

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

In the Matter of the Completion of a Change )  
in Place of Use Under Transfer Application ) **DETERMINATION OF**  
T-11713, Deschutes County ) **SATISFACTORY PROOF**

**Authority**

ORS 540.530 and OAR 690-385-7600 describe the process for the Water Resources Department is issue or modify a water right certificate upon determination that an applicant has made satisfactory proof of the completion of the changes.

**Applicant**

ARNOLD IRRIGATION DISTRICT  
19604 BUCK CANYON ROAD  
BEND, OR 97702

**Findings of Fact**

1. On April 4, 2014, the Department signed a final order, which was mailed on April 17, 2014, and recorded in Special Order Volume 92, Pages 119-123, approving Transfer Application T-11713. The final order established October 1, 2015, as the date for completion of the authorized changes in place of use.
2. On December 31, 2015, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant.
3. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-11713.
4. On November 18, 2016, the Department received an amendment to the December 31, 2015 CBU by email, clarifying that the maps and site reports for T-11713 pertain to both primary irrigation (Certificate 74197) and supplemental irrigation (Certificate 76714).
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.

**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.

6. Since the issuance of the final order approving Transfer Application T-11713 there has been one change in ownership of a parcel affected by the transfer. The table below illustrates this change.

Twp	Rng	Mer	Sec	Q-Q	Former Water User	Current Water User	Notice #
18 S	13 E	WM	19	NE NW	ALLOTA	HURT	T-2013-006-N

7. Satisfactory proof of the changes was submitted with evidence showing that water was used in the locations and for the purposes as authorized by the final order approving Transfer Application T-11713.

**Conclusions of Law**

Pursuant to ORS 540.530 and OAR 690-385-7600, the Department may issue or modify a certificate upon a determination 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 water has been applied to beneficial use to the extent authorized under the terms of the final order approving Transfer Application T-11713.
2. Water right certificates 76714 and 74197 are modified. The Department shall issue water right certificates on a determination that it is necessary to produce certificates describing the water rights.

Issued this 23 day of November, 2016.

  
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 Dwight French, Water Right Services Administrator, for  
 Thomas M. Byler, Director

**NOV 30 2016**

Mailing date: \_\_\_\_\_