

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF AN AMENDMENT
TO PERMIT NO. 23256 IN THE NAME
OF THE CENTRAL OREGON IRRIGATION
DISTRICT, TRUSTEE - - - - -

FINDINGS, CONCLUSIONS AND
ORDER
AMENDING PERMIT

FINDINGS

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Application has been made for amendment of permit No. 23256 for use of water stored in Crane Prairie Reservoir, particularly in the matter of the duty of water as fixed in said permit. Permit No. 23256 issued to Central Oregon Irrigation District, trustee, on March 21, 1955, granted the right to appropriate 50,000 acre feet of stored water only, from Crane Prairie Reservoir constructed under permit No. R-1687 for supplemental irrigation of the lands within the Central Oregon Irrigation District, the Arnold Irrigation District and the Crook County Improvement District No. 1, with priority date of February 28, 1913. The duty of water as fixed in the said permit was stated as follows:

"If for irrigation, 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 interdistrict contract dated January 4, 1938, between the Central Oregon Irrigation District, Crook County Improvement District No. 1 and the Arnold Irrigation Company, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer".

The decree of the circuit court for the County of Deschutes dated March 24, 1933, to which the duty of water as stated in the permit was referred, reads as follows:

CUBIC FEET PER SECOND OF TIME PER ACRE AT DIVERSION

Name of Project	Trans-mission Losses	April 1 to May 1	May 1 to May 15	May 15 to Sept. 15	Sept. 15 to Oct. 1	Oct. 1 to Nov. 1	Total Acres Feet at River During Season
Arnold Irr. Co.	65%	1 ft. to 51 ac.	1 ft. to 39 ac.	1 ft. to 20.8 ac.	1 ft. to 39 ac.	1 ft. to 51 ac.	15.42
Central Ore. Irr. Co.	45%	1 ft. to 80 ac.	1 ft. to 60 ac.	1 ft. to 32.4 ac.	1 ft. to 60 ac.	1 ft. to 80 ac.	9.91
Deschutes Mun. Imp. Dist. # 1	45%	1 ft. to 80 ac.	1 ft. to 60 ac.	1 ft. to 32.4 ac.	1 ft. to 60 ac.	1 ft. to 80 ac.	9.91
Deschutes Rec. & Irr. Co.	43%	1 ft. to 83 ac.	1 ft. to 62 ac.	1 ft. to 33.45 ac.	1 ft. to 62 ac.	1 ft. to 83 ac.	9.58
Odin Falls Land Co.	0	1 ft. to 150 ac.	1 ft. to 109 ac.	1 ft. to 58.7 ac.	1 ft. to 109 ac.	1 ft. to 150 ac.	5.44
Cline Falls Power Co.	0	1 ft. to 150 ac.	1 ft. to 109 ac.	1 ft. to 58.7 ac.	1 ft. to 109 ac.	1 ft. to 150 ac.	5.44
Crook Cty. Imp. District No. 1 at Lone Pine Weir	35%	1 ft. to 137 ac.	1 ft. to 109 ac.	1 ft. to 86.6 ac.	1 ft. to 109 ac.	1 ft. to 137 ac.	4.20 At Lone Pine Weir

The application for modification of the permit asserts that the total quantity of water granted as shown in the preceeding tabulation, being 15.42 acre feet for the Arnold Irrigation District and 9.91 acre feet for the Central Oregon Irrigation District, is adequate as an over-all seasonal requirement, but that the distribution by months as fixed in the said tabulation is not satisfactory, particularly that insufficient water is granted for the beginning of the irrigation season extending from April 1 to May 15.

The quantity of water allowed for Crook County Improvement District No. 1 (Lone Pine) is inadequate both in total quantity and seasonal distribution. Support for this finding will be found in the decree of the court immediately following the preceding tabulation, which reads:

"It is further ordered and decreed that the quantity of water appropriated by the Crook County Improvement District No. 1 is insufficient to properly reclaim and irrigate the entire project, 2520 acres, ***"

Transmission losses for water delivered to the Lone Pine weir are on the order of 25 per cent.

CONCLUSIONS

Permit No. 23256 deals with the use of stored water only, therefore, no specific seasonal limitation in the quantity to be used is necessary as long as the total amount does not exceed the certain specified duty. The duty of water as fixed in permit No. 23256 should be modified to eliminate specific seasonal limitations to the use of the stored water.

The duty of water as fixed in the said permit should also be modified to lower the duty for stored water for lands within the Crook County Improvement District No. 1 (Lone Pine) to allow the same duty of water on the land as on the lands within the Central Oregon Irrigation District (5.44 acre feet per acre) with transmission losses of 25 per cent.

ORDER

It is ORDERED that the duty of water as fixed by permit No. 23256 issued to Central Oregon Irrigation District, trustee, on March 21, 1955 shall be and the same hereby is amended to read as follows:

If for irrigation, this appropriation shall be limited to 15.42 acre feet per acre for lands covered by the Arnold Irrigation District, 9.91 acre feet per acre for lands covered by the Central Oregon Irrigation District and 7.30 acre feet per acre for lands within the Crook County Improvement District No. 1, measured at the point of diversion from the Deschutes River; provided 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 interdistrict contract, dated January 4, 1938, between the Central Oregon Irrigation District, Crook County Improvement District No. 1 and the Arnold Irrigation District.

Dated at Salem, Oregon, this 8th day of November 1961.



LEWIS A. STANLEY
State Engineer