

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

In the Matter of Transfer Application) **F I N A L O R D E R**
T-9593, Deschutes County) **APPROVING A DISTRICT**
) **PERMANENT TRANSFER**

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. 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 AVENUE
BEND, OREGON 97701

Findings of Fact

1. On October 14, 2003, Tumalo Irrigation District filed a district transfer application to permanently change the place of use under Certificates 74146, 74147, 76106, 74148, 74149, and 76520. The Department assigned the application number T-9593.
2. Notice of the application for transfer was published pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. The portion of the first right to be transferred is as follows:
Certificate: 74146, issued in the name of Tumalo Irrigation District
Use: Irrigation
Priority Date: August 5, 1900, September 1900, April 28, 1905,
 May 27, 1907, and June 1, 1907.
Rate & Duty: Maximum of 1/70 cfs per acre irrigated & 1.8 acre-feet per acre per year
Source: Tumalo Creek, a tributary of the Deschutes River.

Authorized Place of Use:

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either 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.

PRIORITY	TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
06/01/07	16	S	11	E	WM	14	NE	NE	200	N & J FRATER	1.00	03-005
09/01/00	16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	0.50	03-008
09/01/00	16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	14.20	03-011
06/01/07	16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	0.60	03-011
09/01/00	16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	10.80	03-011
06/01/07	16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	11.45	03-011
09/01/00	16	S	11	E	WM	25	SE	NE	502	SCHUMACHER TRST	5.00	03-010
08/05/00	16	S	11	E	WM	34	NE	NW	403	R & C BOOHER	1.00	02-004
04/28/05	16	S	12	E	WM	17	NW	NE	302	B & L COLE	1.00	03-004
06/01/07	16	S	12	E	WM	18	NE	SE	600	N & S MANIS	3.00	03-002/003/009
09/01/00	16	S	12	E	WM	31	NE	SW	407	SCIENCE LLC	1.84	03-001
09/01/00	16	S	12	E	WM	31	NW	SW	407	SCIENCE LLC	0.82	03-001
									TOTAL:	51.21		

4. Application T-9593 proposes to change the place of use to:

PRIORITY	TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
06/01/07	16	S	11	E	WM	13	SE	SE	1100	R & C CARVER	1.00	03-005
09/01/00	16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	0.50	03-008
09/01/00	16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	13.40	03-011
09/01/00	16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	11.60	03-011
06/01/07	16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	12.05	03-011
06/01/07	16	S	11	E	WM	24	NW	SE	1400	D & L WALKER	1.00	03-002
09/01/00	16	S	11	E	WM	25	SE	NE	501	SCHUMACHER TRST	5.00	03-010
06/01/07	16	S	11	E	WM	34	NE	SW	807	S & M TIMM	1.00	03-009
06/01/07	16	S	12	E	WM	8	NW	SW	1702	PAINTER TRST	1.00	03-003
04/28/05	16	S	12	E	WM	17	NW	NE	400	S & A WALTERSCHEID	1.00	03-004
08/05/00	16	S	12	E	WM	19	NE	SW	300	D & J LEAHY	1.00	02-004
09/01/00	16	S	12	E	WM	31	NW	SW	407	SCIENCE LLC	0.10	03-001
09/01/00	16	S	12	E	WM	31	NW	SW	418	SCIENCE LLC	2.56	03-001
									TOTAL:	51.21		

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

Certificate: 74147, issued in the name of Tumalo Irrigation District

Use: Irrigation

Priority Date: October 29, 1913

Rate & Duty: Maximum of 1/80 cfs per acre, and 9.91 per acre-feet per year.

Source: Tumalo Creek, Crater Creek, Little Crater Creek, and three spring branches, tributaries of the Deschutes River.

