

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Allocation of Conserved	)	FINAL ORDER ON COMPLETION AND
Water Application CW-137,	)	FINALIZATION OF ALLOCATION OF
Deschutes and Jefferson Counties	)	CONSERVED WATER CW-137

Applicant

Three Sisters Irrigation District
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Agent

Deschutes River Conservancy
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Bend, OR 97703
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Applicable Law

Any person or group of persons holding a water use subject to transfer as defined in ORS 540.505 may submit an application for an Allocation of Conserved Water to the Water Resources Commission for a conservation project that has not yet been implemented or was implemented within five years prior to the submission of the application. ORS 537.465. Under the Allocation of Conserved Water Program, a portion of the water proposed to be conserved by an applicant may be used on additional lands, put to a different use, or be leased or sold to another user. OAR 690-018-0010. A portion of the water conserved is allocated to the state to be converted to an instream water right or to revert to the public for appropriation by other water users. ORS 537.470(3).

An application for an allocation of conserved water shall include: (a) A description of the measure as implemented and the date on which the measure was implemented; (b) A description of the diversion facilities before the conservation measure was implemented and the amount of water that was diverted at the facilities before the conservation measure was implemented; (c) The amount of water needed to supply existing rights after implementation of the conservation measure; (d) The amount of water conserved by implementing the conservation measure; (e) The proposed allocation and use of the conserved water if different from the allocation specified in ORS 537.470; (f) The intended use of any water allocated to the applicant and the proposed location of use; (g) The applicant's choice of priority date for the conserved water; (h) Evidence that the measure was implemented within five years prior to the date of filing the application; and (i) Any other information the commission considers necessary to evaluate the application. ORS 537.465.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

After determining any quantity of water needed to mitigate the effects on other water rights, 25-percent of the conserved water shall be allocated to the state and 75-percent to the applicant unless the applicant proposes a higher allocation to the state or more than 25-percent of the funds used to finance the conservation measures comes from federal or state sources not subject to repayment. ORS 537.470(3).

If an application for the allocation of conserved water is approved, the Department shall issue orders describing the changes in the original water rights. Once the conservation project is finalized, the Department shall issue new certificates preserving the previously established-priority date of the rights to reflect the unaffected portion of the water rights and new certificates reflecting the changes for the portions of the water rights involved in the conserved water application. ORS 537.470(6).

ORS 537.455 to 537.500 authorize and establish the process by which a water right holder may submit a request for an allocation of conserved water. OAR Chapter 690, Division 18, implements the statutes and provides the Department's procedures and criteria for evaluating allocation of conserved water applications. OAR Chapter 690, Division 077 provides additional criteria for evaluating proposed instream water rights.

Findings of Fact

1. On May 26, 2023, Three Sisters Irrigation District (TSID) filed an allocation of conserved water application under Certificate 95971. The Department assigned the application number CW-137.
2. On October 12, 2023, a Final Order Approving Allocation of Conserved Water CW-137 (Approval Order) was issued and mailed on October 13, 2023. The Approval Order is recorded at Special Order Volume 129, Pages 168-199.
3. The Approval Order allocated the conserved water as follows:

Certificate	State's Portion			Applicant's Portion			Conserved Water		
	Percentage	Maximum Rate (CFS)	Maximum Duty (Volume) AF	Percentage	Maximum Rate (CFS)	Maximum Duty (Volume) AF	Percentage	Maximum Rate CFS)	Maximum Duty (Volume) AF
95971	100%	0.33	140.1	0%	0	0	100%	0.33	140.1

4. The Approval Order established the reduced rate and duty for the existing uses under Certificate 95971 as follows:

Priority	Acres or Ac-Eq	Maximum Rate (CFS)
1895	5715.55	87.88

5. The Approval Order allocated the following rate and volume to the State for instream use:

Priority Date	Rate (cfs)	Volume (acre-feet)
1895	0.33	140.1

6. The Approval Order established the deadline for submitting a Notice of Completion of November 1, 2023, and the deadline for submitting a Request for Finalization of November 1, 2023.
7. On November 9, 2023, TSID submitted a request for an extension of time to complete and finalize the conservation project described in Allocation of Conserved Water CW-137.
8. On November 17, 2023, a Final Order Approving an Extension of Time for Allocation of Conserved Water CW-137 was issued, extending the time for completion and finalization of the project to April 15, 2024. The Order is recorded at Special Order Volume 129, Pages 390-391.
9. On March 27, 2024, the Applicant submitted a Notice of Completion and a Request for Finalization.

