

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
DONALD C. AND JEANNE D. LIEN) ORDER APPROVING
(TUMALO IRRIGATION DISTRICT)) TRANSFER 6236
FOR APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER)

On April 24, 1989, an application was filed in the office of the Water Resources Director by Donald C. and Jeanne D. Lien for approval of a change in place of use of water from Tumalo Creek, Crater Creek, Little Crater Creek, three spring branches, Crescent Lake Reservoir, and Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Tumalo Irrigation District recorded at page 26050, State Record of Water Right Certificates, describes a right to the use of water from Tumalo Creek, Crater Creek, Little Crater Creek, and three spring branches for irrigation of, among other lands, a certain 0.8 acre (TL914), SW 1/4 NW 1/4, Section 25, Township 16 South, Range 11 East, WM, with a priority date of October 29, 1913.

These lands also have supplemental rights evidenced by Certificate 31412, State Record of Water Right Certificates, to the use of water from the Deschutes River, with a priority date of 1905; Certificate 26051, to the use of waters of Crescent Lake Reservoir, with a priority date of April 7, 1911; and Permit 27841 for the use of waters of Crescent Lake Reservoir, with a priority date of December 8, 1961.

The applicant herein, owner of the lands described above, proposes to transfer the water right therefrom to a certain 0.8 acre SW 1/4 NW 1/4, Section 25, Township 16 South, Range 11 East, WM (Jack L. and Sandra L. Anderson).

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.

Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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

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

It is FURTHER ORDERED that the subject water right is hereby severed from the place of use described in Certificates 26050, 31412, and 26051 and shall be beneficially used as authorized by this order on or before October 1, 1990.

It is FURTHER ORDERED that upon 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, the change of water right shall be considered perfected. At a later date, a certificate of water right shall be issued to Tumalo Irrigation District confirming this and other changes within the District, and superseding said Certificates.

Dated at Salem, Oregon this 21st day of August, 1989.

William H. Young
WILLIAM H. YOUNG
Director

NOTE: Approval of the water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.