

**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-11501, Jackson 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**

ROGUE RIVER VALLEY IRRIGATION DISTRICT  
3139 MERRIMAN ROAD  
MEDFORD, OR 97501

**Findings of Fact**

1. On June 20, 2014, the Department signed a final order, which was mailed on July 2, 2014, and recorded in Special Order Volume 92, Pages 888-896, approving Transfer Application T-11501 involving Certificates 80575, 80576, 80577, 83729, 85288, 85876 and 85877. The final order established October 1, 2015, as the date for completion of the authorized changes in place of use.
2. On May 22, 2015, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-11501.
3. The Department reviewed the CBU and map(s) submitted by the applicant for Transfer Application T-11501.
4. 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.
5. The proposed place of use as approved the final order for Transfer Application T-11501, and as recorded in Special Order Volume 92, Pages 888-896 is shown in the table below:

**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.

Table 1:

PRIMARY IRRIGATION UNDER CERTIFICATE 85288								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
36S	1W	WM	31	NW SW	2000	1.00	PROPERTY PUMP	12-04
36S	2W	WM	23	NE SE	114	4.00	CITY OF MEDFORD	12-03
36S	2W	WM	23	NW SE	114	1.00	CITY OF MEDFORD	12-03
36S	2W	WM	27	NE SW	800	0.80	KYKER	12-05
36S	2W	WM	27	SW SW	800	10.90	KYKER	12-05
36S	2W	WM	27	NW SE	800	0.40	KYKER	12-05
36S	2W	WM	27	SW SE	800	7.50	KYKER	12-05
36S	2W	WM	36	NE NE	102	29.00	SANCHEZ	12-02
36S	2W	WM	36	NW NE	102	1.00	SANCHEZ	12-02
37S	2W	WM	9	NE SE	7700	0.30	UNDERWOOD	12-01
Total:						55.90		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 85876								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
36S	1W	WM	31	NW SW	2000	1.00	PROPERTY PUMP	12-04
36S	2W	WM	23	NE SE	114	4.00	CITY OF MEDFORD	12-03
36S	2W	WM	23	NW SE	114	1.00	CITY OF MEDFORD	12-03
36S	2W	WM	27	NE SW	800	0.80	KYKER	12-05
36S	2W	WM	27	SW SW	800	10.90	KYKER	12-05
36S	2W	WM	27	NW SE	800	0.40	KYKER	12-05
36S	2W	WM	27	SW SE	800	7.50	KYKER	12-05
36S	2W	WM	36	NE NE	102	29.00	SANCHEZ	12-02
36S	2W	WM	36	NW NE	102	1.00	SANCHEZ	12-02
37S	2W	WM	9	NE SE	7700	0.30	UNDERWOOD	12-01
Total:						55.90		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 85877								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
36S	1W	WM	31	NW SW	2000	1.00	PROPERTY PUMP	12-04
36S	2W	WM	23	NE SE	114	4.00	CITY OF MEDFORD	12-03
36S	2W	WM	23	NW SE	114	1.00	CITY OF MEDFORD	12-03
36S	2W	WM	27	NE SW	800	0.80	KYKER	12-05
36S	2W	WM	27	SW SW	800	10.90	KYKER	12-05
36S	2W	WM	27	NW SE	800	0.40	KYKER	12-05
36S	2W	WM	27	SW SE	800	7.50	KYKER	12-05
36S	2W	WM	36	NE NE	102	29.00	SANCHEZ	12-02
36S	2W	WM	36	NW NE	102	1.00	SANCHEZ	12-02
37S	2W	WM	9	NE SE	7700	0.30	UNDERWOOD	12-01
Total:						55.90		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 80575								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
37S	2W	WM	9	NE SE	7700	0.30	RRVID	12-02
Total:						0.30		

SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 80576								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
36S	1W	WM	31	NW SW	2000	1.00	PROPERTY PUMP	12-04
36S	2W	WM	23	NE SE	114	4.00	CITY OF MEDFORD	12-03
36S	2W	WM	23	NW SE	114	1.00	CITY OF MEDFORD	12-03
36S	2W	WM	27	NE SW	800	0.80	KYKER	12-05
36S	2W	WM	27	SW SW	800	10.90	KYKER	12-05
36S	2W	WM	27	NW SE	800	0.40	KYKER	12-05
36S	2W	WM	27	SW SE	800	7.50	KYKER	12-05
36S	2W	WM	36	NE NE	102	29.00	SANCHEZ	12-02
36S	2W	WM	36	NW NE	102	1.00	SANCHEZ	12-02
37S	2W	WM	9	NE SE	7700	0.30	UNDERWOOD	12-01
Total:						55.90		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 80577								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
37S	2W	WM	9	NE SE	7700	0.30	UNDERWOOD	12-01
Total:						0.30		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 83729								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
37S	2W	WM	9	NE SE	7700	0.30	UNDERWOOD	12-01
Total:						0.30		

Information in the CBU indicates some water users have changed subsequent to the issuance of the final order approving Transfer Application T-11501 on some parcels affected by the transfer. Any such changes as identified in the CBU and associated maps are shown in **BOLD** in the table below.

