

**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) **DETERMINATION OF**
 Final Order Approving District Permanent) **SATISFACTORY PROOF**
 Transfer T-11189, Hood River County)

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

Farmers Irrigation District
 1985 Country Club Road
 Hood River, OR 97031

Findings of Fact

1. On January 29, 2010, the Department issued a final order, recorded in Special Order Volume 80, Pages 168 - 176, approving district permanent transfer application T-11189. The order established October 1, 2011, as the date for completion of the authorized change in place of use.
2. On July 24, 2012, 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-11189 noting some items that needed additional clarifications.
4. On April 1, 2015, the District submitted clarifications as requested by the Department.
5. The CBU did not contain map(s) of the point(s) 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 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.
6. Since the issuance of the final order approving Transfer Application T-11189 portions of the transfer have had tax lot number changes and water user changes. These changes are described further in the table below:

Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres	Former User	Current User
2 N	10 E	WM	2	SW NE	2101	1.60	Level	Buker

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.

Twp	Rng	Mer	Sec	Q - Q	Tax Lot	Acres	Former User	Current User
2 N	10 E	WM	2	SW SE	2400	0.40	Thompson	Flagline LLC
3 N	10 E	WM	26	SW SW	1500	1.00	Olmstead	Hood River County
3 N	10 E	WM	27	SE SE	2201	1.45	Olmstead	Mt. Adams Holding
3 N	10 E	WM	34	NW NE	1600	0.10	O'Toole	Saddle Club
2 N	10 E	WM	5	NE NE	106	0.40	Gilbert Family	Walker
2 N	10 E	WM	5	NW NE	106	10.10	Gilbert Family	Walker
2 N	10 E	WM	4	NE NW	1700	2.50	Lahti	Decker
2 N	10 E	WM	4	SE NW	2001	0.10	Wood	Tauscher
2 N	10 E	WM	4	SW NW	1700	0.90	Wood	Tauscher

7. Since the issuance of the final order approving Transfer Application T-11189 portions of the transfer have had tax lot number described differently. These changes are described further in the table below:

Twp	Rng	Mer	Sec	Q - Q	Former Tax Lot	Current Tax Lot	Former Acres	Current Acres
2 N	10 E	WM	17	NE NW	1705	1300	0.20	0.20
2 N	10 E	WM	17	NE NW	1705	1705	1.10	0.35
2 N	10 E	WM	17	NE NW	1705	1300	---	0.75
Total:							1.30	1.30

8. During review of the final order a scrivener's error was identified. The final order identified the location as:

Twp	Rng	Mer	Sec	Q - Q	Tax Lot #	Acres	Water User
3 N	10 E	WM	10	NW SE	800	2.20	Stewart

9. The corrected location (**in bold**) is as follows:

Twp	Rng	Mer	Sec	Q - Q	Tax Lot #	Acres	Water User
2 N	10 E	WM	10	NW SE	800	2.20	Stewart

10. 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 Transfer Application T-11189.

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 permanent district Transfer Application T-11189 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 9 day of April, 2015.



Dwight French, Water Right Services Administrator for
THOMAS M. BYLER, DIRECTOR

Mailing Date: APR 13 2015