

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

In the Matter of Transfer Application            )    FINAL ORDER APPROVING  
T-11834, Deschutes County                    )    A DISTRICT PERMANENT TRANSFER FOR  
  )    PLACE OF USE

**Authority**

Oregon Revised Statutes (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. Oregon Administrative Rule (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 AVE  
BEND, OR 97701

**Findings of Fact**

1. On June 11, 2014, TUMALO Irrigation District (TID) filed a district transfer application to permanently change the place of use under Certificates 74146, 74147, 74148, 74149, and 76520. The Department assigned the application number T-11834.
2. Notice of the District Permanent Transfer Application was published on June 17, 2014, pursuant to ORS 540.580 and OAR 690-385-4400. One comment was filed in response to the notice.
3. On February 17, 2020, TID submitted new tables correcting a scrivener’s error in a quarter-quarter description and updating water user names.
4. The portion of the first right to be transferred is as follows:  
**Certificate:** 74146 in the name of TUMALO IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County)  
**Use:** IRRIGATION of 3.46 acres  
**Priority Date:** MAY 27, 1907  
**Rate & Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SEVENTIETH of one cubic foot per second (or its equivalent) and 1.8

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

Within 20 days after this final order is issued (i.e., mailing date), the district or any protestant may file with the commission exceptions to the final order. The commission shall issue an order granting or denying the exceptions within 30 days after receiving the exceptions. ORS 540.580(10).

acre-feet, measured at or within one-half mile of the land to be irrigated, for each acre irrigated during the irrigation season of each year.

**Source:** TUMALO CREEK, tributary of the DESCHUTES RIVER

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	11 E	WM	23	SW NE	TUMALO FEED CANAL POD 1: NORTH 70° 21' WEST, 1550 FEET FROM THE EAST ¼ CORNER OF SECTION 23
18 S	10 E	WM	2	NW SW	TUMALO CREEK POD 2: NORTH 14° 02' EAST, 1713 FEET FROM THE SOUTH ¼ CORNER OF SECTION 2

**Authorized Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	0.04	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NW NE	0.13	820	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW NE	3.29	828	KC DEVELOPMENT GROUP LLC
<b>Total:</b>					<b>3.46</b>		

5. Transfer Application T-11834 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	1.28	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NW NE	0.01	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW NW	0.56	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SE NW	1.44	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	0.04	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE SW	0.07	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	14	NE NE	0.06	11401	TANAGER DEVELOPMENT LLC
<b>Total:</b>					<b>3.46</b>		

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

**Certificate:** 74147 in the name of TUMALO IRRIGATION DISTRICT (perfected under Permit S-19628)

**Use:** IRRIGATION of 17.68 acres; SUPPLEMENTAL IRRIGATION of 3.46 acres

**Priority Date:** OCTOBER 29, 1913

**Maximum Quantity (Rate) that can be applied to an acre at the diversion:**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands is limited as follows:

Apr 1 to May 1 and Oct 1 to Nov 1: 1/80 cfs

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

May 15 to Sep 15: 1/32.4 cfs

**Maximum Duty that can be applied to an acre at the diversion during a season:**

Not to exceed 9.91 acre-feet (af) per acre per year.

**Sources:** TUMALO CREEK, CRATER CREEK, LITTLE CRATER CREEK AND THREE SPRINGS BRANCHES, tributaries of the DESCHUTES RIVER.

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	11 E	WM	23	SW NE	TUMALO FEED CANAL POD 1: NORTH 70° 21' WEST, 1550 FEET FROM THE EAST ¼ CORNER OF SECTION 23

**Authorized Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NE NW	0.66	822	CADWELL
17 S	11 E	WM	13	NE NW	6.08	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.33	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW NW	0.70	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	1.20	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SW NW	2.03	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	0.28	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	1.53	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW SW	3.30	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	KCD	13	NW SW	1.57	828	KC DEVELOPMENT GROUP LLC
<b>Total:</b>					<b>17.68</b>		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	0.04	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NW NE	0.13	820	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW NE	3.29	828	KC DEVELOPMENT GROUP LLC
<b>Total:</b>					<b>3.46</b>		