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	3.45	03-011
16	S	11	E	WM	23	SE	SE	524	L & K LUCUS	8.20	03-011

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	12	E	WM	8	NW	SE	1404	W & K SELIGER	2.20	03-013
16	S	12	E	WM	17	NW	NE	300	B & L COLE	2.00	03-06/07
16	S	12	E	WM	17	NW	NE	300	B & L COLE	2.00	03-06/07
16	S	12	E	WM	17	NW	NE	301	B & L COLE	2.50	03-008
16	S	12	E	WM	31	NE	SW	418	SCIENCE LLC	1.37	03-001
TOTAL:									21.72		

6. Application T-9593 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	2.50	03-008
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	3.25	03-011
16	S	11	E	WM	23	SE	SE	524	L & K LUCUS	8.40	03-011
16	S	11	E	WM	27	SE	NW	208	J & J GISLER	0.64	03-007
16	S	11	E	WM	27	SE	NW	214	J & J GISLER	1.36	03-007
16	S	12	E	WM	8	NW	SE	1403	W & K SELIGER	0.20	03-013
16	S	12	E	WM	8	NW	SE	1404	W & K SELIGER	2.00	03-013
16	S	12	E	WM	31	NE	SW	418	SCIENCE LLC	0.08	03-001
16	S	12	E	WM	31	NW	SW	418	SCIENCE LLC	1.29	03-001
16	S	11	E	WM	35	NW	NE	800	MILLER	2.00	03-006
TOTAL:									21.72		

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

Certificate: 76106, issued in the name of Tumalo Irrigation District

Use: Irrigation

Priority Date: December 8, 1961

Rate & Duty: 1/70 cfs per acre, and 2.5 acre-feet per acre per year.

Source: Tumalo Creek and Upper Tumalo Reservoir, tributaries of the Deschutes River.

Authorized place of use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	25	SE	NE	501	W & D SCHUMACHER TRST	6.00	03-010
16	S	11	E	WM	25	SE	NE	502	W & D SCHUMACHER TRST	5.00	03-010
TOTAL									11.00		

8. Application T-9593 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	25	SE	NE	501	W & D SCHUMACHER TRST	6.00	03-010
16	S	11	E	WM	25	SE	NE	502	W & D SCHUMACHER TRST	5.00	03-010
TOTAL									11.00		

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

Certificate: 74147, issued in the name of Tumalo Irrigation District

Use: Supplemental Irrigation

Priority Date: October 29, 1913

Rate & Duty: Maximum of 1/80 cfs per acre, and 9.91 acre-feet per acre per year.

Source: Tumalo Creek, Crater Creek, Little Crater Creek, and three spring branches, tributaries of the Deschutes River.

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	0.50	03-008
16	S	11	E	WM	14	NE	NE	200	N & G FRATER	1.00	03-005
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	14.20	03-011
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	0.60	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	10.80	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	11.45	03-011
16	S	11	E	WM	25	SE	NE	502	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	34	NE	NW	403	R & C BOOHER	1.00	02-004
16	S	12	E	WM	17	NW	NE	302	B & L COLE	1.00	03-004
16	S	12	E	WM	18	NE	SE	600	N & S MANIS	3.00	03-002/003/009
16	S	12	E	WM	31	NE	SW	407	SCIENCE LLC	1.84	03-001
16	S	12	E	WM	31	NW	SW	407	SCIENCE LLC	0.82	03-001
TOTAL									51.21		

10. Application T-9593 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	13	SE	SE	1100	R & C CARVER	1.00	03-005
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	0.50	03-008
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	13.40	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	11.60	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	12.05	03-011
16	S	11	E	WM	24	NW	SE	1400	D & L WALKER	1.00	03-002
16	S	11	E	WM	25	SE	NE	501	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	34	NE	SW	807	S & M TIMM	1.00	03-009
16	S	12	E	WM	8	NW	SW	1702	PAINTER TRST	1.00	03-003
16	S	12	E	WM	17	NW	NE	400	S & A WALTERSCHEID	1.00	03-004
16	S	12	E	WM	19	NE	SW	300	D & J LEAHY	1.00	02-004
16	S	12	E	WM	31	NW	SW	407	SCIENCE LLC	0.10	03-001
16	S	12	E	WM	31	NW	SW	418	SCIENCE LLC	2.56	03-001
TOTAL									51.21		

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

Certificate: 74148, issued in the name of Tumalo Irrigation District

Use: Supplemental Irrigation

Priority Date: April 7, 1911

Rate & Duty: Maximum of 7.4 acre-feet per year (May 15 – September 15 season)

Source: Crescent Lake Reservoir, a tributary of Crescent Creek.

