

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

In the Matter of the Completion of Changes)
of Place of Use Authorized by the Final) DETERMINATION OF
Order Approving District Permanent) SATISFACTORY PROOF
Transfer T-8651)

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

Tumalo Town District Improvement Company
64682 Cook Avenue #1
Bend, OR 97701

Findings of Fact

1. The Department reviewed the claim of beneficial use and final proof map submitted by the applicant for Transfer Application T-8651.
2. The claim of beneficial use did not contain a map of the points 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 maps on file with the Department are sufficient to identify the points of diversion from the source.
3. Satisfactory proof of the change was submitted with evidence showing that water was used in the location and for the purpose as authorized by the final order approving the transfer.

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.

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.

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 the transfer listed in *Finding 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 20th day of August, 2008.


Phillip C. Ward, Director

Mailing date: AUG 28 2008