

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application) **FINAL ORDER APPROVING**
T-12556, Crook County) **A DISTRICT PERMANENT TRANSFER**
) **FOR PLACE OF USE**

Authority

ORS 540.570 to 540.580 establishes the process in which a district may submit a request to transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

RIDGEVIEW IRRIGATION DISTRICT
PO BOX 67
HOMEDALE, ID 83628

Findings of Fact

1. On January 5, 2017, Ridgeview Irrigation District (RID) filed a district transfer application to permanently change the place of use under Certificate 81012. The Department assigned the application number T-12556.
2. Notice of the District Permanent Transfer Application was published on January 17, 2017, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notices.
3. The portion of the irrigation right to be transferred is as follows:
Certificate: 81012 in the name of U.S. BUREAU OF RECLAMATION (perfected under Permit S-8179)
Use: IRRIGATION of 7.3 acres
Priority Dates: FEBRUARY 14, 1916 & AUGUST 19, 1924 (Live Flow), and
FEBRUARY 15, 1916 and AUGUST 20, 1924 (Stored Water)
Limits: The amount of water used for irrigation shall be limited to 1/60th of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The amount of water from direct flow of the Owyhee River together with water store in Owyhee Reservoir and with the amount secured under any other

This is an 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.

Within 20 days after this final order is issued (i.e., mailing date), the district or any protestant may file with the commission exceptions to the final order. The commission shall issue an order granting or denying the exceptions within 30 days after receiving the exceptions. ORS 540.580(10).

water right existing for the same lands shall be limited to a diversion of not to exceed 6.7 acre-feet for each acre irrigated during the irrigation season of each year.

Source: OWYHEE RIVER and OWYHEE RESERVOIR (constructed under Permit R-599), tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	G-Lot	Measured Distances
22 S	45 E	WM	21	NW SW	1	TUNNEL #1: 264 FEET SOUTH AND 495 FEET EAST FROM THE W¼ CORNER OF SECTION 21

Authorized Place of Use:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	G Lot	Acres	Tax Lot	Water User	Notice
22 S	46 E	WM	3	NW NW	4	0.8	500	DAY	2016-2
22 S	46 E	WM	4	NE SE		1.0	400	DAY	2016-2
22 S	46 E	WM	4	SW SE		0.5	501	DAY	2016-2
22 S	46 E	WM	9	SW SE		2.5	900	BOWEN	2016-1
22 S	46 E	WM	10	SW SW		2.5	1100	BOWEN	2016-1
Total:						7.3			

4. Transfer Application T-12556 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice	
22 S	46 E	WM	3	SW SW	0.8	1800	DAY	2016-2	
22 S	46 E	WM	4	NE SE	1.0	400	DAY	2016-2	
22 S	46 E	WM	4	SE SE	0.5	501	DAY	2016-2	
22 S	46 E	WM	9	NE SE	3.3	900	BOWEN	2016-1	
22 S	46 E	WM	9	NW SE	1.0	900	BOWEN	2016-1	
22 S	46 E	WM	10	NW SW	0.7	1100	BOWEN	2016-1	
Total:						7.3			

5. The Department finds that the district permanent transfer application satisfies the criteria of OAR 690-385-4000 and contains the information required under OAR 690-385-4200 and includes maps meeting the requirements of OAR 690-385-4300.
6. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
7. The proposed change in place of use will not result in enlargement of the right.
8. The proposed change in place of use will not result in injury to other water right.


Conclusions of Law

The proposed changes in place of use as proposed in Transfer Application T-12556 satisfy the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed changes in place of use to the water rights evidenced by Certificate 81012 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described Certificate 81012.
3. The former places of use shall no longer be irrigated as part of this water right.
4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use shall be submitted by RID to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. Water right Certificate 81012 is modified. The Department will issue a superseding Certificate describing the right when it determines it is necessary for record keeping.

Signed at Salem, Oregon this 27th day of April 2017.



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

Mailing Date: MAY 02 2017