



- (790.6 acres) formerly under Certificate 76106 now assigned to Certificate 74146, as modified by any transfers, including T-12810, completed pursuant to ORS 540.580.
- c. Also consistent with these orders, Certificate 76106 was cancelled with the issuance of confirming water right Certificate 81332 for the use of the waters of Tumalo Creek for instream use with priority date December 8, 1961, and the issuance of diminishment remaining right Certificate 88894 for use of the water of Upper Tumalo Reservoir for supplemental uses. Certificate 81332 was issued to the State of Oregon in exchange for TID receiving the State of Oregon's portion of conserved water under Certificate 74148.
  - d. Thus, consistent with these orders, the entirety of the conserved water under Certificate 74148 (3,746 ac-ft) became the applicant's portion for supplemental irrigation under the same Certificate 74148. The conserved portion of water was assigned to serve the place of use (790.6 acres) described under Certificate 76106 for supplemental irrigation with the April 7, 1911 priority date.
  - e. When the Department determines it is necessary for record keeping, it will issue a single superseding certificate for Certificate 74148 for supplemental irrigation. The superseding certificate will include both the place of use originally under Certificate 74148, and the place of use for the 790.6 acres as had been described in Certificate 76106, as modified by any transfers, including T-12810, completed pursuant to ORS 540.580.

### Findings of Fact

2. On December 28, 2017, TUMALO Irrigation District (TID) filed a district transfer application to permanently change the place of use under Certificates 74146, 74147, 74148, 74149, 76520, 76714, and 83571. The Department assigned the application number T-12810.
3. Notice of the District Permanent Transfer Application was published on January 9, 2018. No comments were filed in response to the notices.
4. On February 23, 2018, TID amended the application to reduce the proposed total number of acres, and on April 5, 2018, TID submitted superseding correcting tables. Amended maps for a portion of the transfer were submitted April 9, 2018.

5. The portion of the first right to be transferred is as follows:

**Certificate:** 74146 in the name of TUMALO IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County)

**Use:** IRRIGATION of 36.6 ACRES and INDUSTRIAL USE of 2.0 ACRES EQUIVALENT

**Priority Dates:** SEPTEMBER 1900 and JUNE 1, 1907

**Rate & Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SEVENTIETH of one cubic foot per second (or its equivalent) and 1.8 acre-feet, measure at or within one-half mile of the land to be irrigated, for each acre irrigated during the irrigation season of each year.

**Source:** TUMALO CREEK, tributary of the DESCHUTES RIVER



**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	11 E	WM	23	SW NE	TUMALO FEED CANAL POD 1: NORTH 70° 21' WEST, 1550 FEET FROM THE EAST ¼ CORNER OF SECTION 23
18 S	10 E	WM	2	NW SW	TUMALO CREEK POD 2: NORTH 14° 02' EAST, 1713 FEET FROM THE SOUTH ¼ CORNER OF SECTION 2

**Authorized Place of Use:**

IRRIGATION									
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
6/1/1907	16 S	12 E	WM	17	NW NW	1.50	2002	CROUCH	17.007
9/1900	17 S	11 E	WM	11	NE NW	0.40*	400	WILSON / WANG	17.002
9/1900	17 S	11 E	WM	11	SW NW	4.40	500	DESOTO	17.004
9/1900	17 S	11 E	WM	12	SW SW	4.40	800	COATS REVOCABLE TRUST	17.004
9/1900	17 S	11 E	WM	12	SW SW	21.64*	800	COATS REVOCABLE TRUST	17.004
9/1900	17 S	11 E	WM	13	SE SW	3.76*	500	COATS	17.004
9/1900	17 S	11 E	WM	14	NE NE	0.50*	11100	LUGERS / LeBLANC	17.002
<b>Total:</b>						<b>36.60</b>			

\*Lands formerly under Certificate 76106

INDUSTRIAL USE									
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres-Eq	Water User	Notice	
9/1900	16 S	11 E	WM	35	SW SE	2.0	TUMALO IRRIGATION DISTRICT	17.003	

6. Transfer Application T-12810 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION									
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
6/1/1907	16 S	11 E	WM	35	SE SE	1.5	2002	MIRON	17.007
9/1900	17 S	11 E	WM	12	SW SW	8.8	800	COATS REVOCABLE TRUST	17.004
9/1900	17 S	11 E	WM	12	SW SW	25.4*	800	COATS REVOCABLE TRUST	17.004
9/1900	17 S	11 E	WM	14	NE NE	0.90*	11100	LUGERS / LeBLANC	17.002
<b>Total:</b>						<b>36.60</b>			

