

Rate & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SEVENTIETH of one cubic foot per second (or its equivalent) and 1.8 acre-feet, measured at or within one-half mile of the land to be irrigated, for each acre irrigated during the irrigation season of each year.

Source: TUMALO CREEK, tributary of the DESCHUTES RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	11 E	WM	23	SW NE	TUMALO FEED CANAL POD 1: NORTH 70° 21' WEST, 1550 FEET FROM THE EAST ¼ CORNER OF SECTION 23
18 S	10 E	WM	2	NW SW	TUMALO CREEK POD 2: NORTH 14° 02' EAST, 1713 FEET FROM THE SOUTH ¼ CORNER OF SECTION 2

Authorized Place of Use:

IRRIGATION									
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
9/1900	16	11 E	WM	13	NE SE	1.20	901	JOHNSTON	N21.003
9/1900	16	11 E	WM	13	NW SE	4.00	901	JOHNSTON	N21.003
9/1900	16	11 E	WM	24	SW NW	0.85	501	BIERLY LIVING TRUST	N21.001
9/1900	16	11 E	WM	26	SW NW	0.40	111	MALONEY REV TRUST	N21.002
4/28/1905	16	11 E	WM	26	SW SE	3.55	500	MALONEY REV TRUST	N21.002
9/1900	16	11 E	WM	28	SE NE	0.45	900	SHAWN TEEVIN FAMILY TRUST	N21.004
9/1900	16	12 E	WM	8	SW NW	0.20*	403	BARR EQUESTRIAN LLC	N21.006
6/1/1907	16	12 E	WM	18	SE SE	1.67	1701	NORRIS	N21.005
Total:						12.32			

*Lands for primary irrigation formerly under Certificate 76106

5. Transfer Application T-13910 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION									
Priority	Twp	Rng	Me	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
9/1900	16 S	11 E	W	13	NE SE	0.20	901	JOHNSTON	N21.003
4/28/1905	16 S	11 E	W	24	SW NW	0.85	501	BIERLY LIVING TRUST	N21.001
4/28/1905	16 S	11 E	W	26	SW NW	2.70	111	MALONEY REV TRUST	N21.002
9/1900	16 S	11 E	W	26	SW NW	0.40	111	MALONEY REV TRUST	N21.002
9/1900	16 S	11 E	W	26	SW SE	0.85	500	MALONEY REV TRUST	N21.002
9/1900	16 S	11 E	W	28	SE NE	0.45	901	TEEVIN	N21.004
6/1/1907	16 S	12 E	W	8	NE SW	1.00	1601	ERIC & JAMIE OLSON JOINT	N21.005
9/1900	16 S	12 E	W	8	NE SW	1.10	1500	LARSON	N21.003
9/1900	16 S	12 E	W	8	SE SW	1.90	1500	LARSON	N21.003
6/1/1907	16 S	12 E	W	18	SE SE	0.67	1701	NORRIS	N21.005
9/1900	17 S	11 E	W	1	NE NW	1.40	300	WARBINGTON FAMILY TRUST	N21.003
9/1900	17 S	11 E	W	1	NE NW	0.60	201	WARBINGTON FAMILY TRUST	N21.003
9/1900	17 S	11 E	W	13	NW SW	0.15*	2700	HAMMOCK	N21.006
9/1900	17 S	11 E	W	13	SW SW	0.05*	2700	HAMMOCK	N21.006
Total:						12.32			

*Lands formerly under Certificate 76106

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

Certificate: 95176 in the name of TUMALO IRRIGATION DISTRICT (perfected under Permit S-19628)

Use: IRRIGATION of 7.7 acres; SUPPLEMENTAL IRRIGATION of 12.12 acres

Priority Date: OCTOBER 29, 1913

Maximum Quantity (Rate) that can be applied to an acre at the diversion:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands is limited as follows:

Apr 1 to May 1 and Oct 1 to Nov 1: 1/80 cfs

May 1 to May 15 and Sep 15 to Oct 1: 1/60 cfs

May 15 to Sep 15: 1/32.4 cfs

Maximum Duty that can be applied to an acre at the diversion during a season:

Not to exceed 9.91 acre-feet (af) per acre per year.

Sources: TUMALO CREEK, CRATER CREEK, LITTLE CRATER CREEK AND THREE SPRINGS BRANCHES, tributaries of the DESCHUTES RIVER.

