

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
DAN C. BOONE & KENNETH D. STEVENS)
(TUMALO IRRIGATION DISTRICT) FOR AP-)
PROVAL OF A CHANGE IN PLACE OF USE)
OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3998

On July 27, 1978, Dan C. Boone and Kenneth D. Stevens filed an application in the office of the Water Resources Director 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.

Certificate of water right issued to Tumalo Irrigation District and recorded at page 26050, Volume 18, State Record of Water Right Certificates, confirms a right to the use of not to exceed 136.0 cubic feet per second of water from Tumalo Creek, supplemented by the use of not to exceed 40.0 cubic feet per second of water from Crater Creek and not to exceed 34.0 cubic feet per second of water from Little Crater Creek and not to exceed 1.0 cubic foot per second from three spring branches for irrigation of, among other lands, a certain 6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 16 South, Range 12 East, W.M., with a date of priority of October 29, 1913.

These lands also have supplemental rights evidenced by certificate recorded at page 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 recorded at page 26051, Volume 18, State Record of Water Right Certificates, to the use of the waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911; and permit No. 27841 for the use of waters of Crescent Lake Reservoir, with a date of priority of December 8, 1961.

The applicants herein, owners of the lands above described, propose to transfer the water rights therefrom, without loss of priority, and to irrigate in lieu thereof a certain 2.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 16 South, Range 11 East, W.M.; and 4.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 16 South, Range 12 East, W.M.

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 held February 14, 1978.

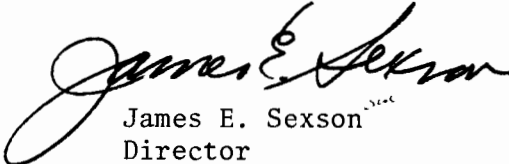
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that upon receipt of 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, certificate of water right shall be issued to Tumalo Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon this 5th day of September, 1978.


James E. Sexson¹⁹⁷⁸
Director