

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 Points of Diversion:

POD #	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	18 S	11 E	WM	13	SW NE	CENTRAL OREGON CANAL: 1520 FEET SOUTH AND 1535 FEET WEST FROM THE NE CORNER OF SECTION 13
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 Places of Use:

IRRIGATION									
Twp	Rng		Sec	Q-Q	Acres	Taxlot	Owner Name	Notice	POD #
15 S	12 E	WM	24	NE NE	1.20	103	PETERSON, THOMAS/SHERYL	T-2008-035	11
15 S	12 E	WM	24	NE NE	1.00	102	PETERSON, THOMAS/SHERYL	T-2008-035	11
15 S	12 E	WM	24	SW SE	0.30	1600	LANG, KATHRYN	T-2008-033	11
15 S	12 E	WM	25	NE NW	0.15	204	BISHOP, DAVID	T-2008-030	11
15 S	14 E	WM	26	NW SE	1.00	803	COID/QUITCLAIM	T-2008-038	1
15 S	14 E	WM	26	NW SE	0.44	803	COID/QUITCLAIM	T-2008-043	1
17 S	14 E	WM	23	SE NE	0.86	1000	SAMPLES, JERRY/ANNA	T-2008-043	1
17 S	14 E	WM	24	SE NW	1.50	600	FOURNIER, MATTHEW/PAMELA	T-2008-039	1
17 S	14 E	WM	25	NE NW	1.10	300	HACKLER, NANJI G.	T-2008-038	1
17 S	14 E	WM	25	NW NW	1.30	400	HACKLER, NANJI G.	T-2008-038	1
17 S	14 E	WM	27	SE NE	0.20	600	COID/QUITCLAIM	T-2008-043	1
18 S	13 E	WM	11	SW NE	0.60	406	RAUCH, PATRICIA/BARNES, ROBIN	T-2008-037	1
18 S	13 E	WM	11	SE NE	0.35	406	RAUCH, PATRICIA/BARNES, ROBIN	T-2008-037	1
18 S	14 E	WM	8	NE SW	2.60	1001	MCBRIDE, EDNA JOANNE	T-2008-042	1
Total					12.60				

4. Transfer Application T-10754 proposes to change the places of use to:

Proposed Places of Use:

IRRIGATION									
Twp	Rng		Sec	Q-Q	Acres	Taxlot	Owner Name	Notice	POD #
15 S	12 E	WM	24	NE NE	1.20	103	PETERSON, THOMAS/SHERYL	T-2008-035	11
15 S	12 E	WM	24	SE NE	1.00	101	PETERSON, THOMAS/SHERYL	T-2008-035	11
15 S	12 E	WM	24	SW SE	0.30	1600	LANG, KATHRYN	T-2008-033	11
15 S	12 E	WM	25	NE NW	0.15	204	BISHOP, DAVID	T-2008-030	11
17 S	14 E	WM	23	SE NE	1.50	1000	SAMPLES, JERRY/ANNA	T-2008-043	1
17 S	14 E	WM	24	SE NW	1.50	600	FOURNIER, MATTHEW/PAMEL A	T-2008-039	1
17 S	14 E	WM	25	NE NW	0.40	300	HACKLER, NANCI G.	T-2008-038	1
17 S	14 E	WM	25	SW NW	2.50	400	HACKLER, NANCI G.	T-2008-038	1
17 S	14 E	WM	25	SE NW	0.50	300	HACKLER, NANCI G.	T-2008-038	1
18 S	13 E	WM	11	SW NE	0.95	406	RAUCH, PATRICIA/BARNES, ROBIN	T-2008-037	1
18 S	14 E	WM	8	NE SW	2.60	1001	MCBRIDE, EDNA JOANNE	T-2008-042	1
Total					12.60				

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 tables:

POD # 1				
Priority Date	Season 1	Season 2	Season 3	Duty (AF)
October 31, 1900 (cfs)	0.124	0.165	0.218	98.17

December 2, 1907 (cfs)			0.08	
POD # 11				
Priority Date	Season 1	Season 2	Season 3	Duty (AF)
October 31, 1900 (cfs)	0.033	0.044	0.059	26.19
December 2, 1907 (cfs)			0.023	

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 12.60
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 Points of Diversion:

POD #	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	18 S	11 E	WM	13	SW NE	CENTRAL OREGON CANAL: 1520 FEET SOUTH AND 1535 FEET WEST FROM THE NE CORNER OF SECTION 13
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 Places of Use:

SUPPLEMENTAL IRRIGATION									
Twp	Rng		Sec	Q-Q	Acres	Taxlot	Owner Name	Notice	POD #
15 S	12 E	WM	24	NE NE	1.20	103	PETERSON, THOMAS/SHERYL	T-2008-035	11
15 S	12 E	WM	24	NE NE	1.00	102	PETERSON, THOMAS/SHERYL	T-2008-035	11
15 S	12 E	WM	24	SW SE	0.30	1600	LANG, KATHRYN	T-2008-033	11
15 S	12 E	WM	25	NE NW	0.15	204	BISHOP, DAVID	T-2008-030	11
15 S	14 E	WM	26	NW SE	1.00	803	COID/QUITCLAIM	T-2008-038	1
15 S	14 E	WM	26	NW SE	0.44	803	COID/QUITCLAIM	T-2008-043	1
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Twp	Rng		Sec	Q-Q	Acres	Taxlot	Owner Name	Notice	POD #
18 S	13 E	WM	11	SE NE	0.35	406	RAUCH, PATRICIA/BARNES, ROBIN	T-2008-037	1
18 S	14 E	WM	8	NE SW	2.60	1001	MCBRIDE, EDNA JOANNE	T-2008-042	1
Total					12.60				

8. Transfer Application T-10754 proposes to change the places of use to:

Proposed Places of Use:

SUPPLEMENTAL IRRIGATION									
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15 S	12 E	WM	24	SE NE	1.00	101	PETERSON, THOMAS/SHERYL	T-2008-035	11
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18 S	14 E	WM	8	NE SW	2.60	1001	MCBRIDE, EDNA JOANNE	T-2008-042	1
Total					12.60				

9. 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.

10. The water rights are subject to transfer as defined in OAR 690-385-0100(17).

11. The proposed change in places of use will not result in enlargement of the rights.

12. The proposed change in places of use will not result in injury to other water rights.

Conclusions of Law

The proposed changes in place of use as proposed in Transfer Application T-10754 satisfy 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.

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Phillip C. Ward, Director

Mailing Date: FEB 05 2009