

Season of Use: April 1 through October 31, further limited as follows:
 April 1 through April 30 & October 1 through October 31 described herein as Season 1
 May 1 through May 14 & September 16 through September 30 described herein as Season 2
 May 15 through September 15 described herein as Season 3

Maximum Quantity (Rate) that can be applied to an acre:
 Season 1: Limited to 1/80 cubic foot per second (CFS) per acre
 Season 2: Limited to 1/60 CFS per acre
 Season 3: Limited to 1/32.4 CFS per acre

Maximum Duty that can be applied to an acre:
 Not to exceed 9.91 acre-feet (AF) per acre per year.

The above listed rates and duty reflect allowance of a 45% transmission loss as determined by decree of the Circuit Court of Deschutes County, dated March 24, 1933. Those lands not served from the district main canal systems, but by direct pumping from the Deschutes River, are not allowed the 45% transmission loss.

Source: Deschutes River, tributary to Columbia

Authorized Point of Diversion:

| Township | Range | Meridian | Sec | Q-Q | Location |
|----------|-------|----------|-----|-------|---|
| 18S | 11E | WM | 13 | SW NE | POD #1 (CENTRAL OREGON CANAL): 1520 FEET SOUTH AND 1535 FEET WEST OF THE NE CORNER OF SECTION 13. |

5. The portion of the supplemental right to be transferred is as follows: 83571

Certificate: 76714 in the name of CENTRAL OREGON IRRIGATION DISTRICT
Use: SUPPLEMENTAL IRRIGATION
Priority Date: February 28, 1913
Limit/Duty: limited to 50,000 acre-feet of stored water only
Source: Crane Prairie Reservoir, constructed under Permit R-1687, a tributary of the Deschutes River

The water right evidenced by Certificate 76714 allows the use of up to 50,000 acre-feet of water stored in Crane Prairie Reservoir, a tributary of the Deschutes River, for supplemental irrigation. The diversion rate is not specified and use is limited to the total volume of stored water to make up any deficiency in supply of the live flow water right appurtenant to specified lands.

Authorized Point of Diversion:

| Township | Range | Meridian | Sec | Q-Q | Location |
|----------|-------|----------|-----|------|---|
| 18S | 11E | W.M. | 13 | SWNE | POD #1 (CENTRAL OREGON CANAL): 1520 FEET SOUTH AND 1535 FEET WEST OF THE NE CORNER OF SECTION 13. |

Authorized Places of Use:

| IRRIGATION USE—Certificates 83571 & 76714 | | | | | | | | |
|---|-----|-----|-----|-------|------|-------------|----------------|------------|
| TWP | RNG | MER | SEC | Q--Q | TL | ACRES | USER | NOTICE # |
| 15S | 14E | WM | 2 | SE NE | 101 | 1.00 | RACHOR, N. J. | T-2006-011 |
| 15S | 14E | WM | 23 | SW SE | 800 | 0.82 | COID | T-2006-010 |
| 15S | 14E | WM | 23 | SW SE | 900 | 0.18 | COID | T-2006-010 |
| 15S | 15E | WM | 6 | NE SE | 502 | 0.35 | COID/QUITCLAIM | T-2006-010 |
| 17S | 12E | WM | 28 | SW NE | 700 | 2.20 | COID/QUITCLAIM | T-2006-011 |
| 17S | 12E | WM | 35 | SE SW | 800 | 0.30 | COID/QUITCLAIM | T-2006-011 |
| 18S | 12E | WM | 3 | NW NE | 1602 | 0.20 | COID/QUITCLAIM | T-2006-010 |
| 18S | 12E | WM | 5 | SE SW | 2800 | 0.20 | COID/QUITCLAIM | T-2006-010 |
| TOTAL: | | | | | | 5.25 | | |

6. Certificate 83571 is a deficient water right. If water were diverted simultaneously to all authorized lands and uses described in the right at the maximum rates and duty allowed (described in Finding of Fact #4), the total rate and duty for the water right would be exceeded. In the event water were diverted simultaneously to all authorized lands and uses described in the right at the maximum rates and duty allowed at the PODs (described in Finding of Fact #4), the portion of the right involved in this transfer would be limited as described in the following table:

| <i>Priority Date</i> | <i>Season 1</i> | <i>Season 2</i> | <i>Season 3</i> | <i>Duty</i> |
|-------------------------------|-----------------|-----------------|-----------------|-----------------|
| <i>October 31, 1900 (cfs)</i> | <i>0.065</i> | <i>0.087</i> | <i>0.115</i> | <i>51.80 AF</i> |
| <i>December 2, 1907 (cfs)</i> | | | <i>0.046</i> | |

7. Application T-10241 proposes to change the places of use to:

| IRRIGATION USE—Certificates 83571 & 76714 | | | | | | | | |
|---|-----|-----|-----|-------|-----|-------------|---------------------|------------|
| TWP | RNG | MER | SEC | Q--Q | TL | ACRES | USER | NOTICE # |
| 15S | 14E | WM | 2 | SE NE | 101 | 3.5 | RACHOR, NICHOLAS J. | T-2006-011 |
| 17S | 13E | WM | 19 | NW NW | 301 | 1.75 | BARTOLOTTA, VITO | T-2006-010 |
| TOTAL: | | | | | | 5.25 | | |

8. 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.
9. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
10. The proposed change in place of use will not result in enlargement of the rights.
11. The proposed change in place of use will not result in injury to other water rights.

Conclusions of Law

The proposed change in place of use in Transfer Application T-10241 satisfies the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed change in place of use to the water rights evidenced by Certificates 83571 and 76714 is 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 Certificates 83571 and 76714 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, as authorized by this final order, shall be completed within one full year from the approval date plus any additional time before or until October 1, 2009.
5. A Claim of Beneficial Use shall be submitted by the applicant to the Department by October 1, 2010.
6. The Department shall issue water right certificates on a determination that it is necessary to produce certificates describing the water rights.

Dated at Salem, Oregon this 2nd day of April, 2008.



Phillip C. Ward, Director

Mailing Date: APR 11 2008