Table 2:

PRIMARY IRRIGATION UNDER CERTIFICATE 85288								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
36S	1W	WM	31	NW SW	2000	1.00	<b>BAXTER</b>	12-04
36S	2W	WM	23	NE SE	114	4.00	CITY OF MEDFORD	12-03
36S	2W	WM	23	NW SE	114	1.00	CITY OF MEDFORD	12-03
36S	2W	WM	27	NE SW	800	0.80	KYKER	12-05
36S	2W	WM	27	SW SW	800	10.90	KYKER	12-05
36S	2W	WM	27	NW SE	800	0.40	KYKER	12-05
36S	2W	WM	27	SW SE	800	7.50	KYKER	12-05
36S	2W	WM	36	NE NE	102	29.00	SANCHEZ	12-02
36S	2W	WM	36	NW NE	102	1.00	SANCHEZ	12-02
37S	2W	WM	9	NE SE	7700	0.30	<b>FOOTE</b>	12-01
Total:						55.90		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 85876								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
36S	1W	WM	31	NW SW	2000	1.00	<b>BAXTER</b>	12-04
36S	2W	WM	23	NE SE	114	4.00	CITY OF MEDFORD	12-03
36S	2W	WM	23	NW SE	114	1.00	CITY OF MEDFORD	12-03
36S	2W	WM	27	NE SW	800	0.80	KYKER	12-05

36S	2W	WM	27	SW SW	800	10.90	KYKER	12-05
36S	2W	WM	27	NW SE	800	0.40	KYKER	12-05
36S	2W	WM	27	SW SE	800	7.50	KYKER	12-05
36S	2W	WM	36	NE NE	102	29.00	SANCHEZ	12-02
36S	2W	WM	36	NW NE	102	1.00	SANCHEZ	12-02
37S	2W	WM	9	NE SE	7700	0.30	FOOTE	12-01
Total:						55.90		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 85877								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
36S	1W	WM	31	NW SW	2000	1.00	BAXTER	12-04
36S	2W	WM	23	NE SE	114	4.00	CITY OF MEDFORD	12-03
36S	2W	WM	23	NW SE	114	1.00	CITY OF MEDFORD	12-03
36S	2W	WM	27	NE SW	800	0.80	KYKER	12-05
36S	2W	WM	27	SW SW	800	10.90	KYKER	12-05
36S	2W	WM	27	NW SE	800	0.40	KYKER	12-05
36S	2W	WM	27	SW SE	800	7.50	KYKER	12-05
36S	2W	WM	36	NE NE	102	29.00	SANCHEZ	12-02
36S	2W	WM	36	NW NE	102	1.00	SANCHEZ	12-02
37S	2W	WM	9	NE SE	7700	0.30	FOOTE	12-01
Total:						55.90		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 80575								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
37S	2W	WM	9	NE SE	7700	0.30	FOOTE	12-02
Total:						0.30		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 80576								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
36S	1W	WM	31	NW SW	2000	1.00	BAXTER	12-04
36S	2W	WM	23	NE SE	114	4.00	CITY OF MEDFORD	12-03
36S	2W	WM	23	NW SE	114	1.00	CITY OF MEDFORD	12-03
36S	2W	WM	27	NE SW	800	0.80	KYKER	12-05
36S	2W	WM	27	SW SW	800	10.90	KYKER	12-05
36S	2W	WM	27	NW SE	800	0.40	KYKER	12-05
36S	2W	WM	27	SW SE	800	7.50	KYKER	12-05
36S	2W	WM	36	NE NE	102	29.00	SANCHEZ	12-02
36S	2W	WM	36	NW NE	102	1.00	SANCHEZ	12-02
37S	2W	WM	9	NE SE	7700	0.30	FOOTE	12-01
Total:						55.90		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 80577								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
37S	2W	WM	9	NE SE	7700	0.30	FOOTE	12-01
Total:						0.30		
SUPPLEMENTAL IRRIGATION UNDER CERTIFICATE 83729								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice #
37S	2W	WM	9	NE SE	7700	0.30	FOOTE	12-01
Total:						0.30		

6. Satisfactory proof of the changes was submitted with evidence showing that water was used in the locations and for the purpose as authorized by the final order approving Transfer Application T-11501.


### 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-11501 with the modifications as shown in Table 2, above.
2. Water right certificates 80575, 80576, 80577, 83729, 85288, 85876 and 85877 are modified. The Department will issue superseding certificates describing the rights when it determines it is necessary for record keeping.

Signed at Salem, Oregon this 20 day of April, 2017.

  
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Dwight French, Water Right Services Administrator for  
Thomas M. Byler, Director  
Oregon Department of Water Resources

Mailing date: APR 26 2017