\*Lands formerly under Certificate 76106

INDUSTRIAL USE									
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres-Eq	Water User	Notice	
9/1900	17 S	11 E	WM	13	S½ NE¼, & SE¼	2.0	ERMK, LLC	17.003	

7. The portion of the second right to be transferred is as follows:

**Certificate:** 74147 in the name of TUMALO IRRIGATION DISTRICT (perfected under Permit S-19628)

**Use:** IRRIGATION of 39.5 ACRES and INDUSTRIAL USE of 2.0 ACRES EQUIVALENT; SUPPLEMENTAL IRRIGATION of 10.3 ACRES and SUPPLEMENTAL INDUSTRIAL USE of 2.0 ACRES EQUIVALENT

**Priority Date:** OCTOBER 29, 1913

**Maximum Quantity (Rate) that can be applied to an acre at the diversion:**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands is limited as follows:

Apr 1 to May 1 and Oct 1 to Nov 1: 1/80 cfs

May 1 to May 15 and Sep 15 to Oct 1: 1/60 cfs

May 15 to Sep 15: 1/32.4 cfs

**Maximum Duty that can be applied to an acre at the diversion during a season:**

Not to exceed 9.91 acre-feet (af) per acre per year.

**Sources:** TUMALO CREEK, tributary to the DESCHUTES RIVER.

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	11 E	WM	23	SW NE	TUMALO FEED CANAL POD 1: NORTH 70° 21' WEST, 1550 FEET FROM THE EAST ¼ CORNER OF SECTION 23

**Authorized Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	7	NE SE	38.5	1400	HUNTSINGER	17.001
16 S	12 E	WM	31	NW SW	1.0	405	BALES	17.005
<b>Total:</b>					<b>39.5</b>			

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	17	NW NW	1.5	2002	CROUCH	17.007
17 S	11 E	WM	11	SW NW	4.4	500	DESOTO	17.004
17 S	11 E	WM	12	SW SW	4.4	800	COATS REVOCABLE TRUST	17.004
<b>Total:</b>					<b>10.3</b>			

INDUSTRIAL USE								
Twp	Rng	Mer	Sec	Q-Q	Acres-Eq		Water User	Notice
16 S	12 E	WM	30	NE SE	2.0		CLR,INC	17.003

SUPPLEMENTAL INDUSTRIAL USE								
Twp	Rng	Mer	Sec	Q-Q	Acres-Eq		Water User	Notice
16 S	11 E	WM	35	SW SE	2.0		TUMALO IRRIGATION DISTRICT	17.003



8. Transfer Application T-12810 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	34	NE SW	1.0	803	DAHLEN	17.005
16 S	12 E	WM	7	NE SE	37.0	1400	HUNTSINGER	17.001
16 S	12 E	WM	8	SW SW	1.5	1705	MENDES	17.001
<b>Total:</b>					<b>39.5</b>			

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	35	SE SE	1.5	2002	MIRON	17.007
17 S	11 E	WM	12	SW SW	8.8	800	COATS REVOCABLE TRUST	17.004
<b>Total:</b>					<b>10.3</b>			

INDUSTRIAL USE							
Twp	Rng	Mer	Sec	Q-Q	Acres-Eq	Water User	Notice
17 S	11 E	WM	13	S $\frac{1}{2}$ NE $\frac{1}{4}$ , & SE $\frac{1}{4}$	2.0	ERMK, LLC	17.003

SUPPLEMENTAL INDUSTRIAL USE							
Twp	Rng	Mer	Sec	Q-Q	Acres-Eq	Water User	Notice
17 S	11 E	WM	13	S $\frac{1}{2}$ NE $\frac{1}{4}$ , & SE $\frac{1}{4}$	2.0	ERMK, LLC	17.003

9. The portion of the third right to be transferred is as follows:

**Certificate:** 74148 in the name of TUMALO IRRIGATION DISTRICT (perfected under Permit S-624)

**Use:** SUPPLEMENTAL IRRIGATION of 76.1 ACRES and SUPPLEMENTAL INDUSTRIAL USE of 4.0 ACRES EQUIVALENT

**Priority Date:** APRIL 7, 1911

**Limit/Duty:**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of the following amounts measured at the point of diversion from the Deschutes River for each acre irrigated during the periods indicated below during the irrigation season of each year.

