

BEFORE THE WATER RESOURCES DEPARTMENT  
FOR THE  
STATE OF OREGON

In the Matter of the Completion of a Change ) DETERMINATION OF SATISFACTORY  
in Place of Use Under Transfer Application ) PROOF OF COMPLETION FOR A  
T-11834 County ) PERMANENT DISTRICT TRANSFER

**Authority**

Oregon Administrative Rule (OAR) 690-385-7400 describes the documentation the district must file with the Department in order to provide proof of use.

OAR 690-385-7600 provides in pertinent part that satisfactory proof shall be (a) a determination by the Department that application of water to beneficial use under the terms of the transfer final order was completed to the extent authorized, or (b) a determination by the Department that the application of water to a beneficial use under the terms of the transfer final order was completed to an extent less than authorized.

Oregon Revised Statute (ORS) 540.530(2)(a) and OAR 690-385-7600 authorize the Department to issue or modify a certificate of water right upon satisfactory proof of completion of the change or changes authorized by a final order approving a permanent district transfer.

**Applicant**

TUMALO IRRIGATION DISTRICT  
64697 COOK AVE  
BEND, OR 97701

**Findings of Fact**

1. On February 25, 2020, the Department signed a final order, which was mailed on February 26, 2020, and recorded in Special Order Volume 116, Pages 188-196, approving Transfer Application T-11834 involving Certificates 74146, 74147, 74148, 74149 and 76520. The final order established October 1, 2021, as the date for completion of the authorized changes in place of use.
2. On December 2, 2020, the Department issued new superseding certificates to Tumalo Irrigation District. Certificate 74146 was superseded by Certificate 95175, Certificate 74147 by Certificate 95176, Certificate 74148 by Certificate 95177, and Certificate 76520 by

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

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.

Certificate 95178. The proposed lands from Transfer T-13268 are included on these superseding water rights as inchoate lands.

3. On October 11, 2021, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-11834 satisfying the requirements for providing proof of use under OAR 690-385-7400.
4. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-11834.
5. 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.
6. The proposed place of use (priority date May 27, 1907) for Certificate 74146 (now 95175) as approved the final order for Transfer Application T-11834), and as recorded in Special Order Volume 116, Pages 188-196, is shown in Table 1, below:

**Table 1:**

| IRRIGATION    |      |     |     |       |             |         |                      |
|---------------|------|-----|-----|-------|-------------|---------|----------------------|
| Twp           | Rng  | Mer | Sec | Q-Q   | Acres       | Tax Lot | Water User           |
| 17 S          | 11 E | WM  | 13  | NW NE | 1.28        | 819     | CADWELL FAMILY TRUST |
| 17 S          | 11 E | WM  | 13  | NW NE | 0.01        | 828     | KC DEVELOPMENT GROUP |
| 17 S          | 11 E | WM  | 13  | NW NW | 0.56        | 829     | TANAGER DEVELOPMENT  |
| 17 S          | 11 E | WM  | 13  | SE NW | 1.44        | 824     | KC DEVELOPMENT GROUP |
| 17 S          | 11 E | WM  | 13  | SE NW | 0.04        | 828     | KC DEVELOPMENT GROUP |
| 17 S          | 11 E | WM  | 13  | NE SW | 0.07        | 824     | KC DEVELOPMENT GROUP |
| 17 S          | 11 E | WM  | 14  | NE NE | 0.06        | 11401   | TANAGER DEVELOPMENT  |
| <b>Total:</b> |      |     |     |       | <b>3.46</b> |         |                      |

7. Based on information in the CBU and on the final proof maps, the claimed place of use for Certificate 74146 (now 95175) has the same configuration as the place of use described in Table 1, above. However, due to tax lot line adjustments and tax lot number changes, beneficial use under T-11834 has been demonstrated for the place of use under Certificate 74146 (now 95175) as described in Table 2, below:

**Table 2:**

| IRRIGATION |      |     |     |       |       |         |                         |
|------------|------|-----|-----|-------|-------|---------|-------------------------|
| Twp        | Rng  | Mer | Sec | Q-Q   | Acres | Tax Lot | Water User              |
| 17 S       | 11 E | WM  | 13  | NW NE | 1.28  | 819     | CADWELL FAMILY TRUST    |
| 17 S       | 11 E | WM  | 13  | NW NE | 0.01  | 817     | TANAGER DEVELOPMENT LLC |
| 17 S       | 11 E | WM  | 13  | NW NW | 0.56  | 817     | TANAGER DEVELOPMENT LLC |
| 17 S       | 11 E | WM  | 13  | SE NW | 0.63  | 817     | TANAGER DEVELOPMENT LLC |
| 17 S       | 11 E | WM  | 13  | SE NW | 0.85  | 835     | TANAGER DEVELOPMENT LLC |