7. Transfer Application T-11834 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	0.06	820	KC DEVELOPMENT GROUP
17 S	11 E	WM	13	NE NW	2.72	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NE NW	3.61	822	CADWELL
17 S	11 E	WM	13	NE NW	0.06	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.70	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	1.17	823	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	0.57	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SW NW	3.06	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	2.82	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE SW	0.34	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE SW	0.87	826	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW SW	0.71	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	14	NE NE	0.99	11401	TANAGER DEVELOPMENT LLC
<b>Total:</b>					<b>17.68</b>		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	1.28	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NW NE	0.01	828	KC DEVELOPMENT GROUP, LLC
17 S	11 E	WM	13	NW NW	0.56	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SE NW	1.44	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	0.04	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE SW	0.07	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	14	NE NE	0.06	11401	TANAGER DEVELOPMENT LLC
<b>Total:</b>					<b>3.46</b>		

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

**Certificate:** 74148 in the name of TUMALO IRRIGATION DISTRICT (perfected under Permit S-624)

**Use:** SUPPLEMENTAL IRRIGATION of 21.14 acres

**Priority Date:** APRIL 7, 1911

**Limit/Duty:**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of the following amounts measured at the point of diversion from the Deschutes River for each acre irrigated during the periods indicated below during the irrigation season of each year.

Apr 1 to May 1 and Oct 1 to Nov 1: 0.75 acre-feet

May 1 to May 15 and Sep 15 to Oct 1: 0.50 acre-feet

May 15 to Sep 15: 7.40 acre-feet

Further limited to a total diversion of not to exceed 35,000 acre-feet stored water only during any one irrigation season.

**Source:** CRESCENT LAKE RESERVOIR, constructed under Permit R-102, a tributary of CRESCENT CREEK

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q
24 S	6 E	WM	11	SE SW
24S	6 E	WM	11	SW SE

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	0.04	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NW NE	0.13	820	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW NE	3.29	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.66	822	CADWELL
17 S	11 E	WM	13	NE NW	6.08	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.33	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW NW	0.70	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	1.20	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SW NW	2.03	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	0.28	824	KC DEVELOPMENT GROUP LLC

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	SE NW	1.53	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW SW	3.30	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	KCD	13	NW SW	1.57	828	KC DEVELOPMENT GROUP LLC
<b>Total:</b>					<b>21.14</b>		

9. Transfer Application T-11834 proposes to change the place of use to:

**Proposed Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	1.28	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NW NE	0.06	820	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW NE	0.01	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	2.72	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NE NW	3.61	822	CADWELL
17 S	11 E	WM	13	NE NW	0.06	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.70	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW NW	0.56	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	1.17	823	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	0.57	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SW NW	3.06	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	1.44	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	2.86	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE SW	0.41	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE SW	0.87	826	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW SW	0.71	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	14	NE NE	1.05	11401	TANAGER DEVELOPMENT LLC
<b>Total:</b>					<b>21.14</b>		

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

**Certificate:** 74149 in the name of TUMALO IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County)

**Use:** SUPPLEMENTAL IRRIGATION of 21.14 acres

**Priority Date:** 1905

**Limit/Duty:** The use is limited to the amount beneficially used and shall not exceed 9.50 cubic feet per second for supplemental irrigation, industrial use and pond maintenance during the irrigation season from April 1 to November 1 and storage of said water in Crescent Lake Reservoir during the non-irrigation season, or its equivalent in case of rotation, measured at the point of diversion from the source.

**Source:** The DESCHUTES RIVER, tributary to the COLUMBIA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	32	NW NE	BEND FEED CANAL: 100 FEET SOUTH AND 550 FEET EAST FROM THE N ¼ CORNER OF SECTION 32

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	0.04	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NW NE	0.13	820	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW NE	3.29	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.66	822	CADWELL
17 S	11 E	WM	13	NE NW	6.08	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.33	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW NW	0.70	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	1.20	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SW NW	2.03	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	0.28	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	1.53	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW SW	3.30	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	KCD	13	NW SW	1.57	828	KC DEVELOPMENT GROUP LLC
<b>Total:</b>					<b>21.14</b>		

11. Transfer Application T-11834 proposes to change the place of use to:

**Proposed Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	1.28	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NW NE	0.06	820	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW NE	0.01	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	2.72	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NE NW	3.61	822	CADWELL
17 S	11 E	WM	13	NE NW	0.06	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.70	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW NW	0.56	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	1.17	823	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	0.57	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SW NW	3.06	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	1.44	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	2.86	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE SW	0.41	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE SW	0.87	826	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW SW	0.71	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	14	NE NE	1.05	11401	TANAGER DEVELOPMENT LLC
<b>Total:</b>					<b>21.14</b>		