Conclusions of Law

The Findings of Fact and Conclusions of Law set forth in the Final Order Approving Allocation of Conserved Water CW-137, recorded at Special Order Volume 129, Pages 168 to 199, are incorporated as if set forth fully herein. The project described in Allocation of Conserved Water Application CW-137, is consistent with the criteria in ORS 537.455 to 537.500, and OAR Chapter 690, Divisions 018 and 077.

Now, therefore, it is ORDERED:

1. The project is complete, and no additional time is needed for finalization.
2. Water Right Certificate 95971 is modified as follows by the rate only for uses with an 1895 priority date (the Department will cancel Certificate 95971 and issue a superseding certificate incorporating these modifications when it is determined to be necessary for record keeping):

Use: 5669.21 ACRES FOR IRRIGATION (IR), 46.34 ACRES-EQUIVALENT FOR POND MAINTENANCE (PM), AND LIVESTOCK (LV)

Priority Date: 1895

Rate: 87.88 CUBIC FEET PER SECOND

Priority	Acres or Ac-Eq	Maximum Rate (CFS)
1895	5715.55	87.88

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 ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

Source: WHYCHUS CREEK, tributary of THE DESCHUTES RIVER

Authorized Place of Use:

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
13 S	12 E	WM	20	SW NE		17.50	140
13 S	12 E	WM	20	SE NW		17.00	140
13 S	12 E	WM	29	NW NW		39.00	140
13 S	12 E	WM	29	SW NW		37.00	190
13 S	12 E	WM	29	NW SW		21.00	190
13 S	12 E	WM	29	SW SW		16.00	200
13 S	12 E	WM	30	NE NE		11.00	140
13 S	12 E	WM	30	SW NE		2.00	190
13 S	12 E	WM	30	SE NE		38.00	190
13 S	12 E	WM	30	SW SE		6.00	200
13 S	12 E	WM	30	SE SE		9.00	200
13 S	12 E	WM	31	NE NE		9.00	200
13 S	12 E	WM	31	NW NE		6.00	200
13 S	12 E	WM	31	SW NE		8.00	200
13 S	12 E	WM	31	SE NE		13.50	200
13 S	12 E	WM	31	NE SW		3.50	210
13 S	12 E	WM	31	SE SW		25.00	210
13 S	12 E	WM	32	NW NW		1.00	200
14 S	10 E	WM	36	SW NE		2.50	240
14 S	10 E	WM	36	NE SE		2.00	200
14 S	10 E	WM	36	NE SE		1.50	800
14 S	10 E	WM	36	NE SE		1.50	900
14 S	10 E	WM	36	NW SE		2.00	500
14 S	10 E	WM	36	NW SE		4.00	600
14 S	10 E	WM	36	NW SE		1.50	240
14 S	10 E	WM	36	SW SE		2.00	170
14 S	10 E	WM	36	SW SE		2.00	180
14 S	10 E	WM	36	SW SE		2.00	190
14 S	10 E	WM	36	SE SE		2.80	205
14 S	10 E	WM	36	SE SE		7.40	250
14 S	10 E	WM	36	SE SE		4.00	250
14 S	10 E	WM	36	SE SE		5.00	250
14 S	10 E	WM	36	SE SE		2.47	250
14 S	10 E	WM	36	SE SE		4.00	250
14 S	11 E	WM	1	NE SW		17.70	101
14 S	11 E	WM	1	NW SW		0.30	101
14 S	11 E	WM	1	SW SW		22.50	101
14 S	11 E	WM	1	SE SW		19.30	101
14 S	11 E	WM	1	NE SE		17.00	101
14 S	11 E	WM	1	NW SE		28.30	101
14 S	11 E	WM	1	SW SE		32.70	101
14 S	11 E	WM	1	SE SE		39.80	101
14 S	11 E	WM	2	SE SE		23.10	101

