

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

In the Matter of the Completion of Changes)
of Place of Use Authorized by Final Orders) DETERMINATION OF
Approving District Permanent Transfers) SATISFACTORY PROOF
)
)
)

OAR 690-385-7600 describes the process for the Water Resources Department to issue a water right certificate upon determining 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
2598 N Highway 97
Redmond, OR 97756

Findings of Fact

1. The Department reviewed claims of beneficial use and final proof maps submitted by the applicant for the following transfers:

T-8485	T-8983	T-9021
T-8514	T-8984	T-9022
T-8532	T-8985	T-9023
T-8692	T-9017	T-9035
T-8982	T-9020	T-9040

2. With the exceptions of T-8692, T-9020, and T-9021, 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 the transfers.
3. The claim of beneficial use and final proof map for T-8692 identifies the completed change differently from that authorized by the final order approving the transfer.

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW OR RECONSIDERATION

This is a final order in other than 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 either 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.

Change authorized by final order approving transfer:

TWP	RNG	SEC	¼ ¼	TAX LOT	ACRES	USER	NOTICE#
17S	14E	28	NW NE	2301	2.90	JENO, DONALD V.	T-2000-009

Change described by claim of beneficial use and final proof map:

TWP	RNG	SEC	¼ ¼	TAX LOT	ACRES	USER	NOTICE#
17S	14E	28	NW NE	2301	2.30	JENO, DONALD V.	T-2000-009
17S	14E	28	SW NE	2301	0.60	JENO, DONALD V.	T-2000-009

The reconfigured change in location of use as mapped is determined satisfactory because the completed use is contiguous and on adjacent land within the same tax lot and ownership.

- The final proof map for T-9020 reconfigures the place of use under District Notice # T-1999-004 from that authorized by the final order approving the transfer.

Change authorized by final order approving transfer:

TWP	RNG	SEC	¼ ¼	TAX LOT	ACRES	USER	NOTICE#
15S	13E	31	NW NE	1202	2.50	WINSLOW, MARK A.	T-1999-004

However, the number of acres of water right by legal subdivision, tax lot, and ownership did not change. Thus, the reconfigured change in location of use as mapped is determined satisfactory because the completed use is contiguous and on adjacent land within the same tax lot and ownership.

- The final proof map for T-9021 reconfigures the place of use under District Notice # T-1999-001 from that authorized by the final order approving the transfer.

Change authorized by final order approving transfer:

TWP	RNG	SEC	¼ ¼	TAX LOT	ACRES	USER	NOTICE#
15S	12E	12	NW SE	2400	2.00	SMITH, JAMES L.	T-1999-001

However, the number of acres of water right by legal subdivision, tax lot, and ownership did not change. Thus, the reconfigured change in location of use as mapped is determined satisfactory because the completed use is contiguous and on adjacent land within the same tax lot and ownership.

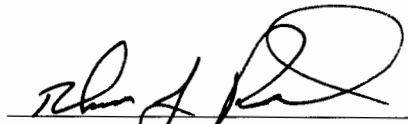
Conclusions of Law

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 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 orders approving the transfers listed in *Findings of Fact #1* was completed to the extent authorized.
2. Pursuant to OAR 690-385-7600(3), the Department shall issue a water right certificate on a determination that it is necessary to produce a certificate describing the right.

Dated at Salem, Oregon this ~~28~~th day of March, 2005.


Phillip C. Ward
Acting Director

Mailing date: APR 06 2005