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

**Certificate:** 76520 in the name of TUMALO IRRIGATION DISTRICT (perfected under Permit S-27841)

**Use:** SUPPLEMENTAL IRRIGATION of 21.14 acres

**Priority Date:** DECEMBER 8, 1961

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of not to exceed 9.91 acre-feet per acre for each acre irrigated during the

irrigation season of each year and the right allowed hereunder for the appropriation of water for lands having a valid prior right shall be limited to the amount necessary to make up any deficiency in water available to said lands under said prior right and the amount allowed herein, together with the amount secured under any other right existing for said lands, shall be limited by the duty of water as fixed herein; and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

**Source:** CRESCENT LAKE RESERVOIR (constructed under Permit R-2744), tributary of CRESCENT CREEK and the LITTLE DESCHUTES RIVER, tributary to the DESCHUTES RIVER

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	32	NW NE	TUMALO ID BEND FEED CANAL: 2050 FEET WEST FROM THE NE CORNER OF SECTION 23
24 S	6 E	WM	11	SE SW	CRESCENT LAKE RESERVOIR – NONE GIVEN

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	0.04	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NW NE	0.13	820	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW NE	3.29	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.66	822	CADWELL
17 S	11 E	WM	13	NE NW	6.08	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.33	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW NW	0.70	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	1.20	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SW NW	2.03	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	0.28	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	1.53	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW SW	3.30	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	KCD	13	NW SW	1.57	828	KC DEVELOPMENT GROUP LLC
<b>Total:</b>					<b>21.14</b>		

13. Transfer Application T-11834 proposes to change the place of use to:

**Proposed Place of Use:**

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	NW NE	1.28	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NW NE	0.06	820	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NW NE	0.01	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	2.72	819	CADWELL FAMILY TRUST
17 S	11 E	WM	13	NE NW	3.61	822	CADWELL
17 S	11 E	WM	13	NE NW	0.06	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE NW	0.70	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW NW	0.56	829	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	SW NW	1.17	823	TANAGER DEVELOPMENT LLC

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
17 S	11 E	WM	13	SW NW	0.57	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SW NW	3.06	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	1.44	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	SE NW	2.86	828	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE SW	0.41	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	13	NE SW	0.87	826	TANAGER DEVELOPMENT LLC
17 S	11 E	WM	13	NW SW	0.71	824	KC DEVELOPMENT GROUP LLC
17 S	11 E	WM	14	NE NE	1.05	11401	TANAGER DEVELOPMENT LLC
<b>Total:</b>					<b>21.14</b>		

14. The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.
15. The Department reviewed the one submitted comment (Finding of Fact #2). The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
16. The water right is subject to transfer as defined in OAR 690-385-0100(17).
17. Prior to filing district transfer application T-11834 on June 11, 2014, beneficial use of water was made on the authorized place of use in T-11834 under Certificates 74146 and 74147 as evidenced by sequential Instream Leases IL 805 (expired October 1, 2007), IL 916 (expired October 1, 2008), and IL 991 (expired October 1, 2009).
18. The proposed change in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
19. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
20. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

**Conclusions of Law**

The proposed changes in place of use as proposed in Transfer Application T-11834 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.

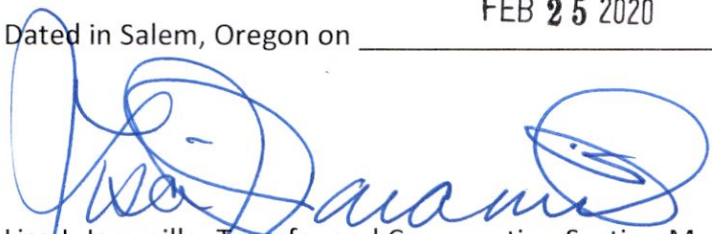
**Now, therefore, it is ORDERED:**

1. The proposed changes in place of use to the water rights evidenced by Certificates 74146, 74147, 74148, 74149, and 76520 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use not modified by this order and is subject to all other conditions and limitations contained in Certificates 74146, 74147, 74148, 74149, and 76520, and any related decree.



3. The proposed changes in place of use as proposed in Transfer Application T-11834 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.
4. The place of use from which the water right is removed by T-11834 shall no longer be irrigated under the transferred rights.
5. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2021**. A Claim of Beneficial Use shall be submitted by TID to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
7. Water right Certificates 74146, 74147, 74148, 74149, and 76520 are modified. After satisfactory proof of completion has been determined by the Department, superseding confirming-remaining water right certificates will be issued when the Department determines it is necessary for record keeping.

Dated in Salem, Oregon on FEB 25 2020



Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
THOMAS M. BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing Date: FEB 26 2020