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14 S	11 E	WM	11	NE NE		13.40	101
14 S	11 E	WM	11	NW NE		12.40	101
14 S	11 E	WM	12	NE NE		1.00	101
14 S	11 E	WM	12	NW NW		1.20	101
14 S	11 E	WM	12	NE SE		1.90	300
14 S	11 E	WM	12	SE SE		3.10	300
14 S	11 E	WM	13	NW NE		5.00	200
14 S	11 E	WM	13	SW NE		0.68	300
14 S	11 E	WM	13	SE NE		14.00	401
14 S	11 E	WM	13	SW NW		13.50	500
14 S	11 E	WM	13	SE NW		5.50	500
14 S	11 E	WM	13	NE SW		8.00	500
14 S	11 E	WM	13	NW SW		33.00	500
14 S	11 E	WM	13	SW SW		21.50	700
14 S	11 E	WM	13	SW SW		4.00	800
14 S	11 E	WM	13	SE SW		7.57	402
14 S	11 E	WM	13	NE SE		37.00	401
14 S	11 E	WM	13	NW SE		1.50	300
14 S	11 E	WM	13	SW SE		22.00	402
14 S	11 E	WM	13	SE SE		12.00	401
14 S	11 E	WM	13	SE SE		12.00	402
14 S	11 E	WM	14	SE SE		2.00	700
14 S	11 E	WM	14	SE SE		3.50	800
14 S	11 E	WM	22	NE SW		2.10	600
14 S	11 E	WM	22	NE SW		2.10	700
14 S	11 E	WM	22	SE SW		2.90	600
14 S	11 E	WM	22	SE SW		9.00	900
14 S	11 E	WM	22	NW SE		2.90	700
14 S	11 E	WM	23	NE NE		6.00	100
14 S	11 E	WM	23	NE NE		15.00	200
14 S	11 E	WM	23	NE NE		1.50	400
14 S	11 E	WM	23	SE NE		19.80	300
14 S	11 E	WM	23	SE SW		4.20	120
14 S	11 E	WM	23	NE SE		2.20	400
14 S	11 E	WM	23	NE SE		5.80	800
14 S	11 E	WM	23	NW SE		8.00	400
14 S	11 E	WM	23	NW SE		6.50	700
14 S	11 E	WM	23	SW SE		1.80	100
14 S	11 E	WM	23	SW SE		5.00	110
14 S	11 E	WM	24	NE NE		6.50	100
14 S	11 E	WM	24	NW NE		1.50	100
14 S	11 E	WM	24	NW NW		4.70	400
14 S	11 E	WM	24	NW NW		2.80	100
14 S	11 E	WM	27	NW NE		5.00	300

IRRIGATION with 1895 PRIORITY DATE							
Twsp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14 S	11 E	WM	27	NW NE		4.00	400
14 S	11 E	WM	28	SE SW		6.00	500
14 S	11 E	WM	29	SW SW		7.50	600
14 S	11 E	WM	29	SE SW		2.50	700
14 S	11 E	WM	29	SE SW		8.00	700
14 S	11 E	WM	29	SW SE		3.00	900
14 S	11 E	WM	30	SE SW		6.80	900
14 S	11 E	WM	30	SE SW		9.00	900
14 S	11 E	WM	30	NE SE		16.50	500
14 S	11 E	WM	30	NE SE		3.00	600
14 S	11 E	WM	30	SW SE		30.90	900
14 S	11 E	WM	30	SE SE		36.70	900
14 S	11 E	WM	31	NE NE		36.80	600
14 S	11 E	WM	31	NW NE		37.10	600
14 S	11 E	WM	31	SW NE		29.30	600
14 S	11 E	WM	31	SE NE		31.60	600
14 S	11 E	WM	31	NE NW		8.90	600
14 S	11 E	WM	31	SE NW		0.70	600
14 S	11 E	WM	31	NW SW	3	4.00	300
14 S	11 E	WM	31	NW SW	3	3.00	500
14 S	11 E	WM	31	NW SW	3	2.00	600
14 S	11 E	WM	31	NW SW	3	4.00	700
14 S	11 E	WM	31	NW SW	3	2.50	800
14 S	11 E	WM	31	NW SW	3	2.00	900
14 S	11 E	WM	31	NW SW	3	4.00	100
14 S	11 E	WM	31	SW SW	4	8.13	200
14 S	11 E	WM	31	SW SW	4	6.00	201
14 S	11 E	WM	31	SW SW	4	6.80	204
14 S	11 E	WM	31	SW SW	4	3.70	205
14 S	11 E	WM	31	SW SW	4	1.70	250
14 S	11 E	WM	31	NE SE		33.60	600
14 S	11 E	WM	31	NW SE		14.10	500
14 S	11 E	WM	31	NW SE		1.60	500
14 S	11 E	WM	31	SW SE		12.20	500
14 S	11 E	WM	31	SE SE		39.10	500
14 S	11 E	WM	32	NE NE		29.00	100
14 S	11 E	WM	32	NW NE		22.00	100
14 S	11 E	WM	32	SW NE		7.00	100
14 S	11 E	WM	32	SE NE		11.00	100
14 S	11 E	WM	32	SW SW		16.00	120
14 S	11 E	WM	32	SE SE		6.00	170
14 S	11 E	WM	32	SE SE		12.50	170
14 S	11 E	WM	32	SE SE		1.50	170
14 S	11 E	WM	33	NW NW		20.00	400

