

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF DESCHUTES

IN THE MATTER OF THE DETERMINATION )  
 OF THE RELATIVE RIGHTS TO THE USE OF )  
 THE WATERS OF THE DESCHUTES RIVER AND )  
 ITS TRIBUTARIES, A TRIBUTARY OF THE )  
 COLUMBIA RIVER. )

MODIFICATION OF SUPPLEMENTAL DECREE  
 OF FEBRUARY 14th, 1933.

#2588

This matter coming on regularly and it appearing that the Central Oregon Irrigation District, Crook County Improvement District Number One, and Deschutes Reclamation and Irrigation Company heretofore filed objections to the Supplemental Decree made and entered herein on February 14th, 1933; said Motion and application requesting a different rate of diversion of water than that allowed in said Supplemental Decree, and the Court having considered said Motion in open Court and having listened to the statements of counsel for the various parties, it is, hereby

ORDERED and DECREED that the former Decree of February 10th, 1928, as modified by the Decree of the Supreme Court and as modified by the Supplemental Decree of February 14th, 1933, shall remain in full force and effect except as herein amended in the following particulars:

CUBIC FEET PER SECOND OF TIME PER ACRE AT DIVERSION.

| Name of Project                            | Transmission Losses | April 1 to May 1 | May 1 to May 15  | May 15 to Sept. 15 | Sept. 15 to Oct. 1 | Oct. 1 to Nov. 1 | Total Acres Feet at River During Season |
|--|---------------------|------------------|------------------|--------------------|--------------------|------------------|---|
| Arnold Irr. Co.                            | 65%                 | 1 ft. to 51 ac.  | 1 ft. to 39 ac.  | 1 ft. to 20.8 ac.  | 1 ft. to 39 ac.    | 1 ft. to 51 ac.  | 15.42                                   |
| Cent. Ore. Irr. Co.                        | 45%                 | 1 ft. to 80 ac.  | 1 ft. to 60 ac.  | 1 ft. to 32.4 ac.  | 1 ft. to 60 ac.    | 1 ft. to 80 ac.  | 9.91                                    |
| Des. Mun. Imp. Dist. #1                    | 45%                 | 1 ft. to 80 ac.  | 1 ft. to 60 ac.  | 1 ft. to 32.4 ac.  | 1 ft. to 60 ac.    | 1 ft. to 80 ac.  | 9.91                                    |
| Des. Rec. & Irr. Co.                       | 43%                 | 1 ft. to 83 ac.  | 1 ft. to 62 ac.  | 1 ft. to 33.45 ac. | 1 ft. to 62 ac.    | 1 ft. to 83 ac.  | 9.58                                    |
| Odin Falls Land Co.                        | 0                   | 1 ft. to 150 ac. | 1 ft. to 109 ac. | 1 ft. to 58.7 ac.  | 1 ft. to 109 ac.   | 1 ft. to 150 ac. | 5.44                                    |
| Cline Falls Power Co.                      | 0                   | 1 ft. to 150 ac. | 1 ft. to 109 ac. | 1 ft. to 58.7 ac.  | 1 ft. to 109 ac.   | 1 ft. to 150 ac. | 5.44                                    |
| Crook Cty. Imp. Dist. #1 at Lone Pine Weir | 35%                 | 1 ft. to 137 ac. | 1 ft. to 109 ac. | 1 ft. to 86.6 ac.  | 1 ft. to 109 ac.   | 1 ft. to 137 ac. | 4.20<br>At Lone Pine Weir.              |

It is further ORDERED and DECREED that the quantity of water appropriated by the Crook County Improvement District No. 1, is insufficient to properly reclaim and irrigate the

entire project, 2520 acres, and that the water may be applied to a less area; provided that the total quantity diverted from the Deschutes River at the north canal dam shall be equal to but not exceed a sufficient amount to deliver at its weir during the irrigation season the quantities measured in second feet set forth in the above tabulation. The foregoing provision shall not be construed as affecting any contract or contracts now or hereafter existing between the Central Oregon Irrigation District and Crook County Improvement District Number One.

Dated and signed in open Court this 24th day of March, 1933.

T.E.J. Duffy  
Circuit Judge.

Filed March 25th, 1933.  
Circuit Court Journal No. 10,  
Page 51.

STATE OF OREGON        )  
                              ) ss  
County of Deschutes)

I, P. B. JOHNSON, County Clerk and Clerk of the Circuit and County Courts in and for said County and State, do hereby certify that I have carefully compared the foregoing copy of Modification of Supplemental Decree of February 14th, 1933, in case No. 2588, with the original thereof as the same appears on file and of record in my office and in my custody, and the same is a full, true, and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Bend, in said County and State, this 5th day of April, 1933.

(SEAL)

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P. B. JOHNSON  
County Clerk

By Mary Hansen  
Deputy