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	11 E	WM	23	SW NE	TUMALO FEED CANAL POD 1: NORTH 70° 21' WEST, 1550 FEET FROM THE EAST ¼ CORNER OF SECTION 23

Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	8	SW NW	7.70	403	BARR EQUESTRIAN LLC	N21-006

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	13	NE SE	1.20	901	JOHNSTON	N21.003
16 S	11 E	WM	13	NW SE	4.00	901	JOHNSTON	N21.003
16 S	11 E	WM	24	SW NW	0.85	501	BIERLY LIVING TRUST	N21.001
16 S	11 E	WM	26	SW NW	0.40	111	MALONEY REV TRUST	N21.002
16 S	11 E	WM	26	SW SE	3.55	500	MALONEY REV TRUST	N21.002
16 S	11 E	WM	28	SE NE	0.45	900	SHAWN TEEVIN FAMILY	N21.004
16 S	12 E	WM	18	SE SE	1.67	1701	NORRIS	N21.005
Total:					12.12			

7. Transfer Application T-13910 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	19	NE NW	5.00	800	EMERSON	N21.00
17 S	11 E	WM	13	NW SW	2.70	2700	HAMMOCK	N21.00
Total:					7.70			

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	13	NE SE	0.20	901	JOHNSTON	N21.003
16 S	11 E	WM	24	SW NW	0.85	501	BIERLY LIVING TRUST	N21.001
16 S	11 E	WM	26	SW NW	2.70	111	MALONEY REV TRUST	N21.002
16 S	11 E	WM	26	SW NW	0.40	111	MALONEY REV TRUST	N21.002
16 S	11 E	WM	26	SW SE	0.85	500	MALONEY REV TRUST	N21.002
16 S	11 E	WM	28	SE NE	0.45	901	TEEVIN	N21.004
16 S	12 E	WM	8	NE SW	1.00	1601	ERIC & JAMIE OLSON JOINT	N21.005
16 S	12 E	WM	8	NE SW	1.10	1500	LARSON	N21.003
16 S	12 E	WM	8	SE SW	1.90	1500	LARSON	N21.003
16 S	12 E	WM	18	SE SE	0.67	1701	NORRIS	N21.005
17 S	11 E	WM	1	NE NW	1.40	300	WARBINGTON FAMILY TRUST	N21.003
17 S	11 E	WM	1	NE NW	0.60	201	WARBINGTON FAMILY TRUST	N21.003
Total:					12.12			

8. The portion of the third right to be transferred is as follows:

Certificate: 95177 in the name of TUMALO IRRIGATION DISTRICT (perfected under Permit S-624)

Use: SUPPLEMENTAL IRRIGATION of 20.02 acres

Priority Date: APRIL 7, 1911

Limit/Duty:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of the following amounts measured at the point of diversion from the Deschutes River for each acre irrigated during the periods indicated below during the irrigation season of each year.

Apr 1 to May 1 and Oct 1 to Nov 1: 0.75 acre-feet

May 1 to May 15 and Sep 15 to Oct 1: 0.50 acre-feet

May 15 to Sep 15: 7.40 acre-feet

Further limited to a total diversion of not to exceed 35,000 acre-feet stored water only during any one irrigation season.

Source: CRESCENT LAKE RESERVOIR, constructed under Permit R-102, a tributary of CRESCENT CREEK

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q
24 S	6 E	WM	11	SE SW
24S	6 E	WM	11	SW SE

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16	11 E	WM	13	NE SE	1.20	901	JOHNSTON	N21.003
16	11 E	WM	13	NW SE	4.00	901	JOHNSTON	N21.003
16	11 E	WM	24	SW NW	0.85	501	BIERLY LIVING TRUST	N21.001
16	11 E	WM	26	SW NW	0.40	111	MALONEY REV TRUST	N21.002
16	11 E	WM	26	SW SE	3.55	500	MALONEY REV TRUST	N21.002
16	11 E	WM	28	SE NE	0.45	900	SHAWN TEEVIN FAMILY TRUST	N21.004
16	12 E	WM	8	SW NW	7.70	403	BARR EQUESTRIAN LLC	N21-006

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16	12 E	WM	8	SW NW	0.20*	403	BARR EQUESTRIAN LLC	N21.006
16	12 E	WM	18	SE SE	1.67	1701	NORRIS	N21.005
Total:					20.02			