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14 S	11 E	WM	33	NE SW		8.50	360
14 S	11 E	WM	33	NW SW		2.50	130
14 S	11 E	WM	33	SW SW		0.50	130
14 S	11 E	WM	33	SW SW		7.23	140
14 S	11 E	WM	33	SW SW		4.77	150
14 S	11 E	WM	33	SW SW		8.00	160
14 S	11 E	WM	33	SW SW		6.00	170
14 S	11 E	WM	33	SW SW		1.00	350
14 S	11 E	WM	33	SE SW		1.00	170
14 S	11 E	WM	33	SE SW		5.00	180
14 S	11 E	WM	33	SE SW		4.00	340
14 S	11 E	WM	33	SE SW		4.00	350
14 S	11 E	WM	33	SE SE		8.00	240
14 S	11 E	WM	33	SE SE		7.50	250
14 S	11 E	WM	33	SE SE		7.50	260
14 S	11 E	WM	33	SE SE		1.00	280
14 S	11 E	WM	34	SW SW		5.00	610
14 S	12 E	WM	5	NE NE	1	15.50	800
14 S	12 E	WM	5	NW NE	2	27.00	800
14 S	12 E	WM	5	SW NE		25.00	800
14 S	12 E	WM	5	SE NE		10.00	800
14 S	12 E	WM	5	NE NW	3	10.50	800
14 S	12 E	WM	5	SE NW		7.00	800
14 S	12 E	WM	6	NE NW	3	40.00	902
14 S	12 E	WM	6	SE NW		1.50	100
14 S	12 E	WM	6	NW SW	6	10.60	400
14 S	12 E	WM	6	SW SW	7	22.50	400
14 S	12 E	WM	6	SW SW	7	11.20	400
14 S	12 E	WM	6	SE SW		15.80	400
14 S	12 E	WM	6	SE SW		6.00	400
14 S	12 E	WM	6	SW SE		18.00	800
14 S	12 E	WM	7	NW NE		11.00	800
14 S	12 E	WM	7	NE NW		17.50	100
14 S	12 E	WM	7	NE NW		1.10	100
14 S	12 E	WM	7	NW NW	1	31.80	100
14 S	12 E	WM	7	SE NW		27.00	600
14 S	12 E	WM	7	SW SW	4	6.00	110
14 S	12 E	WM	7	SE SW		2.50	110
14 S	12 E	WM	7	SE SE		8.00	140
14 S	12 E	WM	17	SW NW		32.50	140
14 S	12 E	WM	18	NE NE		40.50	140
14 S	12 E	WM	18	NW NE		29.50	140
14 S	12 E	WM	18	SW NE		37.00	140
14 S	12 E	WM	18	SE NE		32.50	140

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14 S	12 E	WM	18	NE NW		27.50	110
14 S	12 E	WM	18	NW NW	1	32.00	110
14 S	12 E	WM	18	SW NW	2	38.50	110
14 S	12 E	WM	18	SE NW		38.00	110
14 S	12 E	WM	18	NE SW		23.00	110
14 S	12 E	WM	18	NE SW		7.50	220
14 S	12 E	WM	18	NW SW	3	34.00	110
14 S	12 E	WM	18	NW SW	3	5.00	210
14 S	12 E	WM	18	SW SW	4	19.50	210
14 S	12 E	WM	18	NW SE		2.50	140
14 S	12 E	WM	18	SE SE		1.60	140
15 S	10 E	WM	1	NE SE		10.00	400
15 S	10 E	WM	1	NE SE		1.50	500
15 S	10 E	WM	1	SE SE		37.00	500
15 S	10 E	WM	10	SW NE		9.00	706
15 S	10 E	WM	10	SW NW		5.70	706
15 S	10 E	WM	10	SE NW		3.10	706
15 S	10 E	WM	10	NE SW		1.90	706
15 S	10 E	WM	10	NW SW		0.30	706
15 S	10 E	WM	10	NE SE		2.10	130
15 S	10 E	WM	10	SE SE		9.00	130
15 S	10 E	WM	11	SW NW		0.70	130
15 S	10 E	WM	11	SE NW		9.50	130
15 S	10 E	WM	11	NE SW		23.10	130
15 S	10 E	WM	11	NW SW		6.30	130
15 S	10 E	WM	11	SW SW		1.50	130
15 S	10 E	WM	11	SE SW		8.50	130
15 S	10 E	WM	12	NW NE		10.70	200
15 S	10 E	WM	12	NW NE		4.50	302
15 S	10 E	WM	12	NW NE		7.90	303
15 S	10 E	WM	12	SW NE		15.30	301
15 S	10 E	WM	12	SE NE		1.21	100
15 S	10 E	WM	12	NE NW		2.80	302
15 S	10 E	WM	12	NE NW		9.40	303
15 S	10 E	WM	12	NE NW		11.00	304
15 S	10 E	WM	12	NE NW		0.50	304
15 S	10 E	WM	12	NE SE		6.60	700
15 S	10 E	WM	12	SW SE		15.00	700
15 S	10 E	WM	12	SE SE		39.00	700
15 S	10 E	WM	13	NE NE		8.50	100
15 S	10 E	WM	13	NW NE		9.50	100
15 S	10 E	WM	13	NE SW		4.00	702
15 S	10 E	WM	13	SW SW		0.60	700
15 S	10 E	WM	13	SE SW		4.90	700

