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-10765, Jefferson 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

North Unit Irrigation District 2024 NW Beech St. Madras, OR 97741

Findings of Fact

- 1. On February 17, 2009, the Department issued a final order, recorded in Special Order Volume 77, Pages 250 255, approving district permanent transfer application T-10765. The order established October 1, 2010, as the date for completion of the authorized change in place of use.
- 2. On October 1, 2010, the Department received an application for an extension of time to complete the changes allowed in Transfer Application T-10765. On October 6, 2010, the Department granted the request for an extension, recorded in Special Order Volume 82, Pages 21 22 and extended the completion date to October 1, 2011.
- 3. On October 3, 2011, the Department received the claim of beneficial use and final proof maps for Transfer Application T-10765.
- 4. The Department reviewed the claim of beneficial use and final proof map submitted by the applicant for district permanent transfer T-10765.
- 5. 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.

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.

6. The claim of beneficial use for a portion of Transfer Application T-10765 indicates that the change was completed differently than originally authorized and is more fully described in the tables below:

As authorized in the final order:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice #
9S	14E	WM	29	SW NW	6.40	401	MARSHALL	08-05
9S	14E	WM	29	SE NW	1.00	401	MARSHALL	08-05
12S	12E	WM	25	NW NW	3.90*	207	ROMANICK	08-03
				TOTAL:	11.30			

As completed:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice #
9S	14E	WM	29	SW NW	7.0	401	MARSHALL	08-05
9S	14E	WM	30	SE NE	0.4	401	MARSHALL	08-05
12S	12E	WM	25	NWNW	3.90*	401	ROMANICK	08-03
				TOTAL	11.30			

^{*}Change is within same quarter-quarter.

- 7. The reconfigured change in location of use as mapped is determined satisfactory because the reconfigured, completed use is under the same water right holder and affects the same number of irrigated acres.
- 8. Satisfactory proof of the changes was submitted with evidence showing that water was used in the location (see Finding of Fact #7) and for the purpose as authorized by the final order approving T-10765.

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 district permanent transfer T-10765 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 $\frac{100}{100}$ day of October, 2011. Dwight French, Water Right Services Administrator for PHILLIP C. WARD, DIRECTOR

OCT 18 2011 Mailing Date: __