

**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    )  
T-11467, Crook and Deschutes Counties        )                    **DETERMINATION OF  
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**

CENTRAL OREGON IRRIGATION DISTRICT  
1055 SW LAKE COURT  
REDMOND, OR 97756

**Findings of Fact**

1. On December 26, 2012, the Department issued a final order, which is recorded in Special Order Volume 88, Pages 833-841, approving Transfer Application T-11467 involving Certificates 83571 and 76714. The final order established October 1, 2014, as the date for completion of the authorized changes in place of use.
2. On October 21, 2015, the Department signed a final order, which was mailed on October 26, 2015, and recorded in Special Order Volume 98, Pages 159-160, extending the completion date of the authorized change in place of use to October 1, 2016.
3. On October 3, 2016, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-11467.
4. The Department reviewed the CBU and map(s) submitted by the applicant for Transfer Application T-11467.
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. The proposed place of use for Certificates 83571 and 76714 as approved the final order for Transfer Application T-11467, and as recorded in Special Order Volume 88, Pages 833-841 is shown in the table below:

**Table 1:**

IRRIGATION and SUPPLEMENTAL IRRIGATION									
Notice	POD #	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	User Name
T-2012-007	11	14S	13E	WM	3	NE SE	701	0.96	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NE SE	700	0.60	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NE SE	600	0.33	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NE SE	500	0.14	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NE SW	200	2.20	M. Jackson, LLC
T-2012-007	11	14S	13E	WM	3	NW SE	300	0.59	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NW SE	400	0.58	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NW SE	500	0.19	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NW SW	200	0.005	M. Jackson, LLC
T-2012-007	11	14S	13E	WM	3	SE NE	300	0.02	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	SE NW	200	0.50	M. Jackson, LLC
T-2012-007	11	14S	13E	WM	3	SE SE	700	0.14	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	SE SW	200	1.10	M. Jackson, LLC
T-2012-007	11	14S	13E	WM	3	SW NE	300	0.06	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	SW SE	700	0.80	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	SW SW	200	1.725	M. Jackson, LLC
T-2012-002	11	14S	13E	WM	9	SE NW	901	1.00	Kirchmeier
T-2012-007	11	14S	13E	WM	10	NE NW	504	0.55	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	NE SE	400	0.40	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	NE SW	900	0.42	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	NW NE	506	1.60	M. Jackson, LLC
T-2012-007	11	14S	13E	WM	10	NW NE	500	0.29	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	NW NW	514	0.99	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	NW NW	500	0.43	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	NW SE	500	0.37	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	SE NE	100	0.95	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	SE NW	504	0.55	Canyons Land &

IRRIGATION and SUPPLEMENTAL IRRIGATION									
Notice	POD #	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	User Name
									Cattle Co.
T-2012-007	11	14S	13E	WM	10	SW NE	500	0.34	Canyons Land & Cattle Co.
T-2012-003	11	15S	12E	WM	24	NE NW	103	2.35	Peck, et al
T-2012-003	11	15S	12E	WM	24	NW NE	1800	0.40	Peck, et al
T-2012-006	1	15S	14E	WM	13	NE NW	200	0.70	Kastor Family Jolon
T-2012-006	1	15S	14E	WM	13	SE NW	200	6.25	Kastor Family Jolon
T-2012-006	1	15S	14E	WM	13	SW NW	300	1.15	Kastor Family Jolon
T-2012-006	1	15S	14E	WM	22	NE SE	900	0.90	Kastor Family Jolon
T-2012-001	11	16S	12E	WM	2	NE SW	700	4.60	Vanderzanden
T-2012-005	1	17S	14E	WM	28	SE SW	2704	1.20	Smith Trust
T-2012-004	1	18S	14E	WM	7	SW NE	400	0.92	O & M, Inc.
T-2012-004	1	18S	14E	WM	7	SW NE	401	0.28	O & M, Inc.
<b>Total:</b>								<b>36.58</b>	

7. Information in the CBU indicates some ownership(s) and tax lot number(s) have changed subsequent to the issuance of the final order approving Transfer Application T-11467 on some parcels affected by the transfer. In addition, portions of the transfer for Certificates 83571 and 76714 were developed differently than authorized in the final order. Any such changes as identified in the CBU and associated maps are shown in **BOLD** in the table below.