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	10 E	WM	13	SE SW		3.80	705
15 S	10 E	WM	13	NW SE		1.42	500
15 S	10 E	WM	13	SW SE		4.50	704
15 S	10 E	WM	13	SW SE		5.50	705
15 S	10 E	WM	13	SE SE		12.00	703
15 S	10 E	WM	13	SE SE		5.50	704
15 S	10 E	WM	15	NE SE		10.50	200
15 S	10 E	WM	24	NE NE		6.00	405
15 S	10 E	WM	24	NE NE		5.50	406
15 S	10 E	WM	24	NE NE		2.00	408
15 S	10 E	WM	24	NW NE		17.00	408
15 S	10 E	WM	24	NW NE		5.00	408
15 S	10 E	WM	24	SW NE		18.00	301
15 S	10 E	WM	24	SW NE		13.40	403
15 S	10 E	WM	24	SE NE		16.00	401
15 S	10 E	WM	24	SE NE		16.00	404
15 S	10 E	WM	24	NE NW		7.50	400
15 S	10 E	WM	24	NW NW		32.00	200
15 S	10 E	WM	24	SW NW		16.43	200
15 S	10 E	WM	24	SE NW		3.00	300
15 S	10 E	WM	24	NW SW		9.57	200
15 S	10 E	WM	24	NW SW		5.50	800
15 S	10 E	WM	24	SW SW		3.50	800
15 S	10 E	WM	24	SW SW		15.00	900
15 S	10 E	WM	24	SE SW		5.00	600
15 S	10 E	WM	24	NE SE		25.00	503
15 S	10 E	WM	24	NE SE		2.00	505
15 S	10 E	WM	24	SW SE		3.00	500
15 S	10 E	WM	24	SE SE		21.00	505
15 S	10 E	WM	26	NW NE		22.60	604
15 S	10 E	WM	26	SW NE		28.50	600
15 S	10 E	WM	26	NE NW		31.30	602
15 S	10 E	WM	26	SE NW		8.10	600
15 S	10 E	WM	26	NW SE		4.50	600
15 S	10 E	WM	28	NW SW		40.00	320
15 S	11 E	WM	3	NW NW	4	30.00	110
15 S	11 E	WM	4	NE NE	1	15.00	600
15 S	11 E	WM	4	NW NE	2	25.00	100
15 S	11 E	WM	4	SW NE		40.00	101
15 S	11 E	WM	4	NE NW	3	39.50	201
15 S	11 E	WM	4	NW NW	4	16.50	201
15 S	11 E	WM	4	NW NW	4	15.50	202
15 S	11 E	WM	4	SW NW		36.00	201
15 S	11 E	WM	4	SE NW		40.50	201

