

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

In the Matter of Transfer Application)	S U P E R S E D I N G
T-10270, Deschutes County)	F I N A L O R D E R
)	A P P R O V I N G A D I S T R I C T
)	P E R M A N E N T T R A N S F E R

ORS 540.570 to 540.580 establishes the process in which a district may submit a request to transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

TUMALO IRRIGATION DISTRICT
64697 COOK AVENUE
BEND, OREGON 97701

Findings of Fact

1. On November 24, 2006, Tumalo Irrigation District filed a district transfer application to permanently change the place of use under Certificates 74146, 74147, 74148, 74149, 76106, and 76520. The Department assigned the application number T-10270.
2. On February 28, 2006, the Department issued a final order approving a district permanent transfer as proposed in Transfer Application T-10270, recorded at Special Order Volume 71, pages 239 to 247.
3. The order approving T-10270 contained several scrivener errors in tables 4, 8, 10, 12 and 14 describing the proposed place of use and the priority date for the water rights. This order corrects the errors.
4. Notice of the application for transfer was published pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
5. The portion of the first right to be transferred is as follows:
Certificate: 74146, issued in the name of Tumalo Irrigation District
Use: Irrigation
Priority Date: August 5, 1900, September 1900, April 28, 1905, May 27, 1907, and June 1, 1907.
Rate & Duty: Maximum of 1/70 cfs per acre & 1.8 acre-feet per acre per year.
Source: Tumalo Creek, tributary to Deschutes River.

<p>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 137-004-0080 you may either 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</p>
--

Authorized Place of Use:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
9/1/1900	16 S	11 E	WM	12	NE NE	102	Prinz, Joseph T. & Patricia A	2.00	06-013
9/1/1900	16 S	11 E	WM	12	NE NE	106	Prinz, Joseph T. & Patricia A.	1.00	06-010
9/1/1900	16 S	11 E	WM	13	NE NE	104	Terrall, Scott H. & Margaret J.	1.90	06-011
9/1/1900	16 S	11 E	WM	23	SW SE	525	Lundgren, Daniel J. & Wendy	3.10	06-004
9/1/1900	16 S	11 E	WM	28	NW SE	1100	Koester, Timothy H. & Meryl E.	3.00	06-003
9/1/1900	16 S	11 E	WM	34	NW NE	301	Voyles Living Trust	1.00	04-002
6/1/1907	16 S	11 E	WM	34	NW SE	901	Martin Charles W. and Susan J.	1.00	06-001
9/1/1900	16 S	12 E	WM	8	SW SE	1401	Larsen/Price/Stafford	3.00	06-005
9/1/1900	16 S	12 E	WM	8	SE SE	1400	Brown, Merele E/Voss, Joann M.	5.40	06-009
4/28/1905	16 S	12 E	WM	17	NW NE	300	Latham, Mark S. & Kristen E.	0.79	06-014
8/5/1900	16 S	12 E	WM	17	SE NE	596	Marks Revocable Trust	1.00	06-002
5/27/1907	17 S	11 E	WM	13	NW NE	804	Coats Revocable Trust	0.40	06-008
5/27/1907	17 S	11 E	WM	13	NW NE	807	Coats Revocable Trust	3.80	06-008
5/27/1907	17 S	11 E	WM	13	SW NE	807	Coats Revocable Trust	0.60	06-008
TOTAL:								27.99	

4. Application T-10270 proposes to change the place of use to:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
9/1/1900	16 S	11 E	WM	13	NE NE	104	Terrall, Scott H. & Margaret J.	1.90	06-011
9/1/1900	16 S	11 E	WM	23	NE SW	519	Rode, Richard L. & Linda P..	0.74	06-013
9/1/1900	16 S	11 E	WM	23	NW SE	519	Rode, Richard L. & Linda P.	1.26	06-013
9/1/1900	16 S	11 E	WM	23	SE SW	525	Lundgren, Daniel J. & Wendy	3.10	06-004
9/1/1900	16 S	11 E	WM	25	SE NW	401	Wyman, Harold E. & Jane C.	3.00	06-005
9/1/1900	16 S	11 E	WM	33	NE NE	200	Walik, William S./ Gallagher, Kathleen E.	4.30	06-009
9/1/1900	16 S	11 E	WM	33	NE NE	200	Walik, William S./ Gallagher, Kathleen E.	1.00	06-010
9/1/1900	16 S	11 E	WM	33	SE NE	200	Walik, William S./ Gallagher, Kathleen E.	0.70	06-009
9/1/1900	16 S	11 E	WM	34	NW NE	302	Vezina, Gary L. & Kristine U.	1.00	04-002
8/5/1900	16 S	11 E	WM	34	NW SE	902	Callen Family Trust	1.00	06-002
6/1/1907	16 S	11 E	WM	34	NW SE	902	Callen Family Trust	1.00	06-001
9/1/1900	16 S	12 E	WM	8	SE SE	1400	Brown Merle E./Voss, Joann M.	0.40	06-009
4/28/1905	16 S	12 E	WM	17	NW NE	300	Latham, Mark S. & Kristen E.	0.79	06-014
9/1/1900	16 S	12 E	WM	30	SW NE	1200	Lilley, David & Susan	3.00	06-003
5/27/1907	17 S	11 E	WM	14	NE NE	11500	Scott, Regan L. & Lynn O.	4.80	06-008
TOTAL								27.99	

