

**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-11528, Hood River County)

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

FARMERS IRRIGATION DISTRICT
1985 COUNTY CLUB RD
HOOD RIVER

Findings of Fact

1. On October 2, 2015, the Department signed a final order, which was mailed on October 6, 2015, and recorded in Special Order Volume 98, Pages 31- 40, approving Transfer Application T-11528 involving Certificates 74299, 74306, 76230, 85974, 85975, and 85976. The final order established October 1, 2017, as the date for completion of the authorized changes in place of use.
2. On October 23, 2015, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-11528.
3. The Department reviewed the CBU and map(s) submitted by the applicant for Transfer Application T-11528.
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 Certificate 74299 as approved the final order for Transfer Application T-11528, and as recorded in Special Order Volume 98, Pages 31-40 is shown in the table below:

<p>NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW</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>
--

Table 1:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax lot	Acres	Water User	DINN
2 N	10 E	WM	4	SE NE	3702	1.60	MCKNIGHT	7317
2 N	10 E	WM	10	NW SW	1400	0.65	HARDMAN	7321
2 N	10 E	WM	20	NW NE	800	1.05	PALEN	7324
2 N	10 E	WM	20	NW NE	805	3.20	ALLEY	7327
Total:						6.50		

6. The proposed place of use for Certificate 74306 as approved the final order for Transfer Application T-11528, and as recorded in Special Order Volume 98, Pages 31-40 is shown in the table below:

Table 2:

IRRIGATION								
Twp	Rn	Mer	Sec	Q-Q	Tax lot	Acres	Water User	Notice
2 N	10	WM	11	SW NE	2200	1.10	PORT OF HOOD RIVER	7290
2 N	10	WM	11	NW NW	1601	0.10	KINGDOM HALL	6587
2 N	10	WM	11	SE NW	2501	2.70	PORT OF HOOD RIVER	7291
2 N	10	WM	11	SE NW	2600	2.40	PORT OF HOOD RIVER	7292
2 N	10	WM	11	SW NW	2600	1.95	PORT OF HOOD RIVER	7293
2 N	10	WM	11	NW SE	1600	0.40	BOB ACRES LLC	7260
2 N	10	WM	12	NW NW	1800	0.40	BOB ACRES LLC	6788
3 N	10	WM	26	NW SW	1001	0.50	STEEVES	6767
3 N	10	WM	33	SE SE	3800	2.40	GARDNER	6701
3 N	10	WM	33	SE SE	3900	0.50	BELCHER	6707
3 N	10	WM	33	SE SE	4300	1.50	RUSSELL	6721
3 N	10	WM	33	SE SE	4400	2.10	RUSSELL	6715
3 N	10	WM	33	SE SE	4500	8.50	SADDLE CLUB	6737
Total						24.55		

7. The proposed place of use for Certificate 76230 as approved the final order for Transfer Application T-11528, and as recorded in Special Order Volume 98, Pages 31-40 is shown in the table below:

Table 3:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax lot	Acres	Water User	Notice
2 N	10 E	WM	5	SW NE	100	2.65	DOG HILL ORCHARDS	7335
2 N	10 E	WM	5	SE NE	108	1.60	SAGER	7336
2 N	10 E	WM	5	NE SW	301	0.70	HOOD RIVER CHERRY CO	7334
2 N	10 E	WM	5	SE SW	301	5.95	HOOD RIVER CHERRY CO	7333
Total						10.90		

8. The proposed place of use for Certificate 85974 as approved the final order for Transfer Application T-11528, and as recorded in Special Order Volume 98, Pages 31-40 is shown in the table below:

Table 4:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax lot	Acres	Water User	Notice
2 N	10 E	WM	4	SE NE	3702	1.60	MCKNIGHT	7317
2 N	10 E	WM	10	NW SW	1400	0.80	HARDMAN	7320
2 N	10 E	WM	20	NW NE	800	1.05	PALEN	7323
2 N	10 E	WM	20	NW NE	805	3.20	ALLEY	7326
Total						6.65		

9. The proposed place of use for Certificate 85975 as approved the final order for Transfer Application T-11528, and as recorded in Special Order Volume 98, Pages 31-40 is shown in the table below:

Table 5:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax lot	Acres	Water User	Notice
2 N	10 E	WM	18	NE NE	100	0.60	MCCRAVEY	7280

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax lot	Acres	Water User	Notice
2 N	10 E	WM	4	SE NE	3702	1.60	MCKNIGHT	7329
2 N	10 E	WM	10	NW SW	1400	0.80	HARDMAN	7330
2 N	10 E	WM	20	NW NE	800	1.05	PALEN	7331
2 N	10 E	WM	20	NW NE	805	3.20	ALLEY	7332
Total						6.65		

10. The proposed place of use for Certificate 85976 as approved the final order for Transfer Application T-11528, and as recorded in Special Order Volume 98, Pages 31-40 is shown in the table below:

Table 6:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax lot	Acr	Water User	Notice
2 N	10 E	WM	4	SE NE	3702	1.60	MCKNIGHT	7319
2 N	10 E	WM	10	NW SW	1400	0.80	HARDMAN	7322
2 N	10 E	WM	20	NW NE	800	1.05	PALEN	7325
2 N	10 E	WM	20	NW NE	805	3.05	ALLEY	7545
Total :						6.50		

11. 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-11528.

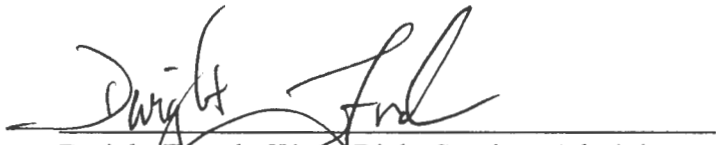
Conclusions of Law

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-11528 and shown in Tables 1, 2, 3, 4, 5, and 6, above.
2. Water right certificates 74299, 74306, 76230, 85974, 85975, and 85976 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 January 2017.



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

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