

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

In the Matter of the Completion of a Change     )  
in Place of Use Under Transfer Application     )     **DETERMINATION OF**  
T-11329, Deschutes County                     )     **SATISFACTORY PROOF**

**Authority**

ORS 540.530 and OAR 690-385-7600 describe the process for the Water Resources Department to issue or modify a water right certificate upon determination that an applicant has made satisfactory proof of the completion of the changes.

**Applicant**

Tumalo Irrigation District  
64697 Cook Avenue  
Bend, OR 97701

**Findings of Fact**

1. On February 28, 2012, the Department signed a final order, which was mailed on February 29, 2012, and recorded in Special Order Volume 87, Pages 105-111, approving Transfer Application T-11329. The final order established October 1, 2013, as the date for completion of the authorized changes in place of use.
2. On June 19, 2012, the Department signed a correcting final order, recorded in Special Order Volume 87, Pages 844, which corrected a scrivener's error in the proposed place of use for the final order recorded in Special Order Volume 87, Pages 105-111.
3. On August 29, 2014, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-11329.
4. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-11329.
5. The CBU did not contain a map of the point 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 a change in the point of diversion, the existing maps on file with the Department are sufficient to identify the point of diversion from the source.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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. 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-11329.

### Conclusions of Law

Pursuant to ORS 540.530 and OAR 690-385-7600, the Department may issue or modify a certificate upon a determination 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 water has been applied to beneficial use to the extent authorized under the terms of the final order approving Transfer Application T-11329.
2. Water right certificates 74146, 74147, 74148, 74149, 76106, 76520 are modified. The Department shall issue water right certificates on a determination that it is necessary to produce certificates describing the water rights.

Issued this 22 day of December, 2016.

  
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Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director

Mailing date: DEC 30 2016

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