| IRRIGATION    |      |     |     |       |             |         |                          |
|---------------|------|-----|-----|-------|-------------|---------|--------------------------|
| Twp           | Rng  | Mer | Sec | Q-Q   | Acres       | Tax Lot | Water User               |
| 17 S          | 11 E | WM  | 13  | NE SW | 0.07        | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 14  | NE NE | 0.06        | 11401   | TANAGER DEVELOPMENT LLC  |
| <b>Total:</b> |      |     |     |       | <b>3.46</b> |         |                          |

8. The proposed place of use for Certificate 74147 (now 95176) as approved the final order for Transfer Application T-11834, and as recorded in Special Order Volume 116, Pages 188-196, is shown in Table 3, below:

**Table 3:**

| IRRIGATION    |      |     |     |       |              |         |                          |
|---------------|------|-----|-----|-------|--------------|---------|--------------------------|
| Twp           | Rng  | Mer | Sec | Q-Q   | Acres        | Tax Lot | Water User               |
| 17 S          | 11 E | WM  | 13  | NW NE | 0.06         | 820     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 13  | NE NW | 2.72         | 819     | CADWELL FAMILY TRUST     |
| 17 S          | 11 E | WM  | 13  | NE NW | 3.61         | 822     | CADWELL                  |
| 17 S          | 11 E | WM  | 13  | NE NW | 0.06         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 13  | NE NW | 0.70         | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | SW NW | 1.17         | 823     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | SW NW | 0.57         | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 13  | SW NW | 3.06         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 13  | SE NW | 2.82         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 13  | NE SW | 0.34         | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 13  | NE SW | 0.87         | 826     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | NW SW | 0.71         | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 14  | NE NE | 0.99         | 11401   | TANAGER DEVELOPMENT LLC  |
| <b>Total:</b> |      |     |     |       | <b>17.68</b> |         |                          |

| SUPPLEMENTAL IRRIGATION |      |     |     |       |             |         |                         |
|-------------------------|------|-----|-----|-------|-------------|---------|-------------------------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres       | Tax Lot | Water User              |
| 17 S                    | 11 E | WM  | 13  | NW NE | 1.28        | 819     | CADWELL FAMILY TRUST    |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.01        | 828     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | NW NW | 0.56        | 829     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | SE NW | 1.44        | 824     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.04        | 828     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.07        | 824     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 14  | NE NE | 0.06        | 11401   | TANAGER DEVELOPMENT LLC |
| <b>Total:</b>           |      |     |     |       | <b>3.46</b> |         |                         |

9. Based on information in the CBU and on the final proof maps, the claimed place of use for Certificate 74147 (now 95176) has the same configuration as the place of use described in Table 3, above. However, due to tax lot line adjustments and tax lot number changes, beneficial use under T-11834 has been demonstrated for the place of use under Certificate 74147 (now 95176) as described in Table 4, below:

**Table 4:**

| IRRIGATION    |      |     |     |       |              |         |                          |
|---------------|------|-----|-----|-------|--------------|---------|--------------------------|
| Twp           | Rng  | Mer | Sec | Q-Q   | Acres        | Tax Lot | Water User               |
| 17 S          | 11 E | WM  | 13  | NW NE | 0.03         | 820     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 13  | NW NE | 0.03         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | NE NW | 3.61         | 822     | KIMBLE                   |
| 17 S          | 11 E | WM  | 13  | NE NW | 0.76         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | NE NW | 2.72         | 819     | CADWELL FAMILY TRUST     |
| 17 S          | 11 E | WM  | 13  | SW NW | 0.69         | 824     | KC DEVELOPMENT GROUP     |
| 17 S          | 11 E | WM  | 13  | SW NW | 0.73         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | SW NW | 1.17         | 823     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | SW NW | 1.17         | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | SW NW | 0.61         | 838     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | SW NW | 0.43         | 839     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | SE NW | 1.43         | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | SE NW | 0.85         | 834     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | SE NW | 0.03         | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 13  | SE NW | 0.01         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S          | 11 E | WM  | 13  | SE NW | 0.50         | 836     | GILBO                    |
| 17 S          | 11 E | WM  | 13  | NE SW | 0.50         | 836     | GILBO                    |
| 17 S          | 11 E | WM  | 13  | NE SW | 0.03         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | NE SW | 0.68         | 837     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | NW SW | 0.31         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | NW SW | 0.20         | 837     | TANAGER DEVELOPMENT LLC  |
| 17 S          | 11 E | WM  | 13  | NW SW | 0.20         | 828     | KC DEVELOPMENT GROUP     |
| 17 S          | 11 E | WM  | 14  | NE NE | 0.99         | 11401   | TANAGER DEVELOPMENT LLC  |
| <b>Total:</b> |      |     |     |       | <b>17.68</b> |         |                          |

