

**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)
Final Order Approving District Permanent)
Transfer T-10995, Deschutes and Crook)
Counties)

DETERMINATION OF
SATISFACTORY PROOF

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

Central Oregon Irrigation District (COID)
1055 SW Lake Court
Redmond, OR 97756

Findings of Fact

1. On February 26, 2010, the Department issued a final order, recorded in Special Order Volume 83, Pages 418 - 423, approving district permanent Transfer Application T-10995. The order established October 1, 2011, as the date for completion of the authorized change in place of use.
2. On November 27, 2012, the Department issued a final order approving an extension of the completion date for Transfer Application T-10995 and recorded it in Special Order Volume 88, Pages 769 - 770. This order extended the time for completion of beneficial use authorized by Transfer Application T-10995 to October 1, 2013.
3. On June 23, 2014, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant.
4. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-10995.
5. The CBU did not contain map(s) of the point(s) 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 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 CBU and associated maps for a portion of this transfer illustrate that the water right was proved up on differently than authorized by the final order are described further in the tables below:

As authorized in the order:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice #	POD #
15 S	14 E	WM	33	SE SE	1.10	400	WAIBEL	2009-041	1
17 S	14 E	WM	27	NE SE	0.90	1600	BLOOM	2009-027	1
Total:					2.00				

As identified in the CBU and associated maps:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice#	POD #
15 S	14 E	WM	33	SE SE	0.60	400	WAIBEL	2009-041	1
15 S	14 E	WM	33	NE NE	0.50	100	WAIBEL	2009-041	1
17 S	14 E	WM	27	NE SE	0.90*	1600	BLOOM	2009-027	1
Total:					2.00				

*This reconfigured use is within the same tax lot and quarter-quarter.

7. The reconfigured changes in place of use as mapped and described above are determined satisfactory because the reconfiguration does not enlarge the right and the water right holder remains the same.
8. Since the issuance of the final order approving Transfer Application T-10995 there has been ownership changes of parcels involved in the transfer. These ownership changes are described further in the table below:

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name as identified in final order	Current Owner	Notice #
17 S	12 E	WM	13	SW NW	1.95	311	CAMERON	MOCKE	2009-030
17 S	12 E	WM	14	SE NW	1.00	802	SAXTON	METCALF	2009-029

9. 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 (see above for place of use change notation) approving Transfer Application T-10995.

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 permanent district Transfer Application T-10995 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 27 day of August, 2014.



Dwight French, Water Right Services Administrator for
DIRECTOR, Oregon Water Resources Department

Mailing Date: OCT 14 2014