

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
JAMES L. HEARD (TUMALO IRRIGATION)
DISTRICT) FOR APPROVAL OF A CHANGE)
IN PLACE OF USE OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4122

On January 10, 1979, an application was filed in the office of the Water Resources Director by James L. Heard for approval of a change in place of use of water from Tumalo Creek, Deschutes River, Crater Creek, Little Crater Creek and three spring branches, 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 March 7, 1974, approving transfer No. 2924, a part of the water right previously described by the certificate 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, Little Crater Creek and three spring branches for irrigation of, among other lands, a certain 1.0 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 16 South, Range 11 East, W.M., with a date of priority of October 29, 1913.

Also, as modified in accord with the provisions of said order, parts of the supplemental water rights previously described by certificate recorded at page 31413, Volume 23 of said record, for use of water from Deschutes River with a date of priority of 1905; certificate recorded at page 26051, Volume 18 of said records for use of water from Crescent Lake Reservoir with a priority date of April 7, 1911; and permit No. 27841 for use of waters of Crescent Lake Reservoir with a priority date of December 8, 1961, now exists for supplemental irrigation of, among other lands, said 1.0 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 16 South, Range 11 East, W.M.

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, to a certain 1.0 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Township 16 South, Range 12 East, W.M. (Rash).

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 November 4, 1975.

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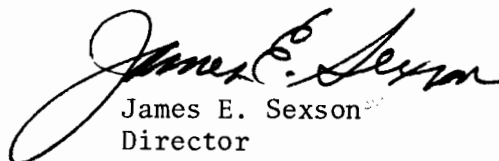
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as 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, 1980.

It is FURTHER ORDERED that upon 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 15th day of March, 1979.


James E. Sexson
Director