| SUPPLEMENTAL IRRIGATION |      |     |     |       |             |         |                          |
|-------------------------|------|-----|-----|-------|-------------|---------|--------------------------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres       | Tax Lot | Water User               |
| 17 S                    | 11 E | WM  | 13  | NW NE | 1.28        | 819     | CADWELL FAMILY TRUST     |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.01        | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW NW | 0.56        | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.63        | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.85        | 835     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.07        | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 14  | NE NE | 0.06        | 11401   | TANAGER DEVELOPMENT LLC  |
| <b>Total:</b>           |      |     |     |       | <b>3.46</b> |         |                          |

10. The proposed place of use for Certificate 74148 (now 95177) as approved the final order for Transfer Application T-11834, and as recorded in Special Order Volume 116, Pages 188-196, is shown in Table 5, below:

**Table 5:**

| SUPPLEMENTAL IRRIGATION |      |     |     |       |              |         |                          |
|-------------------------|------|-----|-----|-------|--------------|---------|--------------------------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres        | Tax Lot | Water User               |
| 17 S                    | 11 E | WM  | 13  | NW NE | 1.28         | 819     | CADWELL FAMILY TRUST     |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.06         | 820     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.01         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NE NW | 2.72         | 819     | CADWELL FAMILY TRUST     |
| 17 S                    | 11 E | WM  | 13  | NE NW | 3.61         | 822     | CADWELL                  |
| 17 S                    | 11 E | WM  | 13  | NE NW | 0.06         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NE NW | 0.70         | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW NW | 0.56         | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 1.17         | 823     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.57         | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | SW NW | 3.06         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | SE NW | 1.44         | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | SE NW | 2.86         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.41         | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.87         | 826     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.71         | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 14  | NE NE | 1.05         | 11401   | TANAGER DEVELOPMENT LLC  |
| <b>Total:</b>           |      |     |     |       | <b>21.14</b> |         |                          |

11. Based on information in the CBU and on the final proof maps, the claimed place of use for Certificate 74148 (now 95177) has the same configuration as the place of use described in Table 5, above. However, due to tax lot line adjustments and tax lot number changes, beneficial use under T-11834 has been demonstrated for the place of use under Certificate 74148 (now 95177) as described in Table 6, below:

**Table 6:**

| SUPPLEMENTAL IRRIGATION |      |     |     |       |       |         |                          |
|-------------------------|------|-----|-----|-------|-------|---------|--------------------------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres | Tax Lot | Water User*              |
| 17 S                    | 11 E | WM  | 13  | NW NE | 1.28  | 819     | CADWELL FAMILY TRUST     |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.03  | 820     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.01  | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.03  | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NE NW | 3.61  | 822     | KIMBLE                   |
| 17 S                    | 11 E | WM  | 13  | NE NW | 0.76  | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NE NW | 2.72  | 819     | CADWELL FAMILY TRUST     |
| 17 S                    | 11 E | WM  | 13  | NW NW | 0.56  | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.69  | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.73  | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 1.17  | 823     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 1.17  | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.61  | 838     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.43  | 839     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.63  | 817     | TANAGER DEVELOPMENT LLC  |

| SUPPLEMENTAL IRRIGATION |      |     |     |       |              |         |                          |
|-------------------------|------|-----|-----|-------|--------------|---------|--------------------------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres        | Tax Lot | Water User*              |
| 17 S                    | 11 E | WM  | 13  | SE NW | 1.43         | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.85         | 834     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.85         | 835     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.03         | 824     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.01         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.50         | 836     | <b>GILBO</b>             |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.07         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.50         | 836     | <b>GILBO</b>             |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.03         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.68         | 837     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.31         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.20         | 837     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.20         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 14  | NE NE | 0.99         | 11401   | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 14  | NE NE | 0.06         | 11401   | TANAGER DEVELOPMENT LLC  |
| <b>Total:</b>           |      |     |     |       | <b>21.14</b> |         |                          |

\* Water users listed in bold are different from the water user that was listed in the transfer final order. They have been updated here to reflect the changes as shown in the CBU.