5. The portion of the second right to be transferred is as follows:

Certificate: 74147, issued in the name of Tumalo Irrigation District

Use: Irrigation

Priority Date: October 29, 1913

Rate & Duty: Apr 1 to May 1 and Oct 1 to Nov 1 --1/80 cfs per acre

May 1 to May 15 and Sep 15 to Oct 1 -1/60 cfs

May 15 to Sep 15 1/32.4 cfs, and 9.91 acre-feet per acre during the season.

Source: Tumalo Creek Crater Creek, Little Crater Creek and Three Springs Creek, tributaries of Deschutes River.

Authorized Place of Use:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
10/29/1913	16 S	11 E	WM	33	NW SE	801	Ausland, Kelly S./ Smith, Elizabeth B.	0.60	06-007
10/29/1913	16 S	11 E	WM	33	NW SE	802	Heaton, Randal L./ Sands, Barbara N.	0.30	06-006
TOTAL								0.90	

6. Application T-10270 proposes to change the place of use to:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
10/29/1913	16 S	11 E	WM	22	NE SE	1103	Campbell, David C. & Mary S.	0.60	06-007
10/29/1913	16 S	11 E	WM	33	NW SE	802	Heaton, Randal L./ Sands, Barbara N.	0.30	06-006
TOTAL								0.90	

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

Certificate: 74147, issued in the name of Tumalo Irrigation District

Use: Supplemental Irrigation

Priority Date: October 29, 1913

Rate & Duty: Apr 1 to May 1 and Oct 1 to Nov 1 --1/80 cfs per acre

May 1 to May 15 and Sep 15 to Oct 1 -1/60 cfs

May 15 to Sep 15 1/32.4 cfs, and 9.91 acre-feet per acre during the season.

Source: Tumalo Creek, Crater Creek, Little Crater Creek, and Three Spring branches, tributaries of the Deschutes River.

Authorized Place of Use:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
10/29/1913	16 S	11E	WM	12	NE NE	102	Prinz, Joseph T. & Patricia A	2.00	06-013
10/29/1913	16 S	11E	WM	12	NE NE	106	Prinz, Joseph T. & Patricia A.	1.00	06-010
10/29/1913	16 S	11E	WM	13	NE NE	104	Terrall, Scott H. & Margaret J.	1.90	06-011
10/29/1913	16 S	11E	WM	23	SW SE	525	Lundgren, Daniel J. & Wendy	3.10	06-004
10/29/1913	16 S	11E	WM	28	NW SE	1100	Koester, Timothy H. & Meryl E.	3.00	06-003
10/29/1913	16 S	11E	WM	34	NW NE	301	Voyles Living Trust	1.00	04-002
10/29/1913	16 S	11E	WM	34	NW SE	901	Martin Charles W. and Susan J.	1.00	06-001
10/29/1913	16 S	12E	WM	8	SW SE	1401	Larsen/Price/Stafford	3.00	06-005

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
10/29/1913	16 S	12E	WM	8	SE SE	1400	Brown, Merele E/Voss, Joann M.	5.40	06-009
10/29/1913	16 S	12E	WM	17	NW NE	300	Latham, Mark S. & Kristen E.	0.79	06-014
10/29/1913	16 S	12E	WM	17	SE NE	596	Marks Revocable Trust	1.00	06-002
10/29/1913	17 S	11E	WM	13	NW NE	804	Coats Revocable Trust	0.40	06-008
10/29/1913	17 S	11E	WM	13	NW NE	807	Coats Revocable Trust	3.80	06-008
10/29/1913	17 S	11E	WM	13	SW NE	807	Coats Revocable Trust	0.60	06-008
TOTAL								27.99	

