

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Marion County

IN THE MATTER OF THE WITHDRAWAL )  
FROM APPROPRIATION OF THE )  
WATERS OF THE CROOKED RIVER ) ORDER  
TO BE STORED IN CROOKED RIVER ) RESCINDING WITHDRAWAL  
RESERVOIR )

Chapter 87, Oregon Laws of 1913, authorized the State Engineer to enter into a contract or agreement with any federal department for the execution of such surveys and investigations as may be required in order that the natural resources of the State of Oregon in land, water and power may be utilized to the highest advantage of the people. This chapter also authorized and required the State Engineer to withdraw and withhold from appropriation any unappropriated water which may be required for projects under investigation or to be investigated.

Under authority of this chapter an agreement was entered into by the United States and the State of Oregon, through the Secretary of the Interior, Franklin K. Lane, and the State Engineer, John H. Lewis under date of May 5, 1913, which provided: (1) that surveys and investigations be made of irrigation projects in Central Oregon, including the determination of power potential incidental to such projects; (2) that from time to time as may appear advisable, withdrawals of unappropriated waters required for projects be made by the State Engineer; (3) that all surveys and investigations shall follow general plans agreed upon by the Reclamation Service and the State Engineer; and (4) that the expense of the work be equally divided between the United States and the State of Oregon.

After having completed investigations of Deschutes, Owyhee and Silver Lake Projects of Eastern Oregon, it appeared desirable to extend the investigations to include territory west of the Cascade Mountains as well as east of the Mountains. An additional agreement was therefore entered into under date of April 15, 1920, between Franklin K. Lane, Secretary of the Interior on behalf of the United States and John H. Lewis, State Engineer on behalf of the State of Oregon, which provided for the extension of the investigations to cover the entire State. The agreement further provided that the terms and conditions of the contract of May 5, 1913 and the general plan of operations thereunder would remain in full force and effect.

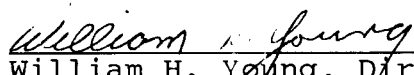
Under the terms of the agreements, withdrawal of waters from appropriation was made by the State Engineer for projects to be investigated on Crooked River including the withdrawal under Application 3589 of 300,000 acre-feet of the waters of Crooked River to be stored in Crooked River Reservoir, tributary of Deschutes River for irrigation.

On September 5, 1958, the United States Department of the Interior, Bureau of Reclamation submitted Application R-32640 proposing the storage of 155,000 acre-feet of water in Prineville Reservoir. Certificate of Water Right number 57612 was issued September 15, 1988, allowing for the storage of water with a priority date of April 8, 1914, as reserved by Order of John H. Lewis, State Engineer of the State of Oregon.

It appears that all water withdrawn by said reservation, not allocated under Certificate 57612 should be restored to its original status.

NOW, THEREFORE, it hereby is ORDERED that the withdrawn waters of the Crooked River not allocated under Certificate 57612 are restored to their status before the withdrawal under Application 3589, that said unallocated portion of the Application 3589 is canceled and Application 3589 is now closed.

Dated at Salem, Oregon, this 23rd day of September, 1991.

  
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William H. Young, Director  
Water Resources Department