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	0.50	03-008
16	S	11	E	WM	14	NE	NE	200	N & G FRATER	1.00	03-005
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	14.20	03-011
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	0.60	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	10.80	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	11.45	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	3.45	03-011
16	S	11	E	WM	23	SE	SE	524	L & K LUCUS	8.20	03-011
16	S	11	E	WM	25	SE	NE	502	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	34	NE	NW	403	R & C BOOHER	1.00	02-004
16	S	12	E	WM	8	NW	SE	1404	W & K SELIGER	2.20	03-013
16	S	12	E	WM	17	NW	NE	300	B & L COLE	2.00	03-006/007
16	S	12	E	WM	17	NW	NE	300	B & L COLE	2.00	03-006/007
16	S	12	E	WM	17	NW	NE	301	B & L COLE	2.50	03-008
16	S	12	E	WM	17	NW	NE	302	B & L COLE	1.00	03-004
16	S	12	E	WM	18	NE	SE	600	N & S MANIS	3.00	03-002/003/009
16	S	12	E	WM	31	NE	SW	407	SCIENCE LLC	1.84	03-001
16	S	12	E	WM	31	NE	SW	418	SCIENCE LLC	1.37	03-001
16	S	12	E	WM	31	NW	SW	407	SCIENCE LLC	0.82	03-001
								TOTAL	72.93		

12. Application T-9593 proposes to change the place of use to:

TW	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	13	SE	SE	1100	R & C CARVER	1.00	03-005
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	0.50	03-008
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	2.50	03-008
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	13.40	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	11.60	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	12.05	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	3.25	03-011
16	S	11	E	WM	23	SE	SE	524	L & K LUCUS	8.40	03-011
16	S	11	E	WM	24	NW	SE	1400	D & L WALKER	1.00	03-002
16	S	11	E	WM	25	SE	NE	501	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	27	SE	NW	208	J & J GISLER	0.64	03-007
16	S	11	E	WM	27	SE	NW	214	J & J GISLER	1.36	03-007
16	S	11	E	WM	34	NE	SW	807	S & M TIMM	1.00	03-009

TW	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	35	NW	NE	800	MILLER	2.00	03-006
16	S	12	E	WM	8	NW	SW	1702	PAINTER TRUST	1.00	03-003
16	S	12	E	WM	8	NW	SE	1403	W & K SELIGER	0.20	03-013
16	S	12	E	WM	8	NW	SE	1404	W & K SELIGER	2.00	03-013
16	S	12	E	WM	17	NW	NE	400	S & A WALTERSCHEID	1.00	03-004
16	S	12	E	WM	19	NE	SW	300	D & J LEAHY	1.00	02-004
16	S	12	E	WM	31	NE	SW	418	SCIENCE LLC	0.08	03-001
16	S	12	E	WM	31	NW	SW	407	SCIENCE LLC	0.10	03-001
16	S	12	E	WM	31	NW	SW	418	SCIENCE LLC	2.56	03-001
16	S	12	E	WM	31	NW	SW	418	SCIENCE LLC	1.29	03-001
TOTAL:									72.93		

13. The portion of the sixth right to be transferred is as follows:
Certificate: 74149, issued in the name of Tumalo Irrigation District
Use: Supplemental Irrigation
Priority Date: 1905
Rate & Duty: Maximum of 9.5 acre-feet per acre per year
Source: Deschutes River, a tributary of the Columbia River.

