



measured at the Lone Pine Weir, not to exceed 4.2 acre-feet for each acre irrigated during the irrigation season.

**Source:** DESCHUTES RIVER, a tributary of the COLUMBIA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	29	SE NE	NORTH 36 DEGREES 45 MINUTES WEST, 1056.8 FEET FROM THE E1/4 CORNER OF SECTION 29; WEIR LOCATED IN THE SWSE 14S 13E 13

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	9	SE NW	3.0
14 S	14 E	WM	9	SW SW	4.9

4. Temporary Transfer Application T-11769 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	9	NE SW	0.5
14 S	14 E	WM	9	SW SW	0.2
14 S	14 E	WM	9	SE SW	0.3
14 S	14 E	WM	16	SW NW	6.9

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

**Certificate:** 76714 in the name of CENTRAL OREGON IRRIGATION DISTRICT (perfected under Permit S-23256)

**Use:** SUPPLEMENTAL IRRIGATION OF 7.9 ACRES

**Priority Date:** FEBRUARY 28, 1913

**Limit/Duty:** The 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 inter-district contract dated January 4, 1938, between the Central Oregon Irrigation District, Crook County Improvement District #1, and the Arnold Irrigation District, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer..

**Source:** CRANE PRAIRIE RESERVOIR (CONSTRUCTED UNDER PERMIT R-1687), tributary to the DESCHUTES RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	29	SE NE	CENTRAL OREGON 11 (CENTRAL OREGON IRRIGATION DISTRICT NORTH CANAL AND CROOK COUNTY IMPROVEMENT DISTRICT #1) 850 FEET NORTH AND 630 FEET EAST FROM THE N1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	9	SE NW	3.0
14 S	14 E	WM	9	SW SW	4.9

- There is a scrivener's error on Certificate 76714 describing the location of the point of diversion referenced by CENTRAL OREGON 11 (CENTRAL OREGON IRRIGATION DISTRICT NORTH CANAL AND CROOK COUNTY IMPROVEMENT DISTRICT #1). Per the original Certificate 83571, the location is described as 850 FEET NORTH AND 630 FEET WEST FROM THE E1/4 CORNER OF SECTION 29.
- Temporary Transfer Application T-11769 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	9	NE SW	0.5
14 S	14 E	WM	9	SW SW	0.2
14 S	14 E	WM	9	SE SW	0.3
14 S	14 E	WM	16	SW NW	6.9

- The water right evidenced by Certificate 76714 allows for 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 on the certificate and the use is limited to the total volume of stored water to make up a deficiency in supply of the live flow water right appurtenant to specified lands.
- Temporary Transfer Application T-11769 proposes to temporarily transfer water rights within the boundaries of Lone Pine Irrigation District, formerly Crook County Improvement District #1, and Central Oregon Irrigation District. The districts were notified of the proposed temporary transfer and indicated that they do not object to the transfer.

**Temporary Transfer Review Criteria**

- Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

11. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights are present.
12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

### **Conclusion of Law**

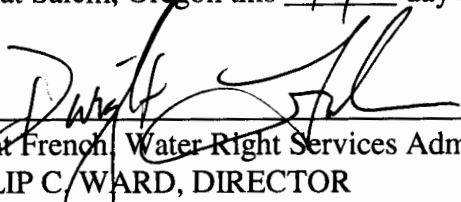
The temporary change in place of use proposed in application Temporary Transfer Application T-11769 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

### **Now, therefore, it is ORDERED:**

1. The temporary change in place of use proposed in Temporary Transfer Application T-11769 is approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2014, 2015, 2016, 2017 and 2018 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2018 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 72197 and 76714 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 72197 and 76714.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department

9. The use of the remaining water rights described by Certificates 72197 and 76714 shall continue to be in accordance with the terms and conditions of Certificates 72197 and 76714.

Dated at Salem, Oregon this 19 day of May, 2014.

  
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Dwight French, Water Right Services Administrator, for  
PHILLIP C. WARD, DIRECTOR

Mailing Date: MAY 23 2014