

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING CHANGE
T-9494, Union County)	IN PLACE OF USE
)	

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

JUANITA RAMEY
62827 BOOTH LANE
LA GRANDE, OR 97850

Receiving Landowners

LARRY L FLANNAGAN & JUNE E. WOOD
2009 N FIR STREET
LAGRANDE, OR 97850

Findings of Fact

1. On July 3, 2003, Juanita Ramey filed a transfer application to change the place of use under Certificate 80698. The Department assigned the application number T-9494.
2. The right to be transferred is as follows:

Certificate: 80698 in the name of JUANITA RAMEY (confirmed by Grande Ronde River, Consolidated decree of the Circuit Court of Union County, in Volume 8, at Page 1)

Use: IRRIGATION of 80 ACRES

Priority Date: 1872

Rate: 2.0 CUBIC FEET PER SECOND

Limit/Duty: ONE-FORTIETH cfs per acre, not to exceed 3.0 acre-feet per acre per year

Source: GRANDE RONDE RIVER, tributary to SNAKE RIVER

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.

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	NEW ORODELL DITCH—1853.33 FEET SOUTH & 80.84 FEET EAST FROM W1/4 CORNER, SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	22	SW SW	40.0
2 S	38 E	WM	22	SE SW	40.0

3. Application T-9494 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
2 S	38 E	WM	21	NE SE	40.0	5800
2 S	38 E	WM	22	NW SW	40.0	6200

4. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
5. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
6. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
7. An adequate headgate and a measuring device exist at the point of diversion.
8. The proposed change would not result in enlargement of the right.
9. The proposed change would not result in injury to other water rights.

Conclusions of Law

The proposed change in place of use in application T-9494 is consistent with the requirements of ORS 540.505 to 540.580, and OAR 690-380-5000.

Now, therefore, it is ORDERED:

- The change in place of use proposed in application T-9494 is approved.
- Water right certificate 80698 is cancelled.
- The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 80698 and any related decree.

4. The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2007. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
5. The former place of use of the transferred water shall no longer receive water as part of this right.
6. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 3rd day of January 2006.

Debbie Colbert
FOR Phillip C. Ward, Director

Mailing date: JAN 04 2006