8. Application T-10270 proposes to change the place of use to:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
10/29/1913	16 S	11E	WM	13	NE NE	104	Terrall, Scott H. & Margaret J.	1.90	06-011
10/29/1913	16 S	11E	WM	23	NW SE	519	Rode, Richard L. & Linda P.	1.26	06-013
10/29/1913	16 S	11E	WM	23	NE SW	519	Rode, Richard L. & Linda P..	0.74	06-013
10/29/1913	16 S	11E	WM	23	SE SW	525	Lundgren, Daniel J. & Wendy	3.10	06-004
10/29/1913	16 S	11E	WM	25	SE NW	401	Wyman, Harold E. & Jane C.	3.00	06-005
10/29/1913	16 S	11E	WM	33	NE NE	200	Walik, William S./ Gallagher, Kathleen E.	4.30	06-009
10/29/1913	16 S	11E	WM	33	NE NE	200	Walik, William S./ Gallagher, Kathleen E.	1.00	06-010
10/29/1913	16 S	11E	WM	33	SE NE	200	Walik, William S./ Gallagher, Kathleen E.	0.70	06-009
10/29/1913	16 S	11E	WM	34	NW NE	302	Vezina, Gary L. & Kristine U.	1.00	04-002
10/29/1913	16 S	11E	WM	34	NW SE	902	Callen Family Trust	1.00	06-002
10/29/1913	16 S	11E	WM	34	NW SE	902	Callen Family Trust	1.00	06-001
10/29/1913	16 S	12E	WM	8	SE SE	1400	Brown Merle E./Voss, Joann M.	0.40	06-009
10/29/1913	16 S	12E	WM	17	NW NE	300	Latham, Mark S. & Kristen E.	0.79	06-014
10/29/1913	16 S	12E	WM	30	SW NE	1200	Lilley, David & Susan	3.00	06-003
10/29/1913	17 S	11E	WM	14	NE NE	11500	Scott, Regan L. & Lynn O.	4.80	06-008
TOTAL								27.99	

9. The portion of the fourth right to be transferred is as follows:

Certificate: 74148, issued in the name of Tumalo Irrigation District.

Use: Supplemental Irrigation

Priority Date: April 7, 1911

Rate & Duty: Maximum of 7.4 acre-feet per year (May 15 – September 15 season)

Source: Crescent Lake Reservoir, a tributary of Crescent Creek.

Authorized Place of Use:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
4/7/1911	16 S	11E	WM	12	NE NE	102	Prinz, Joseph T. & Patricia A	2.00	06-013
4/7/1911	16 S	11E	WM	12	NE NE	106	Prinz, Joseph T. & Patricia A.	1.00	06-010
4/7/1911	16 S	11E	WM	13	NE NE	104	Terrall, Scott H. & Margaret J.	1.90	06-011
4/7/1911	16 S	11E	WM	23	SW SE	525	Lundgren, Daniel J. & Wendy	3.10	06-004
4/7/1911	16 S	11E	WM	28	NW SE	1100	Koester, Timothy H. & Meryl E.	3.00	06-003

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
4/7/1911	16 S	11E	WM	33	NW SE	801	Ausland, Kelly S./ Smith, Elizabeth B.	0.60	06-007
4/7/1911	16 S	11E	WM	33	NW SE	802	Heaton, Randal L./ Sands, Barbara N.	0.30	06-006
4/7/1911	16 S	11E	WM	34	NW NE	301	Voyles Living Trust	1.00	04-002
4/7/1911	16 S	11E	WM	34	NW SE	901	Martin Charles W. and Susan J.	1.00	06-001
4/7/1911	16 S	12E	WM	8	SW SE	1401	Larsen/Price/Stafford	3.00	06-005
4/7/1911	16 S	12E	WM	8	SE SE	1400	Brown, Merele E/Voss, Joann M.	5.40	06-009
4/7/1911	16 S	12E	WM	17	NW NE	300	Latham, Mark S. & Kristen E.	0.79	06-014
4/7/1911	16 S	12E	WM	17	SE NE	596	Marks Revocable Trust	1.00	06-002
4/7/1911	17 S	11E	WM	13	NW NE	804	Coats Revocable Trust	0.40	06-008
4/7/1911	17 S	11E	WM	13	NW NE	807	Coats Revocable Trust	3.80	06-008
4/7/1911	17 S	11E	WM	13	SW NE	807	Coats Revocable Trust	0.60	06-008
TOTAL								28.89	

