

STATE OF OREGON

COUNTY OF DESCHUTES

ORDER APPROVING A CHANGE IN PLACE OF USE  
IN AN IRRIGATION DISTRICT

Pursuant to ORS 540.580 (District Transfer place of use of water within a district), after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 8404 submitted by

TUMALO IRRIGATION DISTRICT  
64697 COOK AVENUE  
BEND, OREGON 97701

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County as evidenced by portions of Certificate 74146. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Page 135. The dates of priority are August 5, 1900, September 1, 1900, April 28, 1905, May 27, 1907, and June 1, 1907.

The right allows the use of Tumalo Creek, a tributary of The Deschutes River for irrigation of 17.36 acres.

This right has supplemental rights under Certificates 74147, 74148, 74149 and Permit 27841.

**Notice: This is a final order in other than a 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 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.**

The authorized places of use are located as follows:

TWP	RNG	SEC	QTR/QTR	TAX LOT	ACRES	PRIORITY
16S	11E	1	SE¼SE¼	800	3.00	9/1/1900
16S	11E	1	SE¼SE¼	800	5.00	9/1/1900
16S	11E	1	SE¼SE¼	800	6.00	9/1/1900
16S	11E	24	SW¼ NE¼	1101	0.66	9/1/1900
16S	12E	6	SW¼ SW¼	1801	1.29	9/1/1900
16S	12E	8	NE¼ SE¼	1301	1.00	6/1/1907
16S	12E	9	SW¼ NW¼	502	0.41	9/1/1900

The second right to be modified, as evidenced by a portion of Certificate 74147, was perfected under Permit 19628 with a priority date of October 29, 1913.

The right allows the use of Tumalo Creek, Crater Creek, Little Crater Creek and three spring branches, tributaries of The Deschutes River, for irrigation of 1.02 acres.

This right has supplemental rights under Certificates 74148, 74149 and Permit 27841.

The authorized place of use is located as follows:

TWP	RNG	SEC	QTR/QTR	TAX LOT	ACRES	PRIORITY
16S	12E	9	SW¼ NW¼	502	1.02	10/29/1913

The third right to be modified, as evidenced by a portion of Certificate 76106, was perfected under Permit 27840 with a priority date of December 8, 1961.

The right allows the use of Tumalo Creek and Upper Tumalo Reservoir, constructed under Permit R-2743, tributaries of The Deschutes River for irrigation of 3.8 acres.

This right has supplemental rights under Permit 27841 and Certificate 74149.

The authorized place of use is located as follows:

TWP	RNG	SEC	QTR/QTR	TAX LOT	ACRES	PRIORITY
16S	11E	1	SE¼ SE¼	800	3.80	12/08/1961

The applicant proposes to change the places of use to:

TWP	RNG	SEC	QTR/QTR	TAX LOT	ACRES	PRIORITY
16S	11E	12	SW¼ NW¼	500	1.00	6/1/1907
16S	11E	12	SW¼ NW¼	501	1.10	9/1/1900
16S	11E	12	SW¼ NW¼	501	0.70	9/1/1900
16S	11E	24	SW¼ NE¼	1101	0.66	9/1/1900
16S	12E	6	NW¼ SW¼	1800	4.90	9/1/1900
16S	12E	6	SW¼ SW¼	1801	0.59	9/1/1900
16S	12E	6	NW¼ SW¼	1803	3.80	12/8/1961
16S	12E	19	SE¼ NW¼	1400	5.00	9/1/1900
16S	12E	19	SW¼ NE¼	2700	0.41	9/1/1900
16S	12E	19	SW¼ NE¼	2700	1.02	10/29/1913
16S	12E	30	NW¼ NE¼	900	3.00	9/1/1900

Proof, satisfactory to the Director, of the completed changes approved by Transfer 7466 has been received.

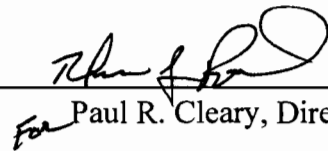
THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2001.
2. The former places of use shall no longer be irrigated as a part of these water rights.
3. Proof to the satisfaction of the Director, that the changes approved by this order have been completed must be submitted by TUMALO IRRIGATION DISTRICT, on or before October 1, 2002

Except as modified herein, all conditions and restrictions of Certificates 74146, 74147, 74148, 74149, 76106 and Permit 27841 remain in effect.

When the Director determines that it is necessary, or to facilitate records keeping, new certificates will be issued to confirm all completed changes for which satisfactory proof has been made and to confirm those portions not modified by this or any other order.

WITNESS the signature of the Water Resources Director, affixed AUG 02 2000 \_\_\_\_\_ .

  
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For Paul R. Cleary, Director