Apr 1 to May 1 and Oct 1 to Nov 1: 0.75 acre-feet

May 1 to May 15 and Sep 15 to Oct 1: 0.50 acre-feet

May 15 to Sep 15: 7.40 acre-feet

Further limited to a total diversion of not to exceed 35,000 acre-feet stored water only during any one irrigation season.

**Source:** CRESCENT LAKE RESERVOIR, constructed under Permit R-102, a tributary of CRESCENT CREEK

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q
24 S	6 E	WM	11	SE SW
24S	6 E	WM	11	SW SE

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	7	NE SE	38.5	1400	HUNTSINGER	17.001
16 S	12 E	WM	17	NW NW	1.50	2002	CROUCH	17.007
16 S	12 E	WM	31	NW SW	1.00	405	BALES	17.005
17 S	11 E	WM	11	NE NW	0.40*	400	WILSON / WANG	17.002
17 S	11 E	WM	11	SW NW	4.40	500	DESOTO	17.004
17 S	11 E	WM	12	SW SW	4.40	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	12	SW SW	21.64*	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	13	SE SW	3.76*	500	COATS	17.004
17 S	11 E	WM	14	NE NE	0.50*	11100	LUGERS / LeBLANC	17.002
<b>Total:</b>					<b>76.1</b>			

\*Lands formerly described under Certificate 76106

SUPPLEMENTAL INDUSTRIAL USE								
Twp	Rng	Mer	Sec	Q-Q	Acres-Eq	Water User		Notice
16 S	11 E	WM	35	SW SE	2.0	TUMALO IRRIGATION DISTRICT		17.003
16 S	12 E	WM	30	NE SE	2.0	CLR,INC		17.003
<b>Total:</b>					<b>4.0</b>			

10. Transfer Application T-12810 proposes to change the place of use to:

**Proposed Place of Use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	34	NE SW	1.0	803	DAHLEN	17.005
16 S	11 E	WM	35	SE SE	1.5	2002	MIRON	17.007
16 S	12 E	WM	7	NE SE	37.0	1400	HUNTSINGER	17.001
16 S	12 E	WM	8	SW SW	1.5	1705	MENDES	17.001
17 S	11 E	WM	12	SW SW	8.8	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	12	SW SW	25.4*	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	14	NE NE	0.9*	11100	LUGERS / LeBLANC	17.002
<b>Total:</b>					<b>74.1</b>			

\*Lands formerly described under Certificate 76106

SUPPLEMENTAL INDUSTRIAL USE								
Twp	Rng	Mer	Sec	Q-Q	Acres-Eq	Water User		Notice
17 S	11 E	WM	13	S½ NE¼, & SE¼	4.0	ERMK, LLC		17.007



11. The portion of the fourth right to be transferred is as follows:

**Certificate:** 74149 in the name of TUMALO IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County)

**Use:** SUPPLEMENTAL IRRIGATION of 76.10 ACRES and SUPPLEMENTAL INDUSTRIAL USE of 4.0 ACRES EQUIVALENT

**Priority Date:** 1905

**Limit/Duty:** The use is limited to the amount beneficially used and shall not exceed 9.50 cubic feet per second for supplemental irrigation, industrial use and pond maintenance during the irrigation season from April 1 to November 1 and storage of said water in Crescent Lake Reservoir during the non-irrigation season, or its equivalent in case of rotation, measured at the point of diversion from the source.

**Source:** The DESCHUTES RIVER, tributary to the COLUMBIA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	32	NW NE	BEND FEED CANAL: 100 FEET SOUTH AND 550 FEET EAST FROM THE N ¼ CORNER OF SECTION 32

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	7	NE SE	38.50	1400	HUNTSINGER	17.001
16 S	12 E	WM	17	NW NW	1.50	2002	CROUCH	17.007
16 S	12 E	WM	31	NW SW	1.00	405	BALES	17.005
17 S	11 E	WM	11	NE NW	0.40	400	WILSON / WANG	17.002
17 S	11 E	WM	11	SW NW	4.40	500	DESOTO	17.004
17 S	11 E	WM	12	SW SW	4.40	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	12	SW SW	21.64	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	13	SE SW	3.76	500	COATS	17.004
17 S	11 E	WM	14	NE NE	0.50	11100	LUGERS / LeBLANC	17.002
<b>Total:</b>					<b>76.10</b>			

SUPPLEMENTAL INDUSTRIAL USE								
Twp	Rng	Mer	Sec	Q-Q	Acres-Eq		Water User	Notice
16 S	11 E	WM	35	SW SE	2.0		TUMALO IRRIGATION DISTRICT	17.003
16 S	12 E	WM	30	NE SE	2.0		CLR,INC	17.003
<b>Total:</b>					<b>4.0</b>			