12. The proposed place of use for Certificate 74149 as approved the final order for Transfer Application T-11834, and as recorded in Special Order Volume 116, Pages 188-196, is shown in Table 7, below:

**Table 7:**

| SUPPLEMENTAL IRRIGATION |      |     |     |       |              |         |                         |
|-------------------------|------|-----|-----|-------|--------------|---------|-------------------------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres        | Tax Lot | Water User              |
| 17 S                    | 11 E | WM  | 13  | NW NE | <b>1.28</b>  | 819     | CADWELL FAMILY TRUST    |
| 17 S                    | 11 E | WM  | 13  | NW NE | <b>0.06</b>  | 820     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | NW NE | <b>0.01</b>  | 828     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | NE NW | <b>2.72</b>  | 819     | CADWELL FAMILY TRUST    |
| 17 S                    | 11 E | WM  | 13  | NE NW | <b>3.61</b>  | 822     | CADWELL                 |
| 17 S                    | 11 E | WM  | 13  | NE NW | <b>0.06</b>  | 828     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | NE NW | <b>0.70</b>  | 829     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | NW NW | <b>0.56</b>  | 829     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | SW NW | <b>1.17</b>  | 823     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | SW NW | <b>0.57</b>  | 824     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | SW NW | <b>3.06</b>  | 828     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | SE NW | <b>1.44</b>  | 824     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | SE NW | <b>2.86</b>  | 828     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | NE SW | <b>0.41</b>  | 824     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | NE SW | <b>0.87</b>  | 826     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | NW SW | <b>0.71</b>  | 824     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 14  | NE NE | <b>1.05</b>  | 11401   | TANAGER DEVELOPMENT LLC |
| <b>Total:</b>           |      |     |     |       | <b>21.14</b> |         |                         |

13. Based on information in the CBU and on the final proof maps, the claimed place of use for Certificate 74149 has the same configuration as the place of use described in in Table 7, above. However, due to tax lot line adjustments and tax lot number changes, beneficial use under T-11834 has been demonstrated for the place of use under Certificate 74149 as described in Table 8, below:

**Table 8:**

| SUPPLEMENTAL IRRIGATION |      |     |     |       |              |         |                          |
|-------------------------|------|-----|-----|-------|--------------|---------|--------------------------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres        | Tax Lot | Water User*              |
| 17 S                    | 11 E | WM  | 13  | NW NE | 1.28         | 819     | CADWELL FAMILY TRUST     |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.03         | 820     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.01         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.03         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NE NW | 3.61         | 822     | <b>KIMBLE</b>            |
| 17 S                    | 11 E | WM  | 13  | NE NW | 0.76         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NE NW | 2.72         | 819     | CADWELL FAMILY TRUST     |
| 17 S                    | 11 E | WM  | 13  | NW NW | 0.56         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.69         | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.73         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 1.17         | 823     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 1.17         | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.61         | 838     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.43         | 839     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.63         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 1.43         | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.85         | 834     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.85         | 835     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.03         | 824     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.01         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.50         | 836     | <b>GILBO</b>             |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.07         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.50         | 836     | <b>GILBO</b>             |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.03         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.68         | 837     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.31         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.20         | 837     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.20         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 14  | NE NE | 0.99         | 11401   | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 14  | NE NE | 0.06         | 11401   | TANAGER DEVELOPMENT LLC  |
| <b>Total:</b>           |      |     |     |       | <b>21.14</b> |         |                          |

\* Water users listed in bold are different from the water user that was listed in the transfer final order. They have been updated here to reflect the changes as shown in the CBU.

14. The proposed place of use for Certificate 76520 (now 95178) as approved the final order for Transfer Application T-11834, and as recorded in Special Order Volume 116, Pages 188-196, is shown in Table 9, below:

**Table 9:**

| SUPPLEMENTAL IRRIGATION |      |     |     |       |              |         |                         |
|-------------------------|------|-----|-----|-------|--------------|---------|-------------------------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres        | Tax Lot | Water User              |
| 17 S                    | 11 E | WM  | 13  | NW NE | 1.28         | 819     | CADWELL FAMILY TRUST    |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.06         | 820     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.01         | 828     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | NE NW | 2.72         | 819     | CADWELL FAMILY TRUST    |
| 17 S                    | 11 E | WM  | 13  | NE NW | 3.61         | 822     | CADWELL                 |
| 17 S                    | 11 E | WM  | 13  | NE NW | 0.06         | 828     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | NE NW | 0.70         | 829     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | NW NW | 0.56         | 829     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | SW NW | 1.17         | 823     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.57         | 824     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | SW NW | 3.06         | 828     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | SE NW | 1.44         | 824     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | SE NW | 2.86         | 828     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.41         | 824     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.87         | 826     | TANAGER DEVELOPMENT LLC |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.71         | 824     | KC DEVELOPMENT GROUP    |
| 17 S                    | 11 E | WM  | 14  | NE NE | 1.05         | 11401   | TANAGER DEVELOPMENT LLC |
| <b>Total:</b>           |      |     |     |       | <b>21.14</b> |         |                         |

