

# To appropriate the Public Waters of the State of Oregon

I, Deschutes County Municipal Improvement District  
(Name of applicant)  
of Route 2, Bend, County of Crook,  
(Postoffice)  
State of Oregon, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, subject to existing rights:

If the applicant is a corporation, give date and place of incorporation \_\_\_\_\_

1. The source of the proposed appropriation is Tumalo Creek, Crater Creek, Little Crater Creek, and three small springs, supplemented by storage in Tumalo Reservoir (formerly called Wimer Flat Reservoir) and the water from Bull Creek Springs (4-2-19)  
(Name of stream)  
2. The amount of water which the applicant intends to apply to beneficial use is 165.86 ~~150000~~ cubic feet per second. date of filing on Bull Creek Spring.

3. The use to which the water is to be applied is Irrigation and domestic supplies & stock  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion ~~is~~ <sup>are</sup> located (1) Columbia Southern N. 14° 02' E. 1713 ft. from S 1/4 cor. Sec. 2, T. 18 S., R. 10 E., W.M. (2) Tumalo Feed Canal N. 70° 21' W. 1560' from E 1/4 cor. Sec. 23, T. 17 S., R. 11 E., W.M.  
(Give distance and bearing to section corner)

being within the Columbia Southern SW 1/4 SE 1/4 of Sec. 2, Tp. 18 S.  
Tumalo Feed SW 1/4 NE 1/4 of Sec. 23, Tp. 17 S.  
(Give smallest legal subdivision) (No. N. or S.)

R. 11 W., W. M., in the county of Deschutes  
(No. E. or W.) (1) Columbia Southern Canal is 8  
5. The (2) Tumalo Feed Canal ~~is~~ <sup>is</sup> 7.2  
(Main ditch, canal, or pipe line)

miles in length, terminating in the SW 1/4 NE 1/4 of Sec. 4, Tp. 17 S.  
11 E. (Smallest legal subdivision) (No. N. or S.)  
R. 11 E., W. M., the proposed location being shown throughout on the accompanying map.  
(No. E. or W.)

6. The name of the ditch, canal or other works is (1) Columbia Southern Canal and (2) Tumalo Feed Canal respectively

## DESCRIPTION OF WORKS

DIVERSION WORKS— (1) 4' 30'  
7. (a) Height of dam (2) 4' feet, length on top 94' feet, length at bottom 30'  
90' feet; material to be used and character of construction (1) Columbia Southern Canal diversion dam is of wood and loose rock construction. (2) Tumalo Feed Canal diversion concrete and earth  
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate (1) Timber 6 openings 3 1/2' x 1' 1/2' headgates - 2 loose boards (2) 3 openings 5' x 6-9 1/2" of which 1 is a timber and steel headgate  
(Timber, concrete, etc., number and size of openings)

\* A different form of application is provided where storage works are contemplated. These forms can be secured without charge, together with instructions, by addressing the State Engineer, Salem, Oregon.

CANAL SYSTEM—

8. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) <sup>(1) Columbia Southern Canal for the</sup> <sup>(2) Tumalo 38</sup> feet; width on bottom most part utilizes draws for channel 14 feet; depth of water 6 feet; grade 0.3 feet fall per one thousand feet.

(b) At \_\_\_\_\_ miles from headgate: width on top (at water line) \_\_\_\_\_ feet; width on bottom \_\_\_\_\_ feet; depth of water \_\_\_\_\_ feet; grade \_\_\_\_\_ feet fall per one thousand feet.

FILL IN THE FOLLOWING INFORMATION WHERE THE WATER IS USED FOR IRRIGATION—

9. The land to be irrigated has a total area of \_\_\_\_\_ acres, located in each smallest legal subdivision, as follows: \_\_\_\_\_  
(Give area of land in each smallest legal subdivision which you intend to irrigate)

List of land to be irrigated attached hereto

(If more space required, attach separate sheet)

POWER, MINING, MANUFACTURING, OR TRANSPORTATION PURPOSES—

10. (a) Total amount of power to be developed \_\_\_\_\_ theoretical horsepower.