12. Transfer Application T-12810 proposes to change the place of use to:

**Proposed Place of Use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	34	NE SW	1.0	803	DAHLEN	17.005
16 S	11 E	WM	35	SE SE	1.5	2002	MIRON	17.007
16 S	12 E	WM	7	NE SE	37.0	1400	HUNTSINGER	17.001
16 S	12 E	WM	8	SW SW	1.5	1705	MENDES	17.001

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
17 S	11 E	WM	12	SW SW	8.8	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	12	SW SW	25.4	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	14	NE NE	0.9	11100	LUGERS / LeBLANC	17.002
<b>Total:</b>					<b>74.1</b>			

SUPPLEMENTAL INDUSTRIAL USE								
Twp	Rng	Mer	Sec	Q-Q	Acres-Eq		Water User	Notice
17 S	11 E	WM	13	S½ NE¼, & SE¼	4.0		ERMK, LLC	17.007

13. The portion of the fifth right to be transferred is as follows:

**Certificate:** 76520 in the name of TUMALO IRRIGATION DISTRICT (perfected under Permit S-27841)

**Use:** SUPPLEMENTAL IRRIGATION of 74.1 ACRES and SUPPLEMENTAL INDUSTRIAL USE of 4.0 ACRES EQUIVALENT

**Priority Date:** DECEMBER 8, 1961

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of not to exceed 9.91 acre-feet per acre for each acre irrigated during the irrigation season of each year and the right allowed hereunder for the appropriation of water for lands having a valid prior right shall be limited to the amount necessary to make up any deficiency in water available to said lands under said prior right and the amount allowed herein, together with the amount secured under any other right existing for said lands, shall be limited by the duty of water as fixed herein; and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

**Source:** CRESCENT LAKE RESERVOIR (constructed under Permit R-2744), tributary of CRESCENT CREEK and the LITTLE DESCHUTES RIVER, tributary to the DESCHUTES RIVER

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	32	NW NE	TUMALO ID BEND FEED CANAL: 2050 FEET WEST FROM THE NE CORNER OF SECTION 23
24 S	6 E	WM	11	SE SW	CRESCENT LAKE RESERVOIR – NONE GIVEN

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	7	NE SE	38.50	1400	HUNTSINGER	17.001
16 S	12 E	WM	17	NW NW	1.50	2002	CROUCH	17.007
16 S	12 E	WM	31	NW SW	1.00	405	BALES	17.005
17 S	11 E	WM	11	NE NW	0.40	400	WILSON / WANG	17.002
17 S	11 E	WM	11	SW NW	4.40	500	DESOTO	17.004
17 S	11 E	WM	12	SW SW	4.40	800	COATS REVOCABLE TRUST	17.004



SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
17 S	11 E	WM	12	SW SW	21.64	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	13	SE SW	3.76	500	COATS	17.004
17 S	11 E	WM	14	NE NE	0.50	11100	LUGERS / LeBLANC	17.002
<b>Total:</b>					<b>76.10</b>			

SUPPLEMENTAL INDUSTRIAL USE								
Twp	Rng	Mer	Sec	Q-Q	Acres-Eq		Water User	Notice
16 S	11 E	WM	35	SW SE	2.0		TUMALO IRRIGATION DISTRICT	17.003
16 S	12 E	WM	30	NE SE	2.0		CLR,INC	17.003
<b>Total:</b>					<b>4.0</b>			

14. Transfer Application T-12810 proposes to change the place of use to:

**Proposed Place of Use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	34	NE SW	1.0	803	DAHLEN	17.005
16 S	11 E	WM	35	SE SE	1.5	2002	MIRON	17.007
16 S	12 E	WM	7	NE SE	37.0	1400	HUNTSINGER	17.001
16 S	12 E	WM	8	SW SW	1.5	1705	MENDES	17.001
17 S	11 E	WM	12	SW SW	8.8	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	12	SW SW	25.4	800	COATS REVOCABLE TRUST	17.004
17 S	11 E	WM	14	NE NE	0.9	11100	LUGERS / LeBLANC	17.002
<b>Total:</b>					<b>74.1</b>			

SUPPLEMENTAL INDUSTRIAL USE								
Twp	Rng	Mer	Sec	Q-Q	Acres-Eq		Water User	Notice
17 S	11 E	WM	13	S <sup>1</sup> / <sub>2</sub> NE <sup>1</sup> / <sub>4</sub> , & SE <sup>1</sup> / <sub>4</sub>	4.0		ERMK, LLC	17.007