10. Application T-10270 proposes to change the place of use to:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
4/7/1911	16 S	11E	WM	13	NE NE	104	Terrall, Scott H. & Margaret J.	1.90	06-011
4/7/1911	16 S	11E	WM	22	NE SE	1103	Campbell, David C. & Mary S.	0.60	06-007
4/7/1911	16 S	11E	WM	23	NW SE	519	Rode, Richard L. & Linda P.	1.26	06-013
4/7/1911	16 S	11E	WM	23	NE SW	519	Rode, Richard L. & Linda P..	0.74	06-013
4/7/1911	16 S	11E	WM	23	SE SW	525	Lundgren, Daniel J. & Wendy	3.10	06-004
4/7/1911	16 S	11E	WM	25	SE NW	401	Wyman, Harold E. & Jane C.	3.00	06-005
4/7/1911	16 S	11E	WM	33	NE NE	200	Walik, William S./ Gallagher, Kathleen E.	4.30	06-009
4/7/1911	16 S	11E	WM	33	NE NE	200	Walik, William S./ Gallagher, Kathleen E.	1.00	06-010
4/7/1911	16 S	11E	WM	33	SE NE	200	Walik, William S./ Gallagher, Kathleen E.	0.70	06-009
4/7/1911	16 S	11E	WM	33	NW SE	802	Heaton, Randal L./ Sands, Barbara N.	0.30	06-006
4/7/1911	16 S	11E	WM	34	NW NE	302	Vezina, Gary L. & Kristine U.	1.00	04-002
4/7/1911	16 S	11E	WM	34	NW SE	902	Callen Family Trust	1.00	06-002
4/7/1911	16 S	11E	WM	34	NW SE	902	Callen Family Trust	1.00	06-001
4/7/1911	16 S	12E	WM	8	SE SE	1400	Brown Merle E./Voss, Joann M.	0.40	06-009
4/7/1911	16 S	12E	WM	17	NW NE	300	Latham, Mark S. & Kristen E.	0.79	06-014
4/7/1911	16 S	12E	WM	30	SW NE	1200	Lilley, David & Susan	3.00	06-003
4/7/1911	17 S	11E	WM	14	NE NE	11500	Scott, Regan L. & Lynn O.	4.80	06-008
TOTAL								28.89	

11. The portion of the fifth right to be transferred is as follows:

Certificate: 74149, issued in the name of Tumalo Irrigation District

Use: Supplemental Irrigation

Priority Date: 1905

Rate & Duty: Maximum of 9.5 acre-feet per acre per year.

Source: Deschutes River, a tributary of the Columbia River.

Authorized Place of Use:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
1905	16 S	11 E	WM	34	NW NE	301	Voyles Living Trust	1.00	04-002
1905	16 S	11 E	WM	34	NW SE	901	Martin Charles W. and Susan J.	1.00	06-001
1905	16 S	12 E	WM	17	SE NE	596	Marks Revocable Trust	1.00	06-002
1905	16 S	11 E	WM	28	NW SE	1100	Koester, Timothy H. & Meryl E.	3.00	06-003
1905	16 S	11 E	WM	23	SW SE	525	Lundgren, Daniel J. & Wendy	3.10	06-004
1905	16 S	12 E	WM	8	SW SE	1401	Larsen/Price/Stafford	3.00	06-005
1905	16 S	11 E	WM	33	NW SE	802	Heaton, Randal L./ Sands, Barbara N.	0.30	06-006
1905	16 S	11 E	WM	33	NW SE	801	Ausland, Kelly S./ Smith, Elizabeth B.	0.60	06-007
1905	17 S	11 E	WM	13	NW NE	804	Coats Revocable Trust	0.40	06-008
1905	17 S	11 E	WM	13	NW NE	807	Coats Revocable Trust	3.80	06-008
1905	17 S	11 E	WM	13	SW NE	807	Coats Revocable Trust	0.60	06-008
1905	16 S	12 E	WM	8	SE SE	1400	Brown, Merele E/Voss, Joann M.	5.40	06-009
1905	16 S	11 E	WM	12	NE NE	106	Prinz, Joseph T. & Patricia A.	1.00	06-010
1905	16 S	11 E	WM	13	NE NE	104	Terrall, Scott H. & Margaret J.	1.90	06-011
1905	16 S	11 E	WM	12	NE NE	102	Prinz, Joseph T. & Patricia A	2.00	06-013
1905	16 S	12 E	WM	17	NW NE	300	Latham, Mark S. & Kristen E.	0.79	06-014
TOTAL								28.89	