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	0.50	03-008
16	S	11	E	WM	14	NE	NE	200	N & J FRATER	1.00	03-005
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	14.20	03-011
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	0.60	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	3.45	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	10.80	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	11.45	03-011
16	S	11	E	WM	23	SE	SE	524	L & K LUCUS	8.20	03-011
16	S	11	E	WM	25	SE	NE	501	SCHUMACHER TRST	6.00	03-010
16	S	11	E	WM	25	SE	NE	502	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	25	SE	NE	502	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	34	NE	NW	403	R & C BOOHER	1.00	02-004
16	S	12	E	WM	8	NW	SE	1404	W & K SELIGER	2.20	03-013
16	S	12	E	WM	17	NW	NE	300	B & L COLE	2.00	03-06/07
16	S	12	E	WM	17	NW	NE	300	B & L COLE	2.00	03-006/007
16	S	12	E	WM	17	NW	NE	301	B & L COLE	2.50	03-008
16	S	12	E	WM	17	NW	NE	302	B & L COLE	1.00	03-004
16	S	12	E	WM	18	NE	SE	600	N & S MANIS	3.00	03-002/003/009
16	S	12	E	WM	31	NE	SW	407	SCIENCE LLC	1.84	03-001
16	S	12	E	WM	31	NE	SW	418	SCIENCE LLC	1.37	03-001
16	S	12	E	WM	31	NW	SW	407	SCIENCE LLC	0.82	03-001
TOTAL:									83.93		

14. Application T-9593 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	13	SE	SE	1100	R & C CARVER	1.00	03-005
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	0.50	03-008
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	2.50	03-008
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	13.40	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	11.60	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	12.05	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	3.25	03-011
16	S	11	E	WM	23	SE	SE	524	L & K LUCUS	8.40	03-011
16	S	11	E	WM	24	NW	SE	1400	D & L WALKER	1.00	03-002
16	S	11	E	WM	25	SE	NE	501	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	25	SE	NE	501	SCHUMACHER TRST	6.00	03-010
16	S	11	E	WM	25	SE	NE	502	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	27	SE	NW	208	J & J GISLER	0.64	03-007
16	S	11	E	WM	27	SE	NW	214	J & J GISLER	1.36	03-007
16	S	11	E	WM	34	NE	SW	807	S & M TIMM	1.00	03-009
16	S	11	E	WM	35	NW	NE	800	MILLER	2.00	03-006
16	S	12	E	WM	8	NW	SW	1702	PAINTER TRST	1.00	03-003
16	S	12	E	WM	8	NW	SE	1403	W & K SILIGER	0.20	03-013
16	S	12	E	WM	8	NW	SE	1404	W & K SILIGER	2.00	03-013
16	S	12	E	WM	17	NW	NE	400	S & A WALTERSCHEID	1.00	03-004
16	S	12	E	WM	19	NE	SW	300	D & J LEAHY	1.00	02-004
16	S	12	E	WM	31	NE	SW	418	SCIENCE LLC	0.08	03-001
16	S	12	E	WM	31	NW	SW	407	SCIENCE LLC	0.10	03-001
16	S	12	E	WM	31	NW	SW	418	SCIENCE LLC	2.56	03-001
16	S	12	E	WM	31	NW	SW	418	SCIENCE LLC	1.29	03-001
TOTAL									83.93		

15. The portion of the seventh right to be transferred is as follows:

Certificate: 76520, issued in the name of Tumalo Irrigation District

Use: Supplemental Irrigation

Priority Date: December 8, 1961

Rate & Duty: Maximum of 9.91 acre-feet per acre per year.

Source: Crescent Lake Reservoir, a tributary of Crescent Creek and Little Deschutes River.

Authorized Place of Use:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	0.50	03-008
16	S	11	E	WM	14	NE	NE	200	N & G FRATER	1.00	03-005
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	14.20	03-011
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	0.60	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	10.80	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	11.45	03-011

