# BEFORE, THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of the Completion of a	)	
Change of Place of Use Authorized by the	)	DETERMINATION OF
Final Order Approving District Permanent	)	SATISFACTORY PROOF
Fransfer Application T-10262	)	

#### Authority

OAR 690-385-7600 describes the process for the Water Resources Department to issue a water right certificate upon determination that an applicant has made satisfactory proof of completion of the changes authorized by a final order approving a district permanent transfer.

## Applicant

Arnold Irrigation District 19604 Buck Canyon Rd. Bend, OR 97702

### **Findings of Fact**

- On November 6, 2006, the Department issued a final order, recorded in Special Order Volume 71, Pages 414 - 419, approving district permanent transfer application T-10262. The order established October 1, 2008, as the date for completion of the authorized change in place of use.
- 2. On February 14, 2011, the Department received a claim of beneficial use for T-10262.
- 3. The Department reviewed the claim of beneficial use and final proof maps submitted by the applicant for district permanent transfer T-10262.
- 4. The claim of beneficial use did not contain map(s) of the point(s) of diversion from the source. However, since these changes are for place of use only within an irrigation district, and do not involve changes in point of diversion, the existing map(s) on file with the Department are sufficient to identify the point(s) of diversion from the source.
- 5. Portions of the completed transfer have changed ownership since the final order approving Transfer Application T-10262 was issued. The table below describe these ownership changes:

This is a final 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.

Twp	Rng	Sec	Q - Q	Tax Lot	Acres	Notice #	Former water user	New water user
18 S	12 E	25	SWNW	601	4.00	T-2005-016	PANCINO	GUPTAIL
18 S	13 E	30	NW NW	101	0.74	T-2005-018	MCCOOL	HORSE BUTTE EQUEST. CENTER
18 S	13 E	30	SW NW	600	0.21	T-2005-018	MCCOOL	HORSE BUTTE EQUEST. CENTER
18 S	13 E	20	SE NE	401	2.00	T-2005-021	KACZMAREK CUSTOM HOMES	BANK OF THE CASCADES
18 S	12 E	24	NE NW	701	3.00	T-2005-024	KRETCHMER	MARJORIE MILLER TRUST
18 S	12 E	21	SW NE	108	0.63	T-2005-031	BREEZE	ZIEGLER FAMILY TRUST
18 S	12 E	21	SE NE	108	0.72	T-2005-031	BREEZE	ZIEGLER FAMILY TRUST
18 S	13 E	18	SW SE	102	1.58	T-2005-010	KEITH	FOGARTY

6. 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-10262 or as otherwise described herein.

#### 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:

The Department has determined that the application of water to beneficial use under the terms of the final order approving district permanent transfer T-10262 was completed to the extent authorized.

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 <u>23</u> day of February, 2011.

Dwiggt French for PHILLIP C. WARD, DIRECTOR

Mailing Date: FEB 2 3 2011