12. Application T-10270 proposes to change the place of use to:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
1905	16 S	11 E	WM	13	NE NE	104	Terrall, Scott H. & Margaret J.	1.90	06-011
1905	16 S	11 E	WM	22	NE SE	1103	Campbell, David C. & Mary S.	0.60	06-007
1905	16 S	11 E	WM	23	NW SE	519	Rode, Richard L. & Linda P.	1.26	06-013
1905	16 S	11 E	WM	23	NE SW	519	Rode, Richard L. & Linda P..	0.74	06-013
1905	16 S	11 E	WM	23	SE SW	525	Lundgren, Daniel J. & Wendy	3.10	06-004
1905	16 S	11 E	WM	25	SE NW	401	Wyman, Harold E. & Jane C.	3.00	06-005
1905	16 S	11 E	WM	33	NE NE	200	Walik, William S./ Gallagher, Kathleen E.	4.30	06-009
1905	16 S	11 E	WM	33	NE NE	200	Walik, William S./ Gallagher, Kathleen E.	1.00	06-010
1905	16 S	11 E	WM	33	SE NE	200	Walik, William S./ Gallagher, Kathleen E.	0.70	06-009
1905	16 S	11 E	WM	33	NW SE	802	Heaton, Randal L./ Sands, Barbara N.	0.30	06-006
1905	16 S	11 E	WM	34	NW NE	302	Vezina, Gary L. & Kristine U.	1.00	04-002
1905	16 S	11 E	WM	34	NW SE	902	Callen Family Trust	1.00	06-002
1905	16 S	11 E	WM	34	NW SE	902	Callen Family Trust	1.00	06-001
1905	16 S	12 E	WM	8	SE SE	1400	Brown Merle E./Voss, Joann M.	0.40	06-009
1905	16 S	12 E	WM	17	NW NE	300	Latham, Mark S. & Kristen E.	0.79	06-014
1905	16 S	12 E	WM	30	SW NE	1200	Lilley, David & Susan	3.00	06-003
1905	17 S	11 E	WM	14	NE NE	11500	Scott, Regan L. & Lynn O.	4.80	06-008
TOTAL								28.89	

13. The portion of the sixth right to be transferred is as follows:

Certificate: 76520, issued in the name of Tumalo Irrigation District

Use: Supplemental Irrigation

Priority Date: December 8, 1961

Rate & Duty: Maximum of 9.91 acre-feet per acre per year.

Source: Crescent Lake Reservoir, tributary of Crescent Creek and Little Deschutes River.

Authorized Place of Use:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
12/8/1961	16 S	11E	WM	12	NE NE	102	Prinz, Joseph T. & Patricia A	2.00	06-013
12/8/1961	16 S	11E	WM	12	NE NE	106	Prinz, Joseph T. & Patricia A.	1.00	06-010
12/8/1961	16 S	11E	WM	13	NE NE	104	Terrall, Scott H. & Margaret J.	1.90	06-011
12/8/1961	16 S	11E	WM	23	SW SE	525	Lundgren, Daniel J. & Wendy	3.10	06-004
12/8/1961	16 S	11E	WM	28	NW SE	1100	Koester, Timothy H. & Meryl E.	3.00	06-003
12/8/1961	16 S	11E	WM	33	NW SE	801	Ausland, Kelly S./ Smith, Elizabeth B.	0.60	06-007
12/8/1961	16 S	11E	WM	33	NW SE	802	Heaton, Randal L./ Sands, Barbara N.	0.30	06-006
12/8/1961	16 S	11E	WM	34	NW NE	301	Voyles Living Trust	1.00	04-002
12/8/1961	16 S	11E	WM	34	NW SE	901	Martin Charles W. and Susan J.	1.00	06-001
12/8/1961	16 S	12E	WM	8	SW SE	1401	Larsen/Price/Stafford	3.00	06-005
12/8/1961	16 S	12E	WM	8	SE SE	1400	Brown, Merele E/Voss, Joann M.	5.40	06-009
12/8/1961	16 S	12E	WM	17	NW NE	300	Latham, Mark S. & Kristen E.	0.79	06-014
12/8/1961	16 S	12E	WM	17	SE NE	596	Marks Revocable Trust	1.00	06-002
12/8/1961	17 S	11E	WM	13	NW NE	804	Coats Revocable Trust	0.40	06-008
12/8/1961	17 S	11E	WM	13	NW NE	807	Coats Revocable Trust	3.80	06-008
12/8/1961	17 S	11E	WM	13	SW NE	807	Coats Revocable Trust	0.60	06-008
TOTAL								28.89	