*Lands for supplemental irrigation formerly described under Certificate 76106

9. Transfer Application T-13910 proposes to change the place of use to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	13	NE SE	0.20	901	JOHNSTON	N21.00
16 S	11 E	WM	24	SW NW	0.85	501	BIERLY LIVING	N21.00
16 S	11 E	WM	26	SW NW	2.70	111	MALONEY REV	N21.00
16 S	11 E	WM	26	SW NW	0.40	111	MALONEY REV	N21.00
16 S	11 E	WM	26	SW SE	0.85	500	MALONEY REV	N21.00
16 S	11 E	WM	28	SE NE	0.45	901	TEEVIN	N21.00
16 S	12 E	WM	8	NE SW	1.00	1601	ERIC & JAMIE	N21.00
16 S	12 E	WM	8	NE SW	1.10	1500	LARSON	N21.00
16 S	12 E	WM	8	SE SW	1.90	1500	LARSON	N21.00
16 S	12 E	WM	18	SE SE	0.67	1701	NORRIS	N21.00
16 S	12 E	WM	19	NE NW	5.00	800	EMERSON	N21.00
17 S	11 E	WM	1	NE NW	1.40	300	WARBINGTON	N21.00
17 S	11 E	WM	1	NE NW	0.60	201	WARBINGTON	N21.00
17 S	11 E	WM	13	NW SW	2.70	2700	HAMMOCK	N21.00
17 S	11 E	WM	13	NW SW	0.15*	2700	HAMMOCK	N21.00
17 S	11 E	WM	13	SW SW	0.05*	2700	HAMMOCK	N21.00
Total:					20.02			

*Lands formerly described under Certificate 76106

10. The portion of the fourth right to be transferred is as follows:

Certificate: 95178 in the name of TUMALO IRRIGATION DISTRICT (perfected under Permit S-27841)

Use: SUPPLEMENTAL IRRIGATION of 20.02 acres

Priority Date: DECEMBER 8, 1961

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of not to exceed 9.91 acre-feet per acre for each acre irrigated during the irrigation season of each year and the right allowed hereunder for the appropriation of water for lands having a valid prior right shall be limited to the amount necessary to make up any deficiency in water available to said lands under said prior right and the amount allowed herein, together with the amount secured under any other right existing for said lands, shall be limited by the duty of water as fixed herein; and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

Source: CRESCENT LAKE RESERVOIR (constructed under Permit R-2744), tributary of CRESCENT CREEK and the LITTLE DESCHUTES RIVER, tributary to the DESCHUTES RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	32	NW NE	TUMALO ID BEND FEED CANAL: 2050 FEET WEST FROM THE NE CORNER OF SECTION 23
24 S	6 E	WM	11	SE SW	CRESCENT LAKE RESERVOIR – NONE GIVEN

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16	11 E	WM	13	NE SE	1.20	901	JOHNSTON	N21.003
16	11 E	WM	13	NW SE	4.00	901	JOHNSTON	N21.003
16	11 E	WM	24	SW NW	0.85	501	BIERLY LIVING TRUST	N21.001
16	11 E	WM	26	SW NW	0.40	111	MALONEY REV TRUST	N21.002
16	11 E	WM	26	SW SE	3.55	500	MALONEY REV TRUST	N21.002
16	11 E	WM	28	SE NE	0.45	900	SHAWN TEEVIN FAMILY TRUST	N21.004
16	12 E	WM	8	SW NW	7.70	403	BARR EQUESTRIAN LLC	N21-006
16	12 E	WM	8	SW NW	0.20*	403	BARR EQUESTRIAN LLC	N21.006
16	12 E	WM	18	SE SE	1.67	1701	NORRIS	N21.005
Total:					20.02			

11. Transfer Application T-13910 proposes to change the place of use to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	13	NE SE	0.20	901	JOHNSTON	N21.00
16 S	11 E	WM	24	SW NW	0.85	501	BIERLY LIVING	N21.00
16 S	11 E	WM	26	SW NW	2.70	111	MALONEY REV	N21.00
16 S	11 E	WM	26	SW NW	0.40	111	MALONEY REV	N21.00
16 S	11 E	WM	26	SW SE	0.85	500	MALONEY REV	N21.00
16 S	11 E	WM	28	SE NE	0.45	901	TEEVIN	N21.00
16 S	12 E	WM	8	NE SW	1.00	1601	ERIC & JAMIE	N21.00
16 S	12 E	WM	8	NE SW	1.10	1500	LARSON	N21.00
16 S	12 E	WM	8	SE SW	1.90	1500	LARSON	N21.00
16 S	12 E	WM	18	SE SE	0.67	1701	NORRIS	N21.00
16 S	12 E	WM	19	NE NW	5.00	800	EMERSON	N21.00
17 S	11 E	WM	1	NE NW	1.40	300	WARBINGTON	N21.00
17 S	11 E	WM	1	NE NW	0.60	201	WARBINGTON	N21.00
17 S	11 E	WM	13	NW SW	2.70	2700	HAMMOCK	N21.00
17 S	11 E	WM	13	NW SW	0.15*	2700	HAMMOCK	N21.00
17 S	11 E	WM	13	SW SW	0.05*	2700	HAMMOCK	N21.00
Total:					20.02			

12. The portion of the fifth right to be transferred is as follows:

Certificate: 74149 in the name of TUMALO IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County)

Use: SUPPLEMENTAL IRRIGATION of 20.02 acres

Priority Date: 1905

Limit/Duty: The use is limited to the amount beneficially used and shall not exceed 9.50 cubic feet per second for supplemental irrigation, industrial use and pond maintenance during

the irrigation season from April 1 to November 1 and storage of said water in Crescent Lake Reservoir during the non-irrigation season, or its equivalent in case of rotation, measured at the point of diversion from the source.