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	4	NE SW		39.71	400
15 S	11 E	WM	4	NW SW		37.50	301
15 S	11 E	WM	4	SW SW		27.50	401
15 S	11 E	WM	4	SE SW		35.29	402
15 S	11 E	WM	4	NE SE		1.60	100
15 S	11 E	WM	4	NE SE		2.90	100
15 S	11 E	WM	4	NE SE		1.00	100
15 S	11 E	WM	4	NE SE		18.40	100
15 S	11 E	WM	4	NW SE		38.70	100
15 S	11 E	WM	4	SW SE		35.00	100
15 S	11 E	WM	4	SE SE		17.80	100
15 S	11 E	WM	5	NE NE	1	9.00	102
15 S	11 E	WM	5	NE NE	1	13.00	103
15 S	11 E	WM	5	NE NE	1	7.50	104
15 S	11 E	WM	5	SW NE		19.00	105
15 S	11 E	WM	5	SE NE		37.00	105
15 S	11 E	WM	5	NW NW	4	17.00	302
15 S	11 E	WM	5	NW NW	4	7.50	303
15 S	11 E	WM	5	NW NW	4	8.50	305
15 S	11 E	WM	5	SW NW		16.00	301
15 S	11 E	WM	5	SW NW		17.50	304
15 S	11 E	WM	5	SW NW		2.50	306
15 S	11 E	WM	5	NE SW		36.00	400
15 S	11 E	WM	5	NW SW		36.00	400
15 S	11 E	WM	5	SW SW		36.00	400
15 S	11 E	WM	5	SE SW		38.00	400
15 S	11 E	WM	5	NE SE		17.00	500
15 S	11 E	WM	5	NW SE		25.00	500
15 S	11 E	WM	5	SW SE		37.00	500
15 S	11 E	WM	5	SE SE		31.00	500
15 S	11 E	WM	6	NE NE	1	37.00	100
15 S	11 E	WM	6	NW NE	2	0.20	100
15 S	11 E	WM	6	SE NE		2.00	100
15 S	11 E	WM	6	SE NE		20.00	101
15 S	11 E	WM	6	NE NW	3	0.60	700
15 S	11 E	WM	6	NE NW	3	3.00	701
15 S	11 E	WM	6	NE NW	3	1.90	702
15 S	11 E	WM	6	NE NW	3	2.00	800
15 S	11 E	WM	6	NE NW	3	2.00	900
15 S	11 E	WM	6	NE NW	3	5.00	100
15 S	11 E	WM	6	SE NW		3.00	700
15 S	11 E	WM	6	SE NW		2.00	702
15 S	11 E	WM	6	SE NW		3.60	703
15 S	11 E	WM	6	SE NW		3.40	704

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	6	NE SE		20.00	200
15 S	11 E	WM	6	NW SE		19.50	200
15 S	11 E	WM	6	SW SE		17.00	200
15 S	11 E	WM	6	SE SE		22.00	200
15 S	11 E	WM	7	NE NE		2.00	100
15 S	11 E	WM	7	NE NE		27.20	300
15 S	11 E	WM	7	NW NE		36.40	300
15 S	11 E	WM	7	SW NE		36.80	300
15 S	11 E	WM	7	SE NE		28.60	300
15 S	11 E	WM	7	NE NW		2.20	400
15 S	11 E	WM	7	NE NW		14.80	400
15 S	11 E	WM	7	NW NW	1	36.10	400
15 S	11 E	WM	7	SW NW	2	29.90	400
15 S	11 E	WM	7	SE NW		28.50	400
15 S	11 E	WM	7	NE SW		40.00	500
15 S	11 E	WM	7	NW SW	3	34.00	500
15 S	11 E	WM	7	SW SW	4	28.00	500
15 S	11 E	WM	7	SE SW		40.00	500
15 S	11 E	WM	7	NE SE		38.50	600
15 S	11 E	WM	7	NW SE		30.50	600
15 S	11 E	WM	7	SW SE		40.00	600
15 S	11 E	WM	7	SE SE		39.00	600
15 S	11 E	WM	8	NE NE		5.95	100
15 S	11 E	WM	8	NW NE		26.75	100
15 S	11 E	WM	8	NW NE		3.00	100
15 S	11 E	WM	8	SW NE		18.00	100
15 S	11 E	WM	8	SW NE		22.00	300
15 S	11 E	WM	8	SE NE		9.30	100
15 S	11 E	WM	8	SE NE		10.80	300
15 S	11 E	WM	8	NE NW		1.40	200
15 S	11 E	WM	8	NE NW		8.30	201
15 S	11 E	WM	8	NE NW		8.40	201
15 S	11 E	WM	8	NE NW		8.60	201
15 S	11 E	WM	8	NE NW		0.05	202
15 S	11 E	WM	8	NE NW		0.55	202
15 S	11 E	WM	8	NE NW		0.27	202
15 S	11 E	WM	8	NE NW		0.10	202
15 S	11 E	WM	8	NW NW		2.30	200
15 S	11 E	WM	8	NW NW		5.60	200
15 S	11 E	WM	8	NW NW		3.00	200
15 S	11 E	WM	8	NW NW		0.90	200
15 S	11 E	WM	8	NW NW		13.85	200
15 S	11 E	WM	8	NW NW		1.00	200
15 S	11 E	WM	8	NW NW		0.50	201

