

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF EVAN)
BALDWIN (TUMALO IRRIGATION DISTRICT) 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)

ORDER APPROVING
TRANSFER NO. 3306

On August 25, 1975, Evan Baldwin 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.

By Decree of the Circuit Court for Deschutes County, Oregon, entered August 27, 1958, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Tumalo Creek, a tributary of Deschutes River, a water right was established in the name of Tumalo Irrigation District, tabulated in the name of M. A. Piercey at Volume 15, page 322, for irrigation of, among other lands, 2.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 16 South, Range 12 East, W.M., with a date of priority of September, 1900, as evidenced by certificate recorded at page 26508, Volume 18, State Record of Water Right Certificates.

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 26050, Volume 18, State Record of Water Right Certificates, to the use of water from Tumalo Creek, Crater Creek, Little Crater Creek and Three Spring Branches, with a date of priority of October 29, 1913; 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 applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, to 2.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 17, 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 September 3, 1974.

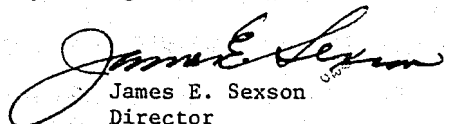
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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, 1979.

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, a certificate of water right will be issued to the Tumalo Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 15th day of August, 1977.


James E. Sexson
Director