Source: The DESCHUTES RIVER, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	32	NW NE	BEND FEED CANAL: 100 FEET SOUTH AND 550 FEET EAST FROM THE N ¼ CORNER OF SECTION 32

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16	11 E	WM	13	NE SE	1.20	901	JOHNSTON	N21.003
16	11 E	WM	13	NW SE	4.00	901	JOHNSTON	N21.003
16	11 E	WM	24	SW NW	0.85	501	BIERLY LIVING TRUST	N21.001
16	11 E	WM	26	SW NW	0.40	111	MALONEY REV TRUST	N21.002
16	11 E	WM	26	SW SE	3.55	500	MALONEY REV TRUST	N21.002
16	11 E	WM	28	SE NE	0.45	900	SHAWN TEEVIN FAMILY TRUST	N21.004
16	12 E	WM	8	SW NW	7.70	403	BARR EQUESTRIAN LLC	N21-006
16	12 E	WM	8	SW NW	0.20*	403	BARR EQUESTRIAN LLC	N21.006
16	12 E	WM	18	SE SE	1.67	1701	NORRIS	N21.005
Total:					20.02			

13. Transfer Application T-13910 proposes to change the place of use to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	11 E	WM	13	NE SE	0.20	901	JOHNSTON	N21.00
16 S	11 E	WM	24	SW NW	0.85	501	BIERLY LIVING	N21.00
16 S	11 E	WM	26	SW NW	2.70	111	MALONEY REV	N21.00
16 S	11 E	WM	26	SW NW	0.40	111	MALONEY REV	N21.00
16 S	11 E	WM	26	SW SE	0.85	500	MALONEY REV	N21.00
16 S	11 E	WM	28	SE NE	0.45	901	TEEVIN	N21.00
16 S	12 E	WM	8	NE SW	1.00	1601	ERIC & JAMIE	N21.00
16 S	12 E	WM	8	NE SW	1.10	1500	LARSON	N21.00
16 S	12 E	WM	8	SE SW	1.90	1500	LARSON	N21.00
16 S	12 E	WM	18	SE SE	0.67	1701	NORRIS	N21.00
16 S	12 E	WM	19	NE NW	5.00	800	EMERSON	N21.00
17 S	11 E	WM	1	NE NW	1.40	300	WARBINGTON	N21.00
17 S	11 E	WM	1	NE NW	0.60	201	WARBINGTON	N21.00
17 S	11 E	WM	13	NW SW	2.70	2700	HAMMOCK	N21.00
17 S	11 E	WM	13	NW SW	0.15*	2700	HAMMOCK	N21.00
17 S	11 E	WM	13	SW SW	0.05*	2700	HAMMOCK	N21.00
Total:					20.02			

14. The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.

15. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
16. The water right is subject to transfer as defined in OAR 690-385-0100(17).
17. The proposed change in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
18. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
19. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

Conclusions of Law

The proposed changes in place of use as proposed in Transfer Application T-13910 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.

Now, therefore, it is ORDERED:

1. The proposed changes in place of use to the water rights evidenced by Certificates 95175, 95176, 95177, 95178, and 74149 are approved.
2. The places of use from which the water rights are transferred off by Transfer T-13910 shall no longer be irrigated, and are cancelled from Certificates 95175, 95176, 95177, 95178, and 74149.
3. The right to the use of the water at the places of use NOT modified by this order is restricted to beneficial and is subject to all other conditions and limitations contained in Certificates 95175, 95176, 95177, 95178, and 74149, and any related decree.
4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. A Claim of Beneficial Use shall be submitted by TID to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. Water right Certificates 95175, 95176, 95177, 95178, and 74149 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates will be issued when the Department determines it is necessary for record keeping.

Dated in Salem, Oregon on APR 18 2022


Lisa J. Jaramillo, Transfer and Conservation Section Manager for
THOMAS M. BYLER, DIRECTOR
Oregon Water Resources Department

Mailing Date: APR 19 2022