15. Based on information in the CBU and on the final proof maps, the claimed place of use for Certificate 76520 (now 95178) has the same configuration as the place of use described in Table 9, above. However, due to tax lot line adjustments and tax lot number changes, beneficial use under T-11834 has been demonstrated for the place of use under Certificate 76520 (now 95178) as described in Table 10, below:

**Table 10:**

| SUPPLEMENTAL IRRIGATION |      |     |     |       |       |         |                          |
|-------------------------|------|-----|-----|-------|-------|---------|--------------------------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres | Tax Lot | Water User*              |
| 17 S                    | 11 E | WM  | 13  | NW NE | 1.28  | 819     | CADWELL FAMILY TRUST     |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.03  | 820     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.01  | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW NE | 0.03  | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NE NW | 3.61  | 822     | KIMBLE                   |
| 17 S                    | 11 E | WM  | 13  | NE NW | 0.76  | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NE NW | 2.72  | 819     | CADWELL FAMILY TRUST     |
| 17 S                    | 11 E | WM  | 13  | NW NW | 0.56  | 817     | TANAGER DEVELOPMENT LLC  |



| SUPPLEMENTAL IRRIGATION |      |     |     |       |              |         |                          |
|-------------------------|------|-----|-----|-------|--------------|---------|--------------------------|
| Twp                     | Rng  | Mer | Sec | Q-Q   | Acres        | Tax Lot | Water User*              |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.69         | 824     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.73         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 1.17         | 823     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 1.17         | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.61         | 838     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SW NW | 0.43         | 839     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.63         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 1.43         | 829     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.85         | 834     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.85         | 835     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.03         | 824     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.01         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | SE NW | 0.50         | 836     | <b>GILBO</b>             |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.07         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.50         | 836     | <b>GILBO</b>             |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.03         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NE SW | 0.68         | 837     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.31         | 817     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.20         | 837     | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 13  | NW SW | 0.20         | 828     | KC DEVELOPMENT GROUP LLC |
| 17 S                    | 11 E | WM  | 14  | NE NE | 0.99         | 11401   | TANAGER DEVELOPMENT LLC  |
| 17 S                    | 11 E | WM  | 14  | NE NE | 0.06         | 11401   | TANAGER DEVELOPMENT LLC  |
| <b>Total:</b>           |      |     |     |       | <b>21.14</b> |         |                          |

\* Water users listed in bold are different from the water user that was listed in the transfer final order. They have been updated here to reflect the changes as shown in the CBU.

16. Based on the review of evidence submitted by the applicant, the Department finds that the application of water to beneficial use under the terms of the transfer final order for T-11834 was completed to the extent authorized in the transfer as described in Tables 2, 4, 6, 8, and 10.

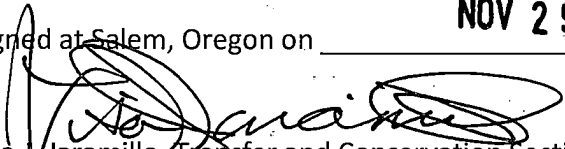
**Conclusions of Law**

1. The Applicant has submitted proof of use pursuant to OAR 690-385-7400.
2. Application of water to a beneficial use under the terms of the transfer final order has been made to the extent shown in Tables 2, 4, 6, 8, and 10, above.
3. The applicant has demonstrated proof of completion under T-11834 to the satisfaction of the Department.
4. The Department is authorized to issue or modify certificates of water rights involved in transfer T-11834 consistent with this determination of satisfactory proof of completion.

**Now, therefore, it is ORDERED:**

Water right Certificates 95175, 95176, 95177, 74149 and 95178 are modified as shown in Tables 2, 4, 6, 8, and 10, above. The Department will issue superseding certificates describing these rights when it determines it is necessary for record keeping.

Signed at Salem, Oregon on NOV 29 2021

  
Lisa Jaramillo, Transfer and Conservation Section Manager for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: NOV 30 2021