

6. The order is also issued to clarify the current water user for a portion of the approved transfer. These corrections are further described in the table below:

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot #	Water User as indicated on Special Order	Current Water User	Notice #
38S	1E	WM	30	NENW	0.75	2102	Shaver	Shaver/Wimmer	03-6
38S	1E	WM	30	SEnw	0.30	2102	Shaver	Shaver/Wimmer	03-6
38S	1E	WM	30	SEnw	0.60	2200	Shaver	Shaver/Wimmer	03-6
38S	2W	WM	12	SWNE	1.27	200	Perry	Patterson	03-1
38S	2W	WM	12	NWNE	0.77	207	Patterson	Hoffman	03-2
38S	2W	WM	12	SWNE	1.00	209	Hoffman	Wolfe	03-3
38S	2W	WM	12	SWNE	3.80	216	Wolfe	Burt	03-4
39S	1E	WM	12	NWNE	0.19	343	Settle	Settell	03-3A

7. The Claim of Beneficial Use and associated map for a portion of the transfer were proved up on differently than authorized by the final order and are more completely described in the tables below:

As authorized:

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot #	Water User	Notice #
39S	1E	WM	12	NWNE	0.19	343	Settell	03-3A

As identified in the Claim of Beneficial Use and associated map:

Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot #	Water User	Notice #
39S	1E	WM	12	NWNE	0.01	343	Settell	03-3A
39S	1E	WM	12	SWNE	0.18	343	Settell	03-3A

8. The change described in Finding of Fact #7 is deemed acceptable because the reconfigured change in place of use as mapped and described are determined satisfactory because the reconfiguration does not enlarge the right, are contiguous and under the same water right holder.
9. Satisfactory proof of the changes was submitted with evidence showing that water was used in the location and for the purpose as authorized by the final order approving T-9616.

Conclusions of Law


Pursuant to OAR 690-385-7600, the Department may issue a certificate upon a determination that 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 Department has determined that the application of water to beneficial use under the terms of the final order approving district permanent transfer T-9616 was completed to the extent authorized.

2. Pursuant to OAR 690-385-7600, the Department will issue a water right certificate on a determination that it is necessary to produce a certificate describing the right.

Dated at Salem, Oregon this 12 day of December, 2011.



Dwight French, Water Right Services Administrator for
PHILLIP C. WARD, DIRECTOR

Mailing Date: _____