

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

In the Matter of the Petition by Ridgeview)
Irrigation District to Map District Water Rights) **FINAL ORDER**
Pursuant to ORS 541.329, Malheur County, Oregon)

Authority

ORS 541.329 establishes the process in which a district may petition the Water Resources Commission for approval and acceptance of a district map identifying the location and use of the water rights within the district.

Findings of Fact

1. Pursuant to ORS 541.329,
Ridgeview Irrigation District
South Board of Control
P.O. Box 67
Homedale, Idaho, 83628

submitted a petition requesting approval and acceptance of district maps showing the location and use of water rights within and served by Ridgeview Irrigation District. The petition was submitted to the Oregon Water Resources Commission on June 29, 1993, and included the required fees.
2. On March 7, 2005, the Water Resources Department issued a final order approving Ridgeview Irrigation District's petition to map water rights. The order was accompanied by Water Right Certificate 81012 confirming the location of use of water rights within the district.
3. On May 4, 2005, the Department reconsidered and withdrew the final order and Certificate 81012 because some landowners with appurtenant rights of record modified by the petition had not received notice of the petitioned changes to the water rights.
4. On May 25, 2005, Ridgeview Irrigation District issued notice to those landowners of modifications to the water rights of record and informed them of their opportunity to protest the petitioned changes to the water rights.
5. No timely protests were received by the Department.

<p>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</p>
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6. The water rights petitioned by Ridgeview Irrigation District (RID) are for the rights described by Water Right Certificate 75884.
7. Certificate 75884 allows use of the waters of Owyhee River and water stored in Owyhee Reservoir, a tributary to the Snake River, for irrigation of 6,077.20 acres. The dates of priority and associated quantities of water for the petitioned rights evidenced by Certificate 75884 are:

Priority Date	Quantity	Source	Use
2/14/1916	44.20 c.f.s.	Owyhee River	Irrigation
8/19/1924	57.00 c.f.s.	Owyhee River	Irrigation
2/15/1916	5,890.60 acre-feet	Owyhee Reservoir	Irrigation
8/20/1924	35,343.50 acre-feet	Owyhee Reservoir	Irrigation

9. The point of diversion for the petitioned rights is located as follows:

TWP	RNG	MER	SEC	1/4	1/4	LOT	SOURCE & LOCATION
22 S	45 E	W.M.	21	NW	SW	1	TUNNEL #1 - 264 feet South and 495 feet East from the West 1/4 Corner of Section 21.

10. Table 1 lists the petitioned changes in place of use.
11. The Department reviewed the petition and maps submitted by the District. Staff's findings are on file at the Department. Based upon its review, the Department finds:
 - a. RID is a "district" as defined in ORS 541.325(1)
 - b. RID filed its petition and maps in a timely manner.
 - c. RID paid the fees required under ORS 536.050(1)(m)
 - d. RID certified that the notice requirements of ORS 541.329(4) were met.
 - e. RID has met the notice requirements of ORS 541.329(4)
 - f. The content and quality of the RID's petition and maps meet the requirements of ORS 541.331(4).
 - g. The acreage petitioned by RID is within the limits of the eligible water rights and the limits set forth in ORS 541.331(4).
 - h. The RID petition does not expand the total right of record of the district.
 - i. The proposed changes may be made without injury to existing water rights.
 - j. This order does not affect or make any legal determinations regarding any water right permit within the district.

Conclusions of Law

The petition and maps submitted by Ridgeview Irrigation District comply with the requirements of ORS 541.325 to ORS 541.333.

Now, it is therefore ORDERED:

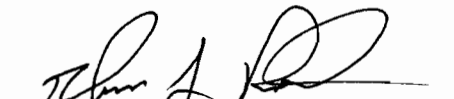
1. The Department approves the Ridgeview Irrigation District's petition and maps of water rights.
2. Water Right Certificate 75844 is hereby canceled.

3. The Department shall issue Water Right Certificate 81012, a new and superseding water right certificate, to describe the right evidenced by the approved petition for irrigation of 6,077.20 acres.

The certificate retains the existing conditions and limitations upon the right, seasons of use, priority dates, and rate and duty limitations prescribed by permit.

4. In addition, Water Right Certificate 81012 includes and confirms the completed and perfected change in place of use for 707.70 acres authorized by the order approving Transfer Application T-9533 for a change in place of use from Gem Irrigation District to Ridgeview Irrigation District.

Dated at Salem, Oregon this 11th day of August, 2005.


Phillip C. Ward, Director