

**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 AND
Final Order Approving District Permanent	)	CORRECTION OF A SCRIVENER'S
Transfer T-9982	)	ERROR IN SPECIAL ORDER
	)	VOLUME 67, PAGES 127 - 129

**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 September 13, 2005, the Department issued a final order, recorded in Special Order Volume 67, Pages 127 - 129, approving district permanent transfer application T-9982. The order established October 1, 2006, as the date for completion of the authorized change in place of use.
2. On September 7, 2007, the Department received a claim of beneficial use for T-9982.
3. The Department reviewed the claim of beneficial use and final proof map submitted by the applicant for district permanent transfer T-9982.
4. 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.
5. Upon review of the claim of beneficial use an apparent scrivener's error on the original map and contained in the Final Order approving Transfer T-9982 was noted. The proposed place of use was listed as follows:

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.

**Proposed Place of Use as listed on order**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	User	Notice #
14 S	13 E	WM	25	NE NE	100	5.40	Ferguson, M.	2005-026
16 S	14 E	WM	28	NE SW*	400	2.02	Holman, R.	2005-031
17 S	13 E	WM	19	NW NE	117	0.50	Buermann, S.	2005-029
<b>TOTAL</b>						<b>7.92</b>		

6. The proposed place of use should have been as listed as follows:

**Corrected Proposed Place of Use**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	User	Notice #
14 S	13 E	WM	25	NE NE	100	5.40	Ferguson, M.	2005-026
16 S	14 E	WM	28	NW SW*	400	2.02	Holman, R.	2005-031
17 S	13 E	WM	19	NW NE	117	0.50	Buermann, S.	2005-029
<b>TOTAL</b>						<b>7.92</b>		

7. 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-9982 or as corrected by this order.

**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 place of use is corrected as identified in Finding of Fact #6.
2. The Department has determined that the application of water to beneficial use under the terms of the final order approving district permanent transfer T-9982 was completed to the extent authorized.
3. 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 22<sup>nd</sup> day of July, 2009.

  
 Phillip C. Ward, Director *pc*

Mailing Date: JUL 28 2009