(b) Total fall to be utilized \_\_\_\_\_ feet.  
(Head)

(c) The nature of the works by means of which the power is to be developed \_\_\_\_\_

(d) Such works to be located in \_\_\_\_\_ of Sec. \_\_\_\_\_,  
(Legal subdivision)

Tp. \_\_\_\_\_, R. \_\_\_\_\_, W. M. \_\_\_\_\_  
(No. N. or S.) (No. E. or W.)

(e) Is water to be returned to any stream? \_\_\_\_\_  
(Yes or No)

(f) If so, name stream and locate point of return \_\_\_\_\_,  
 \_\_\_\_\_, Sec. \_\_\_\_\_, Tp. \_\_\_\_\_, R. \_\_\_\_\_, W. M. \_\_\_\_\_  
(No. N. or S.) (No. E. or W.)

(g) The use to which power is to be applied is \_\_\_\_\_

(h) The nature of the mines to be served \_\_\_\_\_

IRRIGATION

9. The following tabulation describes certain lands having either vested rights or inchoate rights from Tumalo Creek. It also describes lands having a total irrigable area of 6054.1 acres for which a supplemental right from sources named in Item 1 hereby is requested and lands having a total irrigable area of 1619.5 acres having no right from sources named in Item 1 but for which a right from said sources hereby is requested. The lands described below also have supplemental rights to 9.5 cubic feet per second of water from Deschutes River and to water stored in Crescent Lake.

It is the purpose of Deschutes County Municipal Improvement District to secure sufficient primary and supplemental water rights from sources named in Item 1 herein and from its rights to the waters of Deschutes River and storage in Crescent Lake to give the irrigable lands described below the duty of water fixed for said District by the Circuit Court for Deschutes County and recorded in Vol. 12, Page 282 of Order Record, State Engineer, State of Oregon.

Description	Vested Rights Acres	Inchoate Rights					This applica- tion is for	
		Aug. 5, 1900 Acres	Sept., 1900 Acres	May 27, 1907 Acres	April 28, 1905 Acres	June 1, 1907 Acres	Supp'l. App'r. Acres	Primary App'r. Acres
Sec. 6 16 S. 12 E., WM			29.3				29.3	
NW 1/4 SW 1/4	30.0						30.0	
NW 1/4 NE 1/4								22.1
SW 1/4 NE 1/4								32.2
SE 1/4 NE 1/4								39.0
NE 1/4 NW 1/4			19.5			8.5	28.0	
NW 1/4 NW 1/4	20.5		3.6				24.1	
SW 1/4 NW 1/4						26.0	26.0	
NE 1/4 SW 1/4	21.0		12.1				33.1	
SW 1/4 SW 1/4						20.0	20.0	
SE 1/4 SW 1/4	21.0		18.4				39.4	
NE 1/4 SE 1/4	9.0		30.1				39.1	
NW 1/4 SE 1/4	29.0		11.0				40.0	
SW 1/4 SE 1/4	20.0		19.4				39.4	
SE 1/4 SE 1/4			23.2				23.2	
NE 1/4 NE 1/4								21.8
SW 1/4 NE 1/4	27.0		11.4				38.4	
SE 1/4 NE 1/4						39.4	39.4	
NW 1/4 NW 1/4	9.0					26.0	35.0	
SW 1/4 NW 1/4								37.0
SE 1/4 NW 1/4	9.5		29.6				39.1	
NW 1/4 SW 1/4			37.3				37.3	
SW 1/4 SW 1/4			36.9				36.9	
SE 1/4 SW 1/4	16.5		19.8				36.3	
NE 1/4 SE 1/4			16.5			22.3	38.8	
NW 1/4 SE 1/4	11.5		16.0			11.3	38.8	
SW 1/4 SE 1/4	20.0		16.0			2.8	36.8	
SE 1/4 SE 1/4	40.0						40.0	
SW 1/4 NW 1/4						38.8	38.8	
NW 1/4 SW 1/4						37.6	37.6	
SW 1/4 SW 1/4						38.8	38.8	
NW 1/4 NW 1/4	16		36.3				36.3	
SW 1/4 NW 1/4			13.7				13.7	
NW 1/4 NE 1/4						38.8	38.8	
SW 1/4 NE 1/4						38.6	38.6	
NE 1/4 NW 1/4						38.8	38.8	
NW 1/4 NW 1/4						38.5	38.5	
SW 1/4 NW 1/4						27.9	27.9	
SE 1/4 NW 1/4	15.0		20.0			0.2	35.2	
NE 1/4 SW 1/4						33.2	33.2	
NW 1/4 SW 1/4	35.5						35.5	
SW 1/4 SW 1/4	14.0		21.0			0.1	35.1	
NE 1/4 SE 1/4						15.5	15.5	
NW 1/4 SE 1/4						32.0	32.0	
NE 1/4 NE 1/4			38.2				38.2	
NW 1/4 NE 1/4			39.1				39.1	
SW 1/4 NE 1/4	35.5		1.9				37.4	
SE 1/4 NE 1/4						38.5	38.5	
NE 1/4 NW 1/4						39.1	39.1	
SW 1/4 NW 1/4								25.0
SE 1/4 NW 1/4	32.0		7.4				39.4	
NE 1/4 SW 1/4						32.4	32.4	
NW 1/4 SW 1/4						18.8	18.8	
SW 1/4 SW 1/4						28.0	28.0	

