

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF )  
JACK VOGT (TUMALO IRRIGATION DIS- )  
TRICT) FOR APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 4202

On April 18, 1979, an application was filed in the office of the Water Resources Director by Jack Vogt for approval of a change in place of use of water from Tumalo Creek, Deschutes River, Crater Creek, Little Crater Creek and three spring branches, and Crescent Lake Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Tumalo Irrigation District and recorded at page 26050, Volume 18, State Record of Water Right Certificates, describes a right to the use of not to exceed 136.0 cubic feet per second of water from Tumalo Creek, supplemented by the use of not to exceed 40.0 cubic feet per second from Crater Creek; not to exceed 34.0 cubic feet per second from Little Crater Creek; and not to exceed 1.0 cubic foot per second from three spring branches for irrigation of, among other lands, a certain 5.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 26, Township 16 South, Range 11 East, W.M., with a date of priority of October 29, 1913.

These lands also have supplemental rights evidenced by certificate recorded at page 31412, Volume 23, State Record of Water Right Certificates, for the use of water from Deschutes River, with a date of priority of 1905; certificate 26051, Volume 18, for the use of waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911; and permit No. 27841 for the use of waters of Crescent Lake Reservoir, with a priority date of December 8, 1961.

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, to a certain 2.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 22, Township 16 South, Range 11 East, W.M. (Ken Ancell) and 3.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 3, Township 17 South, Range 11 East, W.M. (T. Peterson).

The lands involved herein are within the boundaries of the Tumalo Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at regular meetings held March 8, 1977 and December 13, 1977.

No objections having been filed and it appearing that the proposed change in

place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred herein, certificate of water right shall be issued to Tumalo Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon this 14th day of May, 1979.

  
James E. Sexson  
Director