

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-14562, Deschutes 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 97703

Findings of Fact

1. On May 8, 2025, the Department signed a final order, which was mailed on May 9, 2025, and recorded in Special Order Volume 134, Pages 632-639, approving Transfer Application T-14562 involving Certificates 95175, 95176, 95177, 95178 and 74149. The final order established October 1, 2026, as the date for completion of the authorized changes in place of use.
2. On June 6, 2025, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-14562 satisfying the requirements for providing proof of use under OAR 690-385-7400.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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.

3. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-14562.
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 95175 as approved by the final order for Transfer Application T-14562, and as recorded in Special Order Volume 134, Pages 632-639 is shown in Table 1, below:

Table 1:

IRRIGATION									
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
9/1/1900	16 S	11 E	WM	11	SE SE	0.50	900	SUMNER	24.003
9/1/1900	16 S	11 E	WM	26	NW NE	0.31	103	HAYES REVOCABLE TRUST	24.002
9/1/1900	17 S	11 E	WM	10	SE NE	0.90	500	CARR	24.002
9/1/1900	16 S	12 E	WM	19	NW NE	0.50	503	ARTHUR	24.001
Total:						2.21			

6. The proposed place of use for Certificate 95176 as approved by the final order for Transfer Application T-14562, and as recorded in Special Order Volume 134, Pages 632-639 is shown in Table 2, below:

Table 2:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
17 S	11 E	WM	10	SE NE	0.10	500	CARR	24.002
17 S	11 E	WM	10	NE SE	1.60	2718	CARR	24.002
16 S	12 E	WM	19	NW NE	1.20	503	ARTHUR	24.001
Total:					2.90			

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	11	SE SE	0.50	900	SUMNER	24.003
16 S	11 E	WM	26	NW NE	0.31	103	HAYES REVOCABLE TRUST	24.002
17 S	11 E	WM	10	SE NE	0.90	500	CARR	24.002
16 S	12 E	WM	19	NW NE	0.50	503	ARTHUR	24.001
Total:					2.21			

7. The proposed place of use for Certificate 95177 as approved by the final order for Transfer Application T-14562, and as recorded in Special Order Volume 134, Pages 632-639 is shown in Table 3, below:

Table 3:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q Lot	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	11	SE SE	0.50	900	SUMNER	24.003
16 S	11 E	WM	26	NW NE	0.31	103	HAYES REVOCABLE TRUST	24.002
17 S	11 E	WM	10	SE NE	0.10	500	CARR	24.002
17 S	11 E	WM	10	SE NE	0.90	500	CARR	24.002
17 S	11 E	WM	10	NE SE	1.60	2718	CARR	24.002
16 S	12 E	WM	19	NW NE	0.50	503	ARTHUR	24.001
16 S	12 E	WM	19	NW NE	1.20	503	ARTHUR	24.001
Total:					5.11			

8. The proposed place of use for Certificate 95178 as approved by the final order for Transfer Application T-14562, and as recorded in Special Order Volume 134, Pages 632-639 is shown in Table 4, below:

Table 4:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q Lot	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	11	SE SE	0.50	900	SUMNER	24.003
16 S	11 E	WM	26	NW NE	0.31	103	HAYES REVOCABLE TRUST	24.002
17 S	11 E	WM	10	SE NE	0.10	500	CARR	24.002
17 S	11 E	WM	10	SE NE	0.90	500	CARR	24.002
17 S	11 E	WM	10	NE SE	1.60	2718	CARR	24.002
16 S	12 E	WM	19	NW NE	0.50	503	ARTHUR	24.001
16 S	12 E	WM	19	NW NE	1.20	503	ARTHUR	24.001
Total:					5.11			

9. The proposed place of use for Certificate 74149 as approved by the final order for Transfer Application T-14562, and as recorded in Special Order Volume 134, Pages 632-639 is shown in Table 5, below:

Table 5:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q Lot	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	11	SE SE	0.50	900	SUMNER	24.003
16 S	11 E	WM	26	NW NE	0.31	103	HAYES REVOCABLE TRUST	24.002
17 S	11 E	WM	10	SE NE	0.10	500	CARR	24.002
17 S	11 E	WM	10	SE NE	0.90	500	CARR	24.002
17 S	11 E	WM	10	NE SE	1.60	2718	CARR	24.002
16 S	12 E	WM	19	NW NE	0.50	503	ARTHUR	24.001
16 S	12 E	WM	19	NW NE	1.20	503	ARTHUR	24.001
Total:					5.11			

11. 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-14562 was completed to the extent authorized in the transfer as described in Tables 1, 2, 3, 4, and 5.

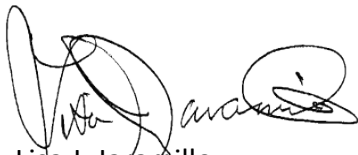
Conclusions of Law

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 1, 2, 3, 4, and 5, above.
3. The applicant has demonstrated proof of completion under T-14562 to the satisfaction of the Department.
4. The Department is authorized to issue or modify certificates of water rights involved in Transfer T-14562 consistent with this determination of satisfactory proof of completion.

Now, therefore, it is ORDERED:

Water right Certificates 95175, 95176, 95177, 95178 and 74149 are modified as shown in Tables 1, 2, 3, 4, and 5, above. The Department will issue superseding certificates describing these rights when it determines it is necessary for record keeping.

Signed at Salem, Oregon on JULY 16, 2025.



Lisa J. Jaramillo,
Transfer and Conservation Section Manager, for
Ivan Gall, Director
Oregon Water Resources Department

Mailing Date: JULY 24, 2025