10 E	WM	26	SW NW	0.15	4300	HILTON	2019-1
2 N	10 E	WM	36	NE SE	1.00	1100	SNAPP	2019-1
<b>Total:</b>					<b>1.85</b>			

<sup>1</sup>Water users listed in **bold** are different from the water user that was listed in the transfer final order. They have been updated here to reflect the changes as shown in the CBU.



8. The proposed place of use for Certificate 84803 as approved the final order for Transfer Application T-13284, and as recorded in Special Order Volume 121, Pages 403-404, is shown in Table 3, below:

**Table 3:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 N	10 E	WM	11	SW NW	0.75	600	AMMON	2019-1
1 N	10 E	WM	15	SW NE	0.90	1800	PEREZ	2019-1
2 N	10 E	WM	29	NE SW	0.20	508	HECK	2019-1
<b>Total:</b>					<b>1.85</b>			

9. The proposed place of use for Certificate 92000 as approved the final order for Transfer Application T-13284, and as recorded in Special Order Volume 121, Pages 403-404, is shown in Table 4, below:

**Table 4:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User <sup>1</sup>	Notice
1 N	10 E	WM	3	SE NW	2.05	1400	LOOMIS	2019-1
1 N	10 E	WM	3	SE SW	2.00	2400	LYLE'S LOG CABIN LLC	2019-1
1 N	10 E	WM	15	NE NW	0.05	904	PETERSON	2019-1
2 N	10 E	WM	22	NW NW	1.30	1400	OATES	2019-1
2 N	10 E	WM	25	SE SW	1.70	1500	ELK MOUNTAIN LLC	2019-1
2 N	10 E	WM	25	SW SE	4.00	4000	OSBORN	2019-1
2 N	10 E	WM	28	NW NW	1.90	2200	YBARRA	2019-1
2 N	10 E	WM	28	SE NW	0.20	2600	<b>SMITH / COTA</b>	2019-1
2 N	10 E	WM	29	SE NW	0.20	103	NAJERA-CERVANTES	2019-1
2 N	10 E	WM	29	SW SW	0.20	800	JONES	2019-1
2 N	10 E	WM	29	SW SW	0.20	701	JONES	2019-1
2 N	10 E	WM	29	SW SW	0.20	1000	<b>MOORE / CROCKET</b>	2019-1
2 N	10 E	WM	29	SW SW	0.20	801	<b>BURTON</b>	2019-1
2 N	10 E	WM	30	NE SE	2.10	800	JONES	2019-1
2 N	10 E	WM	25	NE NW	0.15	1500	ELK MOUNTAIN LLC	2019-1
2 N	10 E	WM	36	NE SE	0.80	400	VALLE-GUZEMAN	2019-1
2 N	11 E	WM	18	SW NW	0.15	1400	WILLIS FAMILY INC	2019-1
<b>Total:</b>					<b>17.40</b>			

<sup>1</sup> Water users listed in **bold** are different from the water user that was listed in the transfer final order. They have been updated here to reflect the changes as shown in the CBU.

10. Based on the review of evidence submitted by the applicant, the Department finds that the application of water to beneficial use under the terms of the transfer final order for T-13284 was completed to the extent authorized in the transfer as described in Tables 1, 2, 3, and 4, above.

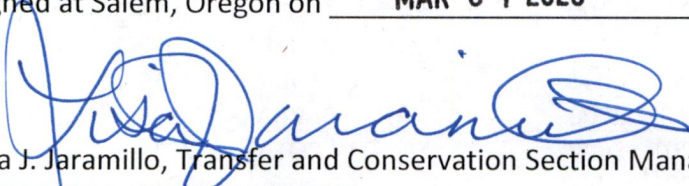
**Conclusions of Law**

1. The Applicant has submitted proof of use pursuant to OAR 690-385-7400.
2. Application of water to a beneficial use under the terms of the transfer final order has been made to the extent shown in Tables 1, 2, 3, and 4, above.
3. The applicant has demonstrated proof of completion under T-13284 to the satisfaction of the Department.
4. The Department is authorized to issue or modify certificates of water rights involved in transfer T-13284 consistent with this determination of satisfactory proof of completion.

**Now, therefore, it is ORDERED:**

Water right Certificates 80928, 80929, 84803, and 92000 are modified as shown in Tables 1, 2, 3, and 4, above. The Department will issue superseding certificates describing these rights when it determines it is necessary for record keeping.

Signed at Salem, Oregon on MAR 01 2023.



Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: MAR 02 2023