

STATE OF OREGON

COUNTY OF DESCHUTES

ORDER APPROVING CHANGES IN USE AND PLACE OF USE

Pursuant to ORS 540.510 to 540.530, 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 8486 submitted by

CHARLOTTE MEYER  
2620 NE HIGHWAY 20 #250  
BEND, OREGON 97701.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by a PORTION of Certificate 76358. The decree is recorded in the Order Record of the Water Resources Director in Volume 12, at Page 282 and in Volume 16, at Pages 1 and 390. The dates of priority are OCTOBER 31, 1900 and DECEMBER 2, 1907.

The right allows the use of the DESCHUTES RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 7.70 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.24 cubic foot per second, if available at the authorized point of diversion:

**This is an 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 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

SW¼ NE¼, SECTION 13, T 18 S, R 11 E, W.M.; 1520 FEET SOUTH AND 1535 FEET WEST FROM THE NE CORNER, SECTION 13, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to a diversion of not to exceed the quantity determined by decree of the Circuit Court for Deschutes County, dated March 24, 1933 being:

April 1 to May 1 and October 1 to November 1	1 cfs to 80.0 acres
May 1 to May 15 and September 15 to October 1	1 cfs to 60.0 acres
May 15 to September 15	1 cfs to 32.4 acres

for each acre irrigated by the Central Oregon Irrigation District main canal systems during the irrigation season of each year, not to exceed 9.91 acre-feet for each acre irrigated during the irrigation season as measured at the diversion from the source. The quantities reflect a 45% transmission loss as determined by decree of the Circuit Court for Deschutes County, dated March 24, 1933. Those lands not served from the district main canal systems but by direct pumping from the Deschutes River will not be allowed the 45% transmission loss.

The authorized place of use is located as follows:

	<u>Place of Use</u>	<u>Place of Use and Use</u>
SE¼ SW¼	6.78 ACRES	0.22 ACRE
	SECTION 31	
	TOWNSHIP 17 SOUTH, RANGE 13 EAST, W.M.	
SW¼ NW¼	0.7 ACRES	
	SECTION 12	
	TOWNSHIP 18 SOUTH, RANGE 13 EAST, W.M.	

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 decree.

The second right to be modified, as evidenced by a portion of Certificate 76714, was perfected under Permit 23256 with a date of priority of FEBRUARY 28, 1913. The right allows the use of the waters of CRANE PRAIRIE RESERVOIR, CONSTRUCTED UNDER PERMIT R-1687, a tributary of the DESCHUTES RIVER, for SUPPLEMENTAL IRRIGATION OF 7.7 ACRES.

This appropriation shall be limited to the duty of water as set out in the modified supplemental decree of the circuit court dated March 24, 1933 in the matter of the determination of the relative rights to the use of the waters of the Deschutes River and its tributaries; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein, and shall be further limited to the terms of the inter-district contract dated January 4, 1938, between the Central Oregon Irrigation District, Crook County Improvement District #1, and the Arnold Irrigation District, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The authorized place of use is located as follows:

SE $\frac{1}{4}$  SW $\frac{1}{4}$             7.0 ACRES  
SECTION 31  
TOWNSHIP 17 SOUTH, RANGE 13 EAST, W.M.

SW $\frac{1}{4}$  NW $\frac{1}{4}$             0.7 ACRES  
SECTION 12  
TOWNSHIP 18 SOUTH, RANGE 13 EAST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described.

The applicant proposes to change the character of use from PRIMARY AND SUPPLEMENTAL IRRIGATION to POND MAINTENANCE.

The applicant proposes to change the use and place of use to:

	<u>IRRIGATION</u>	<u>POND</u>
SW¼ NW¼	7.48 ACRES	0.22 ACRE
SECTION 12		
TOWNSHIP 18 SOUTH, RANGE 13 EAST, W.M.		


THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2002.
2. The use of water for pond maintenance shall be limited to 0.007 cubic foot per second and shall not exceed 2.18 acre feet during the irrigation season of each year.
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. The former place of use shall no longer be irrigated as a part of this water right.

The rights evidenced by Certificates 76358 and 76714 are modified as described herein. After satisfactory proof of completion of the modification authorized herein is received, certificates confirming this and other modifications that may have accrued to the rights evidenced by Certificates 76358 and 76714 will be issued.

WITNESS the signature of the Water Resources

Director, affixed FEB 22 2001.

  
for Paul R. Cleary, Director