

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: Deschutes River, tributary to the Columbia River

Authorized Point of Diversion:

POD #	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11	17 S	12 E	WM	29	SE NE	COID NORTH CANAL: 850 FEET NORTH AND 630 FEET WEST FROM THE E1/4 CORNER OF SECTION 29

Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice #
14 S	13 E	WM	16	NE SW	0.11	3600	COID/QUITCLAIM	T-2008-047
14 S	13 E	WM	16	NE SW	0.11	3500	COID/QUITCLAIM	T-2008-047
14 S	13 E	WM	16	SE SW	0.24	300	COID/QUITCLAIM	T-2008-047
14 S	13 E	WM	16	SE SW	0.21	400	COID/QUITCLAIM	T-2008-047
15 S	13 E	WM	8	SW SE	4.70	2201	COID/QUITCLAIM	T-2008-015
15 S	13 E	WM	8	SW SE	0.90	2201	COID/QUITCLAIM	T-2008-015
15 S	13 E	WM	8	SW SE	0.94	2201	COID/QUITCLAIM	T-2008-026
15 S	13 E	WM	8	SW SE	3.00	2201	COID/QUITCLAIM	T-2008-029
15 S	13 E	WM	8	SW SE	2.00	2201	COID/QUITCLAIM	T-2008-036
15 S	13 E	WM	8	SW SE	0.35	2201	COID/QUITCLAIM	T-2008-047
15 S	13 E	WM	8	SW SE	0.48	2201	COID/QUITCLAIM	T-2008-047
16 S	12 E	WM	12	SE NE	0.15	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
16 S	12 E	WM	13	NW NE	3.35	102	JEANS FAMILY TRUST	T-2008-047
16 S	12 E	WM	13	NW NE	1.35	102	JEANS FAMILY TRUST	T-2008-047
16 S	12 E	WM	13	NW NE	0.10	100	JEANS FAMILY TRUST	T-2008-047
Total:					17.99			

4. Transfer Application T-10753 proposes to change the places of use to:

Proposed Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice #
14 S	13 E	WM	5	SE NW	3.00	600	COOK, LISA L	T-2008-029
14 S	13 E	WM	15	SW SE	4.70	500	FERSON, SHIRLEY TRUST	T-2008-015
14 S	13 E	WM	15	SE SE	0.90	500	FERSON, SHIRLEY TRUST	T-2008-015
14 S	13 E	WM	21	SW SE	2.00	1600	LANCASTER, WILLIAM	T-2008-036
14 S	13 E	WM	31	NW SW	0.94	1400	DEMARIS, ALBERT JR/GINGER	T-2008-026
16 S	12 E	WM	12	NW NE	3.35	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
16 S	12 E	WM	12	SE NE	1.35	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice #
16 S	12 E	WM	12	SE NE	0.35	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
16 S	12 E	WM	12	SW NE	0.48	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
16 S	12 E	WM	12	SW NE	0.24	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
16 S	12 E	WM	12	SWNE	0.21	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
16 S	12 E	WM	12	SW NE	0.15	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
16 S	12 E	WM	12	SW NE	0.11	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
16 S	12 E	WM	12	SW NE	0.11	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
16 S	12 E	WM	12	SW NE	0.10	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
Total					17.99			

5. 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:

Season of Use: April 1 through October 31, further limited as follows:

April 1 through April 30 & October 1 through October 31 described herein as Season 1.

May 1 through May 14 & September 15 through September 30 described herein as Season 2.

May 15 through September 14 described herein as Season 3.

