

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION )  
OF TUMALO IRRIGATION DISTRICT FOR )  
APPROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 3990

On July 3, 1978, Tumalo Irrigation District filed an application in the office of the Water Resources Director for approval of a change in place of use of water from Tumalo Creek, Deschutes River, Crater Creek, Little Crater Creek and three springs and Crescent Lake Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the State Engineer, entered April 10, 1961, approving transfer application No. T-50, the right previously described by the certificate of water right issued to Tumalo Irrigation District and recorded at page 26050, Volume 18, State Record of Water Right Certificates, now exists for the use of water from Tumalo Creek, supplemented by the use of water from Crater Creek, from Little Crater Creek and from three spring branches, for irrigation of, among other lands, 37.8 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Section 9, Township 16 South, Range 12 East, W.M., with a date of priority of October 29, 1913.

As modified in accord with the provisions of said order of the State Engineer, the lands above described also have supplemental rights, being rights to the use of water from Deschutes River, with a date of priority of 1905, previously described by certificate recorded at page 31412, Volume 23, State Record of Water Right Certificates; and to the use of waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911, previously described by certificate recorded at page 26051, Volume 18, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, and to irrigate in lieu thereof a certain 20.0 acres in NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 11, Township 16 South, Range 11 East, W.M.; 5.0 acres in SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, 5.0 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 17; 5.0 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> and 2.8 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Section 20, Township 17 South, Range 12 East, W.M.

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 held May 9, 1978.

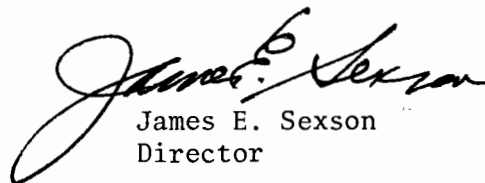
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that upon receipt of 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, certificate of water right shall be issued to Tumalo Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon this 14th day of July, 1978.

  
James E. Sexson  
Director