

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)	
TUMALO IRRIGATION DISTRICT)	
FOR APPROVAL OF A CHANGE IN PLACE)	ORDER APPROVING
OF USE OF WATER)	TRANSFER 5569

On December 21, 1984 an application was filed in the office of the Water Resources Director by Tumalo Irrigation District for approval of a change in place of use of water from Tumalo Creek, Deschutes River, Crater Creek, Little Crater Creek and three spring branches, and Crescent Lake Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

Pursuant to the provisions of ORS 540.510 to 540.530, proof has been made to the satisfaction of the Water Resources Director that water right transfers have been completed under the terms of Transfers T-52, T-61 and T-3989 for the use of water from Tumalo Creek, et al, for irrigation of 0.3 acre in NE 1/4 SE 1/4, with a date of priority of September, 1900, 0.5 acre in NE 1/4 SE 1/4, with a date of priority of June 1, 1907 (original Certificate 26508) and 0.6 acre in SE 1/4 SE 1/4, with a date of priority of October 29, 1913 (original Certificate 26050); all in Section 35, Township 16 South, Range 11 East, WM.

These lands also have supplemental rights evidenced by Certificate 31412, Volume 23, State Record of Water Right Certificates, to the use of water from Deschutes River, with a date of priority of 1905; Certificate 26050, Volume 18, to the use of water from Tumalo Creek, Crater Creek, Little Crater Creek and three spring branches, with a date of priority of October 29, 1913; Certificate 26051, Volume 18, to the use of waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911; and Permit 27841 for the use of waters of Crescent Lake Reservoir, with a priority date of December 8, 1961.

The applicant herein, owner of the lands described above, proposes to transfer the water rights therefrom to a certain 0.3 acre (C-26508, 9/1900) and 0.5 acre (C-26508, 6/1/1907) in SE 1/4 NE 1/4, Section 35, Township 16 South, Range 11 East, WM, (Dvorak); 0.4 acre (C-26050) in SW 1/4 SW 1/4, Section 17, Township 16 South, Range 12 East, WM, (C-5) and 0.2 acre (C-26050) in SE 1/4 SE 1/4, Section 19, Township 16 South, Range 12 East, WM, (Dale Hall).

The lands involved herein are within the boundaries of the Tumalo Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting.

Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

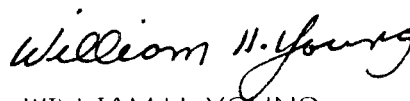
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1986.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, the change of water right is considered perfected, and at a later date a certificate of water right shall be issued to Tumalo Irrigation District confirming this and other changes within the District, and superseding Certificates 26508 and 26050.

Dated at Salem, Oregon, this 25th day of April, 1985.


WILLIAM H. YOUNG
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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