

6. On October 15, 2025, the Department received correspondence from Alison K. Toivola that the amended application did not change the Tribe's position from August 7, 2025.
7. 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 8.1 acres

Priority Date: 1895

Rate: 0.16 CUBIC FOOT PER SECOND

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 irrigated during the irrigation season of each year.

Sources: WHYCHUS CREEK, a tributary of the DESCHUTES RIVER

Authorized Point of Diversion:

POD #	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	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							
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User
15 S	11 E	WM	8	NW NE	0.51	100	TUMALO FARMS I LLC
15 S	11 E	WM	8	NW NE	0.66	201	TUMALO FARMS I LLC
15 S	11 E	WM	8	NW NW	1.82	200	HERNANDEZ
15 S	11 E	WM	8	NW SE	0.23	201	TUMALO FARMS I LLC
15 S	11 E	WM	8	NW SE	0.21	100	TUMALO FARMS I LLC
15 S	11 E	WM	8	NW SE	0.17	300	TUMALO FARMS I LLC
15 S	11 E	WM	18	SW NE	4.5	800	WHYCHUS HAVEN LLC
Total					8.1		

8. Transfer Application T-14694 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User
15 S	10 E	WM	14	SW SW	4.1	1000	ELBERS
15 S	10 E	WM	14	SW SW	1.0	1300	RHM LEGACY TRUST
15 S	10 E	WM	14	SW SW	1.0	1100	RICHARDSON LIVING TRUST
15 S	10 E	WM	14	SW SW	2.0	1400	WASHBURN
Total					8.1		

9. 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 8.1 acres

Priority Date: OCTOBER 8, 1984

Rate: 0.02 CUBIC FOOT PER SECOND

Rate / 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 in the WHYCHUS CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	10 E	WM	14	NE SE	WELL 1: 10 FEET SOUTH AND 620 FEET WEST FROM THE EAST ¼ CORNER OF SECTION 14
15 S	10 E	WM	14	NW SE	WELL 2: 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	Taxlot	Water User
15 S	11 E	WM	8	NW NE	0.51	100	TUMALO FARMS I LLC
15 S	11 E	WM	8	NW NE	0.66	201	TUMALO FARMS I LLC
15 S	11 E	WM	8	NW NW	1.82	200	HERNANDEZ
15 S	11 E	WM	8	NW SE	0.23	201	TUMALO FARMS I LLC
15 S	11 E	WM	8	NW SE	0.21	100	TUMALO FARMS I LLC
15 S	11 E	WM	8	NW SE	0.17	300	TUMALO FARMS I LLC
15 S	11 E	WM	18	SW NE	4.5	800	WHYCHUS HAVEN LLC
Total					8.1		

10. Transfer Application T-14694 proposes to change the place of use to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User
15 S	10 E	WM	14	SW SW	4.1	1000	ELBERS
15 S	10 E	WM	14	SW SW	1.0	1300	RHM LEGACY TRUST
15 S	10 E	WM	14	SW SW	1.0	1100	RICHARDSON LIVING TRUST
15 S	10 E	WM	14	SW SW	2.0	1400	WASHBURN
Total					8.1		

11. 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.
12. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
13. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
14. The proposed changes in places of use will not result in enlargement of the rights as defined in OAR 690-385-0100(4).
15. The proposed changes in places of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
16. 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-14694 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-14694 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, 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, 2027**. 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 NOVEMBER 25, 2025.

A handwritten signature in black ink, appearing to read 'Lisa J. Jaramillo', written over a light blue horizontal line.

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

Mailing Date: NOVEMBER 26, 2025