

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

In the Matter of Transfer Application) **F I N A L O R D E R**
T-10254, Hood River County) APPROVING A DISTRICT
) PERMANENT TRANSFER

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

EAST FORK IRRIGATION DISTRICT
P.O. BOX 162
ODELL, OR 97044

Findings of Fact

1. On October 19, 2006, East Fork Irrigation District filed a district transfer application to permanently change the place of use under a portion of Certificate 81340. The Department assigned the application number T-10254.
2. Notice of the application for transfer was published pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. The portion of the right to be transferred are as follows:

Certificate: 81340, issued in the name of East Fork Irrigation District
(confirmed by Hood River Decree)

Use: Irrigation (IR) of 10.05 acres

Priority Date: November 25, 1895

Rate: 0.126 cfs, which is equivalent to ONE-EIGHTIETH of one cubic foot per second
per acre

Source: East Fork Hood River, a tributary of Hood River

This is a final order in other than 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 either 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.

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q-Q	Lot	SURVEY COORDINATES			
1 S	10 E	WM	4	NW SW	1	3750 feet South and 430 feet East from NW Corner of Section 4			

Authorized Place of Use:

TWP	RNG	MER	SEC	Q-Q	Gov't Lot	TL	ACRES	USER	NOTICE #
1 N	10 E	WM	1	NE NE	1	301	0.15	DOG RIVER ORCHARDS	001-06
1 N	10 E	WM	1	NW NE	2	301	3.60	DOG RIVER ORCHARDS	001-06
1 N	10 E	WM	3	SW SW	13	2100	5.80	JOHN C. BRYANT	002-06
2 N	10 E	WM	22	NE SW	--	2000	0.30	KAHLER FARMS, LLC	003-06
2 N	10 E	WM	22	NW SW	--	2000	0.20	KAHLER FARMS, LLC	003-06
TOTAL:							10.05		

Application T-10252 proposes to change the place of use for the above described right to:

TWP	RNG	MER	SEC	Q-Q	Gov't Lot	TL	ACRES	USER	NOTICE #
1 N	10 E	WM	1	SW NE	--	301	2.25	DOG RIVER ORCHARDS	001-06
1 N	10 E	WM	1	SE NE	--	301	0.50	DOG RIVER ORCHARDS	001-06
1 N	11 E	WM	6	SW NW	--	301	1.00	DOG RIVER ORCHARDS	001-06
2 N	10 E	WM	26	SW NE	--	1005	5.80	JOHN C. BRYANT	002-06
2 N	10 E	WM	26	SE NE	--	1300	0.05	KAHLER FARMS, LLC	003-06
2 N	10 E	WM	26	NE SE	--	1300	0.45	KAHLER FARMS, LLC	003-06
TOTAL:							10.05		

4. The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
5. The water right is subject to transfer as defined in OAR 690-385-0100(17).
6. The proposed change in place of use would not result in enlargement of the right.
7. The proposed change in place of use would not result in injury to other water rights

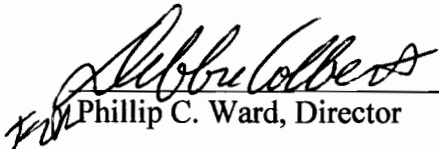
Conclusions of Law

1. The proposed change in place of use in Transfer Application T-10254 satisfies the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed changes to the water right evidenced by Certificate 81340 are approved.
2. The right to the use of water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in the District's water rights, related decree, and the Final Order approving T-10254.
3. The former places of use shall no longer be irrigated as part of this water right.
4. The proposed change shall be completed on or before October 1, 2008.
5. A Claim of Beneficial Use and Final Proof Map shall be submitted by East Fork Irrigation District to the Department by October 1, 2009.
6. Certificate 81340 is modified. The Department will issue a superseding certificate describing the right when it determines that is necessary for record keeping.

Dated at Salem, Oregon this 2nd day of January 2007.


Phillip C. Ward, Director

Mailing Date: JAN 05 2007