**Table 2:**

IRRIGATION and SUPPLEMENTAL IRRIGATION									
Notice	POD #	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	User Name
T-2012-007	11	14S	13E	WM	3	NE SE	701	0.96	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NE SE	700	0.60	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NE SE	600	0.33	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NE SE	500	0.14	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NE SW	<b>300</b>	2.20	M. Jackson, LLC
T-2012-007	11	14S	13E	WM	3	NW SE	300	0.59	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NW SE	400	0.58	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NW SE	500	0.19	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	NW SW	<b>300</b>	0.005	M. Jackson, LLC
T-2012-007	11	14S	13E	WM	3	SE NE	300	0.02	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	SE NW	<b>300</b>	0.50	M. Jackson, LLC
T-2012-007	11	14S	13E	WM	3	SE SE	700	0.14	Canyons Land & Cattle Co.

IRRIGATION and SUPPLEMENTAL IRRIGATION									
Notice	POD #	Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	User Name
T-2012-007	11	14S	13E	WM	3	SE SW	200 & 300	1.165	M. Jackson, LLC
T-2012-007	11	14S	13E	WM	3	SW NE	300	0.06	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	SW SE	700	0.80	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	3	SW SW	300	1.66	M. Jackson, LLC
T-2012-002	11	14S	13E	WM	9	SE NW	901	*1.00	Kirchmeier
T-2012-007	11	14S	13E	WM	10	NE NW	504	0.55	Canyons Land & Cattle Co.
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T-2012-007	11	14S	13E	WM	10	NW NE	506	1.60	M. Jackson, LLC
T-2012-007	11	14S	13E	WM	10	NW NE	500	0.31	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	NW NW	500	0.99	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	NW NW	500	0.43	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	NW SE	500	0.37	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	SE NE	100	0.95	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	SE NW	504	0.55	Canyons Land & Cattle Co.
T-2012-007	11	14S	13E	WM	10	SW NE	500	0.32	Canyons Land & Cattle Co.
T-2012-003	11	15S	12E	WM	24	NE NW	103	2.35	Peck, et al
T-2012-003	11	15S	12E	WM	24	NW NE	1800	0.40	Peck, et al
T-2012-006	1	15S	14E	WM	13	NE NW	200	0.70	J. Veele
T-2012-006	1	15S	14E	WM	13	SE NW	300	6.13	Kastor Family Jolon
T-2012-006	1	15S	14E	WM	13	SW NW	300	1.27	Kastor Family Jolon
T-2012-006	1	15S	14E	WM	22	NE SE	900	0.90	Kastor Family Jolon
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T-2012-005	1	17S	14E	WM	28	SE SW	2704	1.20	Smith Trust
T-2012-004	1	18S	14E	WM	7	SW NE	400	0.92	O & M, Inc.
T-2012-004	1	18S	14E	WM	7	SW NE	401	0.28	O & M, Inc.
Total:								36.58	

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

- The reconfigured changes in place of use as documented in the CBU and associated maps are determined satisfactory because the reconfigured, completed uses are under the same water right holders, do not enlarge the rights and affect the same number of irrigated acres.

9. 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-11467.

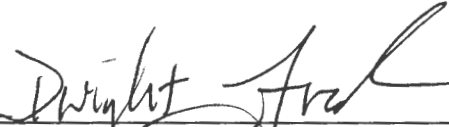
### Conclusions of Law

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-11467 with the modifications as shown in Table 2, above.
2. Water right certificates 83571 and 76714 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 30 day of December, 2016.

  
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Dwight French, Water Right Services Administrator for  
THOMAS M. BYLER, DIRECTOR  
Oregon Department of Water Resources

Mailing date: ~~JAN 06 2016~~ JAN 06 2017