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	8	NW NW		1.00	202
15 S	11 E	WM	8	SW NW		6.20	200
15 S	11 E	WM	8	SW NW		26.92	200
15 S	11 E	WM	8	SE NW		28.53	201
15 S	11 E	WM	8	SE NW		5.00	201
15 S	11 E	WM	8	SE NW		4.52	201
15 S	11 E	WM	8	SE NW		0.61	202
15 S	11 E	WM	8	NE SW		27.00	202
15 S	11 E	WM	8	NW SW		35.00	202
15 S	11 E	WM	8	SW SW		14.00	400
15 S	11 E	WM	8	SW SW		22.00	600
15 S	11 E	WM	8	SE SW		13.00	500
15 S	11 E	WM	8	SE SW		19.00	600
15 S	11 E	WM	8	NE SE		4.35	300
15 S	11 E	WM	8	NW SE		35.55	300
15 S	11 E	WM	8	SW SE		32.50	700
15 S	11 E	WM	8	SE SE		2.00	700
15 S	11 E	WM	9	NE NE		7.50	400
15 S	11 E	WM	9	NW NE		31.00	400
15 S	11 E	WM	9	NE NW		19.10	100
15 S	11 E	WM	9	NW NW		17.90	100
15 S	11 E	WM	9	SW NW		4.00	100
15 S	11 E	WM	9	SE NW		2.00	100
15 S	11 E	WM	17	NE NW		11.00	200
15 S	11 E	WM	17	NW NW		36.00	200
15 S	11 E	WM	17	SW NW		19.50	300
15 S	11 E	WM	17	SW NW		3.50	300
15 S	11 E	WM	17	SE NW		2.10	300
15 S	11 E	WM	17	SE NW		5.40	500
15 S	11 E	WM	18	NE NE		38.00	100
15 S	11 E	WM	18	NW NE		36.00	100
15 S	11 E	WM	18	SW NE		23.50	800
15 S	11 E	WM	18	SE NE		12.50	900
15 S	11 E	WM	18	SE NE		14.20	800
15 S	11 E	WM	18	SE NE		1.50	100
15 S	11 E	WM	18	NE NW		13.00	200
15 S	11 E	WM	18	NE NW		7.50	300
15 S	11 E	WM	18	NE NW		1.00	301
15 S	11 E	WM	18	NE NW		3.90	400
15 S	11 E	WM	18	NW NW	1	6.00	300
15 S	11 E	WM	18	NW NW	1	10.00	400
15 S	11 E	WM	18	SW NW	2	4.16	700
15 S	11 E	WM	18	SE NW		4.50	700
15 S	11 E	WM	18	NE SW		2.00	700

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	18	NE SW		4.00	160
15 S	11 E	WM	18	NW SW	3	2.20	700
15 S	11 E	WM	18	NW SW	3	12.50	190
15 S	11 E	WM	18	SW SW	4	9.40	210
15 S	11 E	WM	18	SW SW	4	15.60	210
15 S	11 E	WM	18	SE SW		23.07	200
15 S	11 E	WM	18	SE SW		8.70	210
15 S	11 E	WM	18	NW SE		12.00	230
15 S	11 E	WM	18	SW SE		19.00	230
15 S	11 E	WM	19	SW SW		8.10	400
15 S	11 E	WM	19	SW SW		21.40	400
15 S	11 E	WM	19	SE SW		24.00	400
15 S	11 E	WM	20	NE NE		26.50	280
15 S	11 E	WM	20	NW NE		27.00	280
15 S	11 E	WM	20	SW NE		17.60	280
15 S	11 E	WM	20	NE NW		3.50	330
15 S	11 E	WM	20	NW NW		25.50	280
15 S	11 E	WM	20	SW NW		11.50	280
15 S	11 E	WM	20	SE NW		1.00	330
15 S	11 E	WM	30	NE NW		8.90	200
15 S	11 E	WM	30	NW NW	1	11.00	99
15 S	11 E	WM	30	NW NW	1	1.10	200
15 S	11 E	WM	30	NW NW	1	10.00	201
15 S	11 E	WM	30	SW NW	2	3.00	99
15 S	11 E	WM	30	SW NW	2	10.50	303
15 S	11 E	WM	30	SE NW		11.50	302
15 S	11 E	WM	30	SE NW		11.50	304
TOTAL						5669.21	

