

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application) . FINAL ORDER APPROVING
T-14649, Deschutes County) A DISTRICT PERMANENT TRANSFER FOR
) CHANGES IN PLACES OF USE

Authority

Oregon Revised Statutes (ORS) 540.570 through 540.580 establish the process in which a district may submit a request to transfer a water right within district boundaries. Oregon Administrative Rule (OAR) Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

THREE SISTERS IRRIGATION DISTRICT
PO BOX 2230
SISTERS, OR 97759

Findings of Fact

1. On May 5, 2025, Three Sisters Irrigation District (TSID) filed a district transfer application to permanently change the places of use under Certificates 95971 and 97771. The Department assigned the application number T-14649.
2. Notice of the District Permanent Transfer Application was published on May 20, 2025, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. On August 7, 2025, the Department received correspondence from Alison K. Toivola, Attorney for the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe). The Tribe does not object to the Department processing the Transfer Application T-14649, in accordance with applicable law, and the Department's customary practice.
4. The portion of the first right to be transferred is as follows:

Certificate: 95971 in the name of THREE SISTERS IRRIGATION DISTRICT (confirmed by the Squaw Creek [Whychus Creek] Decree)
Use: IRRIGATION of 62.4 acres
Priority Date: 1895
Rate: 0.96 CUBIC FEET PER SECOND

This final order in a contested case and is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075(2) and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Within 20 days after this final order is issued (i.e., mailing date), the district or any protestant may file with the commission exceptions to the final order. The commission shall issue an order granting or denying the exceptions within 30 days after receiving the exceptions. ORS 540.580(10).

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 ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre during the irrigation season of each year.

Sources: WHYCHUS [Squaw] CREEK, a tributary of the DESCHUTES RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FEET EAST FROM THE SW CORNER OF SECTION 21

Authorized Place of Use:

IRRIGATION									
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1895	15 S	11 E	WM	19	SW SW	29.5	200	DESERT SPRINGS RANCH	2025-01
1895	15 S	11 E	WM	19	SE SW	24.0	200	DESERT SPRINGS RANCH	2025-01
1895	15 S	11 E	WM	20	NE NW	0.9	2802	DESERT SPRINGS RANCH	2025-01
1895	15 S	11 E	WM	20	NW NW	6.7	2802	DESERT SPRINGS RANCH	2025-01
1895	15 S	11 E	WM	20	SW NW	1.3	2802	DESERT SPRINGS RANCH	2025-01
Total:						62.4			

5. Transfer Application T-14649 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION									
Priority	Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1895	15 S	11 E	WM	19	SW SE	22.3	200	DESERT SPRINGS RANCH	2025-01
1895	15 S	11 E	WM	19	SE SE	8.1	200	DESERT SPRINGS RANCH	2025-01
1895	15 S	11 E	WM	20	NW NE	1.9	2801	DESERT SPRINGS RANCH	2025-01
1895	15 S	11 E	WM	30	NE NE	16.7	100	DESERT SPRINGS RANCH	2025-01
1895	15 S	11 E	WM	30	NW NE	13.4	100	DESERT SPRINGS RANCH	2025-01
Total:						62.4			

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

Certificate: 97771 in the name of THREE SISTERS IRRIGATION DISTRICT (Perfected under Permit G-11378).

Use: SUPPLEMENTAL IRRIGATION of 62.4 acres

Priority Date: OCTOBER 8, 1984

Rate: 0.15 CUBIC FOOT PER SECOND

Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year. This right is limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

Source: TWO WELLS within the WHYCHUS CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	10 E	WM	14	NE SE	10 FEET SOUTH AND 620 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 14
15 S	10 E	WM	14	NW SE	40 FEET SOUTH AND 1400 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 14

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
15 S	11 E	WM	19	SW SW	29.5	200	DESERT SPRINGS RANCH
15 S	11 E	WM	19	SE SW	24.0	200	DESERT SPRINGS RANCH
15 S	11 E	WM	20	NE NW	0.9	2802	DESERT SPRINGS RANCH
15 S	11 E	WM	20	NW NW	6.7	2802	DESERT SPRINGS RANCH
15 S	11 E	WM	20	SW NW	1.3	2802	DESERT SPRINGS RANCH
Total:					62.4		

7. Transfer Application T-14649 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
15 S	11 E	WM	19	SW SE	22.3	200	DESERT SPRINGS RANCH
15 S	11 E	WM	19	SE SE	8.1	200	DESERT SPRINGS RANCH
15 S	11 E	WM	20	NW NE	1.9	2801	DESERT SPRINGS RANCH
15 S	11 E	WM	30	NE NE	16.7	100	DESERT SPRINGS RANCH
15 S	11 E	WM	30	NW NE	13.4	100	DESERT SPRINGS RANCH
Total:					62.4		

8. 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.
9. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
10. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
11. The proposed changes in places of use will not result in enlargement of the rights as defined in OAR 690-385-0100(4).
12. The proposed changes in places of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
13. 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 places of use as proposed in Transfer Application T-14649 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 places of use to the water rights evidenced by Certificates 95971 and 97771 are approved.
2. The places of use from which the water rights are transferred off by Transfer T-14649 shall no longer be irrigated and are cancelled from Certificates 95971 and 97771.
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 95971 and 97771, 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, 2026**. A Claim of Beneficial Use shall be submitted by TSID 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 95971 and 97771 are modified. After satisfactory proof of completion has been determined by the Department, new water right certificates will be issued when the Department determines it is necessary for record keeping.

Dated in Salem, Oregon on **AUGUST 27, 2025**



Lisa J. Jaramillo
Transfer and Conservation Section Manager, for
Ivan Gall, Director
Oregon Water Resources Department

Mailing Date: **SEPTEMBER 2, 2025**