

**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-11888, Crook and Deschutes Counties )	<b>DETERMINATION OF SATISFACTORY PROOF</b>

**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 October 29, 2014, the Department signed a final order, which was mailed on October 31, 2014, and recorded in Special Order Volume 93, Pages 778-782, approving Transfer Application T-11888 involving Certificates 83571 and 76714. The final order established October 1, 2016, as the date for completion of the authorized changes in place of use.
2. On September 22, 2016, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-11888.
3. The Department reviewed the CBU and map(s) submitted by the applicant for Transfer Application T-11888.
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 for Certificates 83571 and 76714 as approved the final order for Transfer Application T-11888, and as recorded in Special Order Volume 93, Pages 778-782, is shown in the table below:

<p style="text-align:center"><b>NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW</b></p> <p>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.</p>
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**Table 1:**

IRRIGATION and SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice	POD #
14S	15E	WM	30	NE NW	700	0.10	Woeck	T-2014-002	1
14S	15E	WM	30	NE NW	700	3.15	Woeck	T-2014-002	1
14S	15E	WM	30	NW NW	700	0.05	Woeck	T-2014-002	1
14S	15E	WM	30	SE NW	700	19.90	Woeck	T-2014-002	1
14S	15E	WM	30	SW NW	700	1.80	Woeck	T-2014-002	1
15S	12E	WM	25	NE NE	103	2.05	Steiert	T-2014-004	11
15S	12E	WM	25	NE NE	106	2.68	MacKay	T-2014-004	11
15S	12E	WM	25	NE NE	107	2.90	Every, Trustee	T-2014-005	11
15S	12E	WM	25	NE NE	107	1.38	Every, Trustee	T-2014-005	11
15S	12E	WM	25	NE NE	104	1.50	Riley, Trustees	T-2014-012	11
17S	12E	WM	23	SE NW	713	0.15	Coslett	T-2014-007	1
17S	13E	WM	29	SE NW	102	0.17	River's Edge Investments	T-2014-001	10
17S	13E	WM	33	NW NE	201	0.70	Haase, Trustee	T-2014-003	1
<b>Total:</b>						<b>36.53</b>			

6. Information in the CBU indicates one water user changed subsequent to the issuance of the final order approving Transfer Application T-11888 on a parcel affected by the transfer. The change as identified in the CBU and associated maps are shown in **BOLD** in the table below. In addition, the table shows a correction of a scrivener's error found in the order approving Transfer T-11888 (Special Order Volume 93, Pages 778-782); 13 E is changed to 12 E.

**Table 2:**

IRRIGATION and SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres	Water User	Notice	POD #
14S	15E	WM	30	NE NW	700	0.10	Woeck	T-2014-002	1
14S	15E	WM	30	NE NW	700	3.15	Woeck	T-2014-002	1
14S	15E	WM	30	NW NW	700	0.05	Woeck	T-2014-002	1
14S	15E	WM	30	SE NW	700	19.90	Woeck	T-2014-002	1
14S	15E	WM	30	SW NW	700	1.80	Woeck	T-2014-002	1
15S	12E	WM	25	NE NE	103	2.05	Steiert	T-2014-004	11
15S	12E	WM	25	NE NE	106	2.68	MacKay	T-2014-004	11
15S	12E	WM	25	NE NE	107	2.90	Every, Trustee	T-2014-005	11
15S	12E	WM	25	NE NE	107	1.38	Every, Trustee	T-2014-005	11
15S	12E	WM	25	NE NE	104	1.50	Riley, Trustees	T-2014-012	11
17S	12E	WM	23	SE NW	713	0.15	Coslett	T-2014-007	1
17S	<b>12 E</b>	WM	29	SE NW	102	0.17	River's Edge Investments	T-2014-001	10
17S	13E	WM	33	NW NE	201	0.70	<b>Rubio Real Estate</b>	T-2014-003	1
<b>Total:</b>						<b>36.53</b>			

7. 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-11888.


**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-11888 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