15. The portion of the sixth right to be transferred is as follows:

**Certificate:** 83571 in the name of CENTRAL OREGON IRRIGATION DISTRICT  
(confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County)

**Use:** IRRIGATION of 3.0 acres

**Priority Dates:** OCTOBER 31, 1900

**Seasons of Use:** Season 1: April 1 through April 30 & October 1 through October 31  
Season 2: May 1 through May 14 & September 16 through September 30  
Season 3: May 15 through September 15

**Maximum Quantity (Rate) that can be applied to an acre:**

Season 1: Limited to 1/80 cubic foot per second (cfs) per acre  
Season 2: Limited to 1/60 cfs per acre  
Season 3: Limited to 1/32.4 cfs per acre

**Maximum Duty that can be applied to an acre:**

Not to exceed 9.91 acre-feet (af) per acre per year.

The above listed rates and duty reflect allowance of a 45% transmission loss as determined by decree of the Circuit Court of Deschutes County, dated March 24, 1933. Those lands not served from the district main canal systems, but by direct pumping from the Deschutes River, are not allowed the 45% transmission loss.

**Source:** The DESCHUTES RIVER, tributary to the COLUMBIA RIVER

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	32	NW NE	POD 9 -TID BEND FEED CANAL: 2050 FEET WEST FROM THE NE CORNER OF SECTION 32

**Authorized Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	35	SE SE	3.0	2002	MIRON	17.007

16. Transfer Application T-12810 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	35	SE SE	3.0	2002	MIRON	17.007

17. The season of use described in Certificate 83571 contains scrivener errors. Consistent with the Decree for the Deschutes River (Volume 12, Page 282), the irrigation season should be described as:

**Seasons of Use:** Season 1: April 1 through April 30 & October 1 through October 31  
 Season 2: May 1 through May 14 & September 15 through September 30  
 Season 3: May 15 through September 14

18. The portion of the seventh right to be transferred is as follows:

**Certificate:** 76714 in the name of CENTRAL OREGON IRRIGATION DISTRICT (perfected under Permit S-23256)

**Use:** SUPPLEMENTAL IRRIGATION of 3.0 acres

**Priority Date:** FEBRUARY 28, 1913

**Limit/Duty:** Limited to 50,000 acre-feet of stored water only. The appropriation shall be limited to the duty of water as set out in the modified supplemental decree of the circuit court dated March 24, 1933 in the matter of the determination of the relative rights to the use of the waters of the Deschutes River and its tributaries; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein, and shall be further limited to the terms of an inter-district contract dated January 4, 1938.

**Source:** CRANE PRAIRIE RESERVOIR, constructed under Permit R-1687, a tributary of the DESCHUTES RIVER



**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	32	NW NE	TUMALO ID BEND FEED CANAL: 2050 FEET WEST FROM THE NE CORNER OF SECTION 23
24 S	6 E	WM	11	SE SW	CRESCENT LAKE RESERVOIR – NONE GIVEN

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	35	SE SE	3.0	2002	MIRON	17.007

19. Transfer Application T-12810 proposes to change the place of use to:

**Proposed Place of Use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	35	SE SE	3.0	2002	MIRON	17.007

20. The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and OAR 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.
21. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
22. The water right is subject to transfer as defined in OAR 690-385-0100(17).
23. The proposed change in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
24. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
25. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

**Conclusions of Law**

The proposed changes in place of use as proposed in Transfer Application T-12810 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.

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

1. The proposed changes in place of use to the water rights evidenced by Certificates 74146, 74147, 74148, 74149, 76520, 76714, and 83571, are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use not modified by this order and is subject to all other conditions and limitations contained in Certificates 74146, 74147, 74148, 74149, 76520, 76714, and 83571, and any related decree.
3. The proposed changes in place of use as proposed in Transfer Application T-12810 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.
4. The place of use from which the water right is removed by T-12810 shall no longer be irrigated under the transferred rights.
5. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2019**. A Claim of Beneficial Use shall be submitted by TID to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
7. Water right Certificates 74146, 74147, 74148, 74149, 76520, 76714, and 83571, are modified. The Department will issue superseding certificates describing the rights when it determines it is necessary for record keeping.

Signed at Salem, Oregon on APR 25 2018



Dwight French, Water Right Services Administrator for  
THOMAS M. BYLER, DIRECTOR  
Oregon Department of Water Resources

Mailing Date: APR 26 2018