POND MAINTENANCE with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
13 S	12 E	WM	30	SE NE		1.00	1900
13 S	12 E	WM	30	SW SE		0.50	2000
14 S	11 E	WM	30	NE SE		0.50	500
14 S	11 E	WM	33	NW NW		1.00	400
14 S	11 E	WM	33	NE SW		0.50	3600
14 S	11 E	WM	33	NW SE		9.10	500
14 S	12 E	WM	7	NW NW	1	0.50	100
14 S	12 E	WM	7	SE SW		2.50	1102
15 S	10 E	WM	1	NE SE		0.30	500
15 S	10 E	WM	1	SE SE		1.20	500
15 S	10 E	WM	12	NW NE		0.50	303
15 S	10 E	WM	12	NE NW		0.10	304

POND MAINTENANCE with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	10 E	WM	13	SW SE		0.20	705
15 S	10 E	WM	24	SW NE		0.20	403
15 S	10 E	WM	24	NW SW		1.00	700
15 S	11 E	WM	4	SW NW		3.00	201
15 S	11 E	WM	4	SW SW		1.00	401
15 S	11 E	WM	5	SE SW		1.00	400
15 S	11 E	WM	6	NE NE	1	0.30	100
15 S	11 E	WM	6	SE NE		0.50	100
15 S	11 E	WM	6	SE SE		1.00	200
15 S	11 E	WM	7	SW SW	4	3.00	500
15 S	11 E	WM	7	NE SE		0.50	600
15 S	11 E	WM	8	NW NW		1.00	200
15 S	11 E	WM	8	SW NW		1.00	200
15 S	11 E	WM	8	NW SW		1.00	300
15 S	11 E	WM	8	SW SW		1.00	
15 S	11 E	WM	8	SE SW		1.00	500
15 S	11 E	WM	9	NE NW		4.00	100
15 S	11 E	WM	18	NW NE		1.00	100
15 S	11 E	WM	18	SW NE		0.04	800
15 S	11 E	WM	18	NE NW		0.10	400
15 S	11 E	WM	18	NW NW	1	0.50	300
15 S	11 E	WM	18	SW NW	2	0.30	700
15 S	11 E	WM	18	SW SW	4	0.50	2100
15 S	11 E	WM	18	SE SW		0.50	2300
15 S	11 E	WM	18	SW SE		0.50	2300
15 S	11 E	WM	20	NE NW		2.00	3303
15 S	11 E	WM	20	SW NW		1.00	2800
15 S	11 E	WM	20	NW SW		1.50	2800
TOTAL						46.34	

3. Water use measurement conditions:

- The water user shall maintain the meters or measuring devices in good working order.
- The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

4. The Department shall issue a new instream water right certificate for the conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values in Whychus Creek. The instream right shall allow the use and protection of flows as follows:

Priority Date	Originating Certificate	Period	Rate (cfs)	Volume (acre-feet)
1895	95971	April 1 through October 31	0.33	140.1

Whychus Creek, a tributary of Deschutes River

Priority Date	Period	Location	Rate (cfs)	Volume (AF)
1895	April 1 through October 31	Reach 1: At the authorized POD at approximately RM 24.5 to the mouth of Whychus Creek	0.33	140.1

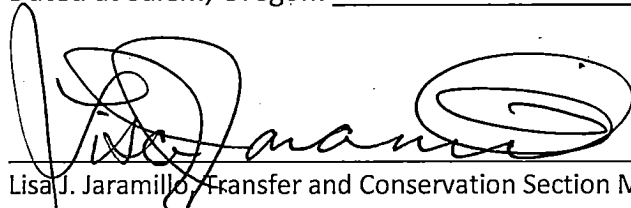
Deschutes River, tributary to the Columbia River

Priority Date	Period	Location	Rate (cfs)	Volume (AF)
1895	April 1 through October 31	Reach 2: From the confluence of Whychus Creek with the Deschutes River to Lake Billy Chinook at RM 120	0.33	140.1

Within the specified stream reach, the amount of water to which this right is entitled shall not exceed the quantity of water legally available at the original points of diversion. Stream channel losses and gains calculated based on available data and the use of water by senior appropriators will determine the amount of water to which this right is entitled downstream from the original point of diversion within the specified stream reach.

The instream right established by this allocation of conserved water shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346 and shall be in addition to instream water rights established pursuant to ORS 537.348 or 537.470 unless otherwise specified by a subsequent order establishing a new instream water right under these statutes.

Dated at Salem, Oregon: APR 22 2024



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
OREGON WATER RESOURCES DEPARTMENT

Mailing date: APR 23 2024