6. Certificate 83571 is a deficient water right. If water were diverted simultaneously to all authorized lands and uses described in the right at the maximum rates and duty allowed (described in Finding of Fact #3), the total rate and duty for the water right would be exceeded. In the event water were diverted simultaneously to all authorized lands and uses described in the right at the maximum rates and duty allowed at the point of diversions (POD)(described in Finding of Fact #3), the portion of the right involved in this transfer would be limited as described in the following table:

POD # 11				
Priority Date	Season 1	Season 2	Season 3	Duty (AF)
October 31, 1900 (cfs)	0.224	0.299	0.395	177.83
December 2, 1907 (cfs)			0.159	

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

Certificate: 76714 in the name of CENTRAL OREGON IRRIGATION DISTRICT

Use: SUPPLEMENTAL IRRIGATION of 17.99 acres

Priority Date: February 28, 1913

Limit/Duty: limited to 50,000 acre-feet of stored water only

Source: Crane Prairie Reservoir, constructed under Permit R-1687, a tributary of the Deschutes River

The water right evidenced by Certificate 76714 allows the use of up to 50,000 acre-feet of water stored in Crane Prairie Reservoir, a tributary of the Deschutes River, for supplemental irrigation. The diversion rate is not specified and use is limited to the total volume of stored water to make up any deficiency in supply of the live flow water right appurtenant to specified lands.

Authorized Point of Diversion:

POD #	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
11	17 S	12 E	WM	29	SE NE	COID NORTH CANAL: 850 FEET NORTH AND 630 FEET WEST FROM THE E1/4 CORNER OF SECTION 29

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice #
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15 S	13 E	WM	8	SW SE	0.94	2201	COID/QUITCLAIM	T-2008-026
15 S	13 E	WM	8	SW SE	3.00	2201	COID/QUITCLAIM	T-2008-029
15 S	13 E	WM	8	SW SE	2.00	2201	COID/QUITCLAIM	T-2008-036
15 S	13 E	WM	8	SW SE	0.35	2201	COID/QUITCLAIM	T-2008-047
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16 S	12 E	WM	13	NW NE	3.35	102	JEANS FAMILY TRUST	T-2008-047
16 S	12 E	WM	13	NW NE	1.35	102	JEANS FAMILY TRUST	T-2008-047
16 S	12 E	WM	13	NW NE	0.10	100	JEANS FAMILY TRUST	T-2008-047
Total					17.99			

Transfer Application T-10753 proposes to change the places of use to:

Proposed Place of Use:

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14 S	13 E	WM	15	SW SE	4.70	500	FERSON, SHIRLEY TRUST	T-2008-015
14 S	13 E	WM	15	SE SE	0.90	500	FERSON, SHIRLEY TRUST	T-2008-015
14 S	13 E	WM	21	SW SE	2.00	1600	LANCASTER, WILLIAM	T-2008-036
14 S	13 E	WM	31	NW SW	0.94	1400	DEMARIS, ALBERT	T-2008-026

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	User Name	Notice #
							JR/GINGER	
16 S	12 E	WM	12	NW NE	3.35	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
16 S	12 E	WM	12	SE NE	1.35	112	FOOTHILLS LIMITED PARTNERSHIP	T-2008-047
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Total					17.99			

8. The district permanent transfer application satisfies the criteria of OAR 690-385-4000 contains the information required under OAR 690-385-2000 and includes maps meeting the requirements of OAR 690-385-2200.
9. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
10. The proposed change in place of use will not result in enlargement of the rights.
11. The proposed change in place of use will not result in injury to other water rights.

Conclusions of Law

The proposed change in place of use as proposed in Transfer Application T-10753 satisfies the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed changes in place of use to the water rights evidenced by Certificates 83571 and 76714 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 83571 and 76714 and any related decree.
3. The former places of use shall no longer be irrigated as part of these water rights.

4. The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2010.
5. A Claim of Beneficial Use (COBU) shall be submitted by the applicant to the Department by October 1, 2011.
6. Water right Certificates 83571 and 76714 are modified. The Department will issue superseding certificates describing the rights when it determines that is necessary for record keeping.

Dated at Salem, Oregon this 30th day of January, 2009.

William S. Fowler
for Phillip C. Ward, Director

Mailing Date: FEB 05 2009