

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

In the Matter of Transfer Application) FINAL ORDER APPROVING
T-14692, Deschutes County) A DISTRICT PERMANENT TRANSFER FOR A
) CHANGE IN PLACE 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 June 30, 2025, Three Sisters Irrigation District (TSID) filed a district transfer application to permanently change the place of use under Certificate 95971. The Department assigned the application number T-14692.
2. Notice of the District Permanent Transfer Application was published on July 8, 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-14692, in accordance with applicable law, and the Department’s customary practice.
4. The portion of the 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 2.0 acres

Priority Date: 1903

Rate: 0.04 CUBIC FEET PER SECOND

This final order is 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).

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 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 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
1903	15 S	10 E	WM	11	NW SE	2.0	1200	DAVID HELM
Total:						2.0		

- Transfer Application T-14692 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
1903	14 S	11 E	WM	33	SW SE	2.0	1400	DALE LAPPE
Total:						2.0		

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

Conclusions of Law

The proposed change in place of use as proposed in Transfer Application T-14692 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.

Now, therefore, it is ORDERED:

1. The proposed change in place of use to the water right evidenced by Certificate 95971 is approved.
2. The place of use from which the water right is transferred off by Transfer T-14692 shall no longer be irrigated and is cancelled from Certificate 95971.
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 Certificate 95971 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 change and full beneficial use of the water.
6. Water right Certificate 95971 has been modified. After satisfactory proof of completion has been determined by the Department, a new water right certificate will be issued when the Department determines it is necessary for record keeping.

Dated in Salem, Oregon on SEPTEMBER 8, 2025 .



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

Mailing Date: SEPTEMBER 10, 2025