

STATE OF OREGON
COUNTY OF DESCHUTES

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 540.580, 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 7905 submitted by

TUMALO IRRIGATION DISTRICT
64697 COOK AVENUE
BEND, OREGON 97701

The rights to be modified are evidenced by portions of:

<u>CERTIFICATE</u>	<u>SOURCE</u>
74146	Tumalo Creek, a tributary of the Deschutes River; for irrigation, pond maintenance, industrial use, and domestic use including livestock; with dates of priority: August 05, 1900, September 1, 1900, May 27, 1907, and June 1, 1907
74147	Tumalo Creek, Crater Creek, Little Crater Creek and Three Spring Branches, tributaries of the Deschutes River; for irrigation, supplemental irrigation, industrial use, pond maintenance, stock, and domestic use; with a date of priority of October 29, 1913
74148	Crescent Lake Reservoir; for supplemental irrigation, industrial use, and pond maintenance; with a date of priority of April 7, 1911
74149	Deschutes River, a tributary of the Columbia River; for supplemental irrigation, industrial use, pond maintenance, and storage; with a date of priority of 1905.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-005 you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the time specified by ORS 183.484(2).

Rights to be modified continued:

PERMIT	SOURCE
27841	Crescent Lake Reservoir, tributary of Crescent Creek and Little Deschutes River for supplemental irrigation, with a date of priority of December 8, 1961

The District requests to move the rights listed in **Table A** to locations listed in **Table B**.

TABLE A-CERTIFICATES 74146, (74147, 74148, 74149, and Permit 27841 Supplemental)

TWN	RNG	SEC	QTR QTR	T L	AC	PRIORITY	OWNER
16S	11E	34	SE¼ NW¼	401	1.38	08/05/1900	OSGOOD CA
16S	11E	34	SW¼ NW¼	600	9.58	08/05/1900	JOHANSEN K& JA
16S	11E	34	SW¼ NW¼	604	0.42	08/05/1900	BATHA VG & ME

TABLE B-CERTIFICATES 74146, (74147, 74148, 74149, and Permit 27841 Supplemental)

TWN	RNG	SEC	QTR QTR	T L	AC	PRIORITY	OWNER
16S	11E	27	NE¼ NW¼	104	2.00	08/05/1900	KAIL JR & RANKIN TR
16S	12E	17	NE¼ SE¼	2500	2.20	08/05/1900	LOOMIS S
16S	12E	17	NE¼ SE¼	2501	0.80	08/05/1900	LOOMIS S
16S	12E	30	NW¼ NE¼	303	1.21	08/05/1900	MOSS JH & GL
16S	12E	30	NW¼ NE¼	310	0.17	08/05/1900	CHRISTIANSEN RW & JM
17S	11E	11	SE¼ SE¼	1800	5.00	08/05/1900	HORSMAN Revocable Trust

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 certificates.

Proof, satisfactory to the Director, of the rights perfected under Permit 27841 has been received.

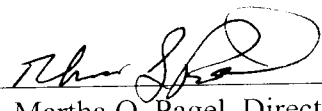
Therefore, these changes to existing district water rights may be made subject to the following conditions:

1. The proposed changes shall be completed on or before October 1, 2001.
2. Proof, to the satisfaction of the Director, that the changes approved by this order have been completed must be submitted by TUMALO IRRIGATION DISTRICT, on or before October 1, 2002.
3. The former places of use shall no longer be irrigated as a part of these water rights.

Furthermore,

4. Except as modified herein, all other conditions and restrictions of Certificates 74146, 74147, 74148, 74149, and Permit 27841 remain in effect.
5. 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 that portion of the right not modified by this or any other order.

WITNESS the signature of the Water Resources Director, affixed DEC - 1 1999.



For Martha O. Pagel, Director