

**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-11172, Deschutes and Crook	)	
Counties	)	

**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 January 28, 2011, the Department issued a final order, recorded in Special Order Volume 83, Pages 418 - 423, approving district permanent transfer application T-11172. The order established October 1, 2012, as the date for completion of the authorized change in place of use.
2. On September 30, 2013, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant.
3. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-11172.
4. 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.
5. 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:

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.

As authorized in the order:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice #	POD #
14 S	13 E	WM	4	NE NE	14.90	100	KNIGHT	2010-004	11
14 S	13 E	WM	4	NW NE	9.20	100	KNIGHT	2010-004	11
14 S	13 E	WM	30	SW SE	2.00	800	FLEWELLING	2010-026	11
17 S	12 E	WM	14	SE NE	1.50	100	JUDSON	2009-035	1
17 S	13 E	WM	18	NW SE	0.70	401	LANE	2010-021	1
17 S	14 E	WM	2	NE SW	1.00	903	SCHWAB	2009-049	1
17 S	14 E	WM	2	NE SW	0.35	905	SCHWAB	2009-049	1
17 S	14 E	WM	2	NW SW	3.00	903	SCHWAB	2009-049	1
18 S	13 E	WM	5	SW NE	0.90	300	BURGESS	2010-009	1
<b>Total:</b>					<b>33.55</b>				

As identified in the CBU and associated maps:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Owner Name	Notice#	POD #
14 S	13 E	WM	4	NE NE	15.80	100	KNIGHT	2010-004	11
14 S	13 E	WM	4	NW NE	8.30	100	KNIGHT	2010-004	11
14 S	13 E	WM	30	SW SE	2.00*	800	FLEWELLING	2010-026	11
17 S	12 E	WM	14	SE NE	1.50*	100	JUDSON	2009-035	1
17 S	13 E	WM	18	NW SE	0.70*	401	LANE	2010-021	1
17 S	14 E	WM	2	NE SW	1.00*	100	SCHWAB	2009-049	1
17 S	14 E	WM	2	NE SW	0.35*	100	SCHWAB	2009-049	1
17 S	14 E	WM	2	NW SW	3.00*	100	SCHWAB	2009-049	1
18 S	13 E	WM	5	SW NE	0.90*	300	BURGESS	2010-009	1
<b>Total:</b>					<b>33.55</b>				

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

- 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.
- Since the issuance of the final order approving Transfer Application T-11172 portions of the transfer has had lot line adjustments and tax lot number changes. The tax lot number changes are described further in the table below:

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot as identified in Final Order	Current Tax Lot	Current User	Notice #
17 S	14 E	WM	2	NE SW	1.00	903	100	SCHWAB	2009-049
17 S	14 E	WM	2	NE SW	0.35	905	100	SCHWAB	2009-049
17 S	14 E	WM	2	NW SW	3.00	903	100	SCHWAB	2009-049

- 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-11172.

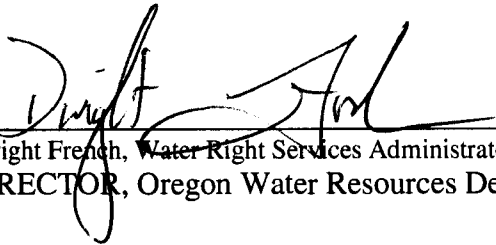
### Conclusions of Law

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-11172 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 28 day of August, 2014.



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

Mailing Date: OCT 14 2014