

STATE OF OREGON

COUNTY OF DESCHUTES

ORDER APPROVING A CHANGE IN CHARACTER OF USE
AND A CHANGE IN PLACE OF USE

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 8534 submitted by

CENTRAL OREGON IRRIGATION DISTRICT
2598 N HIGHWAY 97
REDMOND, OREGON 97756

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by a PORTION of Certificate 76358. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 282, and in Volume 16, at pages 1 and 390. The dates of priority are OCTOBER 31, 1900, AND DECEMBER 2, 1907.

The right allows the use of the DESCHUTES RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 23.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.725 cubic foot per second, if available at the authorized point of diversion: NORTH CANAL - SE¼ NE¼, SECTION 29, T 17 S, R 12 E, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

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 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to a diversion of not to exceed the quantity determined by decree of the Circuit Court for Deschutes County, dated March 24, 1933:

April 1 to May 1 and Oct. 1 to Nov. 1	1.0 cfs to 80.0 acres
May 1 to May 15 and Sept. 15 to Oct. 1	1.0 cfs to 60.0 acres
May 15 to Sept. 15	1.0 cfs to 32.4 acres

for each acre irrigated by the Central Oregon Irrigation District main canal system during the irrigation season each year, not to exceed 9.91 acre-feet for each acre irrigated during the irrigation season as measured at the diversion from the source. The quantities reflect a 45% transmission loss as determined by decree of the Circuit Court for Deschutes County, dated March 24, 1933. Those lands not served from the district main canal system but by direct pumping from the Deschutes river will not be allowed the 45% transmission loss.

The second right to be modified, as evidenced by a PORTION of Certificate 76714, was perfected under Permit 23256 with a date of priority of FEBRUARY 28, 1913. The right allows the use of CRANE PRAIRIE RESERVOIR, CONSTRUCTED UNDER PERMIT R-1687, a tributary of the DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION OF 23.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed A TOTAL OF 50,000 ACRE-FEET OF STORED WATER ONLY FOR THE ENTIRE RIGHT, if available at the authorized points of diversion: CRANE PRAIRIE RESERVOIR DAM - NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 17, T 21 S, R 8 E, W.M.; NORTH CANAL - SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 29, T 17 S, R 12 E, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This 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 the inter-district contract dated January 4, 1938, between the Central Oregon Irrigation District, Crook County Improvement District #1, and the Arnold Irrigation District, and shall be subject to such reasonable rotation system as may be ordered by

the proper state officer.

The authorized place of use of both rights is located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 23.5 ACRES
SECTION 3

TOWNSHIP 15 SOUTH, RANGE 13 EAST, W.M.

For decreed lands, the right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree. For permitted lands, the right shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

The applicant proposes to change the character of use from IRRIGATION AND SUPPLEMENTAL IRRIGATION to MUNICIPAL USE, LIMITED TO NON-HUMAN CONSUMPTIVE, NON-POTABLE USES ONLY.

The applicant proposes to change the place of use to:

NE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 3

TOWNSHIP 15 SOUTH, RANGE 13 EAST, W.M.

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2003.
2. The use of water for municipal use shall be limited to 23.5 acres equivalent and use shall be made during the irrigation season only.
3. The proposed municipal use shall be limited to non-human consumptive, non-potable uses only.

4. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
5. The former place of use shall no longer be irrigated as a part of this water right.

Except as modified herein, all other conditions and restrictions on Certificates 76358 and 76714 remain in effect.

When the Director determines that it is necessary, or to facilitate records keeping, new certificates will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm those portions of the rights not modified by this or any other order.

WITNESS the signature of the Water Resources Director, affixed

DEC 20 2001



Paul R. Cleary, Director