14. Application T-10270 proposes to change the place of use to:

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
12/8/1961	16 S	11E	WM	13	NE NE	104	Terrall, Scott H. & Margaret J.	1.90	06-011
12/8/1961	16 S	11E	WM	22	NE SE	1103	Campbell, David C. & Mary S.	0.60	06-007
12/8/1961	16 S	11E	WM	23	NW SE	519	Rode, Richard L. & Linda P.	1.26	06-013
12/8/1961	16 S	11E	WM	23	NE SW	519	Rode, Richard L. & Linda P..	0.74	06-013
12/8/1961	16 S	11E	WM	23	SE SW	525	Lundgren, Daniel J. & Wendy	3.10	06-004
12/8/1961	16 S	11E	WM	25	SE NW	401	Wyman, Harold E. & Jane C.	3.00	06-005
12/8/1961	16 S	11E	WM	33	NE NE	200	Walik, William S./ Gallagher, Kathleen E.	4.30	06-009
12/8/1961	16 S	11E	WM	33	NE NE	200	Walik, William S./ Gallagher, Kathleen E.	1.00	06-010
12/8/1961	16 S	11E	WM	33	SE NE	200	Walik, William S./ Gallagher, Kathleen E.	0.70	06-009
12/8/1961	16 S	11E	WM	33	NW SE	802	Heaton, Randal L./ Sands, Barbara N.	0.30	06-006
12/8/1961	16 S	11E	WM	34	NW NE	302	Vezina, Gary L. & Kristine U.	1.00	04-002
12/8/1961	16 S	11E	WM	34	NW SE	902	Callen Family Trust	1.00	06-002

PRIORITY	TWP	RNG	MER	SEC	1/4 - 1/4	TL	USER	AC	NOT#
12/8/1961	16 S	11E	WM	34	NW SE	902	Callen Family Trust	1.00	06-001
12/8/1961	16 S	12E	WM	8	SE SE	1400	Brown Merle E./Voss, Joann M.	0.40	06-009
12/8/1961	16 S	12E	WM	17	NW NE	300	Latham, Mark S. & Kristen E.	0.79	06-014
12/8/1961	16 S	12E	WM	30	SW NE	1200	Lilley, David & Susan	3.00	06-003
12/8/1961	17 S	112E	WM	14	NE NE	11500	Scott, Regan L. & Lynn O.	4.80	06-008
TOTAL								28.89	

15. 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.
16. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
17. The proposed change in place of use would not result in enlargement of the rights.
18. The proposed change in place of use would not result in injury to other water rights

Conclusions of Law

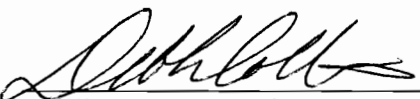
The proposed changes in place of use in Transfer Application T-10270 satisfy the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The final order entered at Special Order Volume 71, pages 239 through 247 is void and of no further force or effect.
2. The proposed changes to the water rights evidenced by Certificates 74146, 74147, 74148, 74149, 76106, and 76520 are approved.
3. 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 74146, 74147, 74148, 74149, 76106 and 76520 and any related decree.
4. The former place of use shall no longer be irrigated as part of this water right.
5. The proposed change, as authorized by this final order, shall be completed within one full year from the approval date plus any additional time before or until October 1, 2008.
6. A Claim of Beneficial Use shall be submitted by the applicant to the Department by October 1, 2008.

7. Certificates 74146, 74147, 74148, 74149, 76106 and 76520 are modified. The Department will issue superseding certificates on a determination that it is necessary to produce a certificate describing the right.

Dated at Salem, Oregon this 7th day of February, 2006.


Phillip C. Ward, Director

Mailing Date: FEB 15 2008