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	3.45	03-011
16	S	11	E	WM	23	SE	SE	524	L & K LUCUS	8.20	03-011
16	S	11	E	WM	25	SE	NE	501	SCHUMACHER TRST	6.00	03-010
16	S	11	E	WM	25	SE	NE	501	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	25	SE	NE	502	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	34	NE	NW	403	R & C BOOHER	1.00	02-004
16	S	12	E	WM	8	NW	SE	1404	W & K SELIGER	2.20	03-013
16	S	12	E	WM	17	NW	NE	300	B & L COLE	2.00	03-006/007
16	S	12	E	WM	17	NW	NE	300	B & L COLE	2.00	03-06/07
16	S	12	E	WM	17	NW	NE	301	B & L COLE	2.50	03-008
16	S	12	E	WM	17	NW	NE	302	B & L COLE	1.00	03-004
16	S	12	E	WM	18	NE	SE	600	N & S MANIS	3.00	03-002/003/009
16	S	12	E	WM	31	NE	SW	407	SCIENCE LLC	1.84	03-001
16	S	12	E	WM	31	NE	SW	418	SCIENCE LLC	1.37	03-001
16	S	12	E	WM	31	NW	SW	407	SCIENCE LLC	0.82	03-001
TOTAL:									83.93		

16. Application T-9593 proposes to change the place of use to:

TWP	RNG	MER	SEC	1/4	1/4	TL	USER	AC	NOT#		
16	S	11	E	WM	13	SE	SE	1100	R & C CARVER	1.00	03-005
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	0.50	03-008
16	S	11	E	WM	14	NE	NE	100	T & M FIDLER	2.50	03-008
16	S	11	E	WM	23	SE	SW	524	L & K LUCUS	13.40	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	11.60	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	12.05	03-011
16	S	11	E	WM	23	SW	SE	524	L & K LUCUS	3.25	03-011
16	S	11	E	WM	23	SE	SE	524	L & K LUCUS	8.40	03-011
16	S	11	E	WM	25	SE	NE	501	SCHUMACHER TRST	6.00	03-010
16	S	11	E	WM	25	SE	NE	501	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	25	SE	NE	502	SCHUMACHER TRST	5.00	03-010
16	S	11	E	WM	27	SE	NW	208	J & J GISLER	0.64	03-007
16	S	11	E	WM	27	SE	NW	214	J & J GISLER	1.36	03-007
16	S	11	E	WM	34	NE	SW	807	S & M TIMM	1.00	03-009
16	S	12	E	WM	8	NW	SW	1702	PAINTER TRUST	1.00	03-003
16	S	12	E	WM	8	NW	SE	1403	W & K SELIGER	0.20	03-013
16	S	12	E	WM	8	NW	SE	1404	W & K SELIGER	2.00	03-013
16	S	12	E	WM	17	NW	NE	400	S & A WALTERSCHEID	1.00	03-004
16	S	12	E	WM	19	NE	SW	300	D & J LEAHY	1.00	02-004
16	S	11	E	WM	24	NW	SE	1400	D & L WALKER	1.00	03-002
16	S	12	E	WM	31	NE	SW	418	SCIENCE LLC	0.08	03-001
16	S	12	E	WM	31	NW	SW	407	SCIENCE LLC	0.10	03-001
16	S	12	E	WM	31	NW	SW	418	SCIENCE LLC	2.56	03-001
16	S	12	E	WM	31	NW	SW	418	SCIENCE LLC	1.29	03-001
16	S	11	E	WM	35	NW	NE	800	MILLER	2.00	03-006
TOTAL:									83.93		

17. The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
18. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
19. The proposed change in place of use would not result in enlargement of the rights.
20. The proposed change in place of use would not result in injury to other water rights

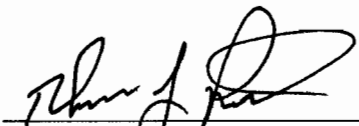
Conclusions of Law

The proposed changes in place of use in Transfer Application T-9593 satisfy the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed changes to the water rights evidenced by Certificates under Certificates 74146, 74147, 76106, 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 described and is subject to all other conditions and limitations contained in under Certificates 74146, 74147, 76106, 74148, 74149, and 76520 and any related decree.
3. The former place of use shall no longer be irrigated as part of this water right.
4. The proposed change shall be completed on or before October 1, 2006.
5. A Claim of Beneficial Use shall be submitted by the applicant to the Department by October 1, 2007.
6. The Department shall issue a water right certificate on a determination that it is necessary to produce a certificate describing the water right.

Dated at Salem, Oregon this 13th day of July, 2005.


For Phillip C. Ward, Director