This application is for  
 Supp'l. Primary  
 App'r. App'r.  
 Acres Acres

Vested Rights Acres  
 ---Inchoate Rights---  
 Aug. 5, 1900 Sept., 1900 May 27, 1907 April 28, 1905 June 1, 1907  
 Acres Acres Acres Acres Acres Acres

Description		Sec.	Twp.	Rge.	WM	Vested Rights Acres	Aug. 5, 1900 Acres	Sept., 1900 Acres	May 27, 1907 Acres	April 28, 1905 Acres	June 1, 1907 Acres	Supp'l. App'r. Acres	Primary App'r. Acres
SE 1/4	SW 1/4	18	16 S.	12 E.,	WM						36.0	36.0	
NE 1/4	SE 1/4										30.7	30.7	
NW 1/4	SE 1/4										34.4	34.4	
SW 1/4	SE 1/4										31.0	31.0	
SE 1/4	SE 1/4										28.5	28.5	
NE 1/4	NE 1/4	19	16 S.	12 E.,	WM	34.5		3.5				38.0	
NW 1/4	NE 1/4					23.0		14.6				37.6	
SE 1/4	NE 1/4							31.8				31.8	
NW 1/4	NW 1/4							33.0				33.0	
SW 1/4	NW 1/4							34.0				34.0	
SE 1/4	SW 1/4												34.2
NE 1/4	SE 1/4												40.0
NW 1/4	SE 1/4							20.0				20.0	
SW 1/4	SE 1/4										13.0	13.0	
SW 1/4	SE 1/4												31.6
NW 1/4	NE 1/4	20	16 S.	12 E.,	WM								21.4
SE 1/4	NE 1/4												20.0
NE 1/4	NW 1/4												35.0
NW 1/4	NW 1/4												35.9
SW 1/4	NW 1/4												33.9
SE 1/4	NW 1/4												40.0
NE 1/4	SE 1/4												32.0
NW 1/4	SE 1/4												39.0
SW 1/4	NE 1/4												6.0
NE 1/4	SW 1/4	21	16 S.	12 E.,	WM			35.0				35.0	
NW 1/4	SW 1/4							35.0				35.0	
SW 1/4	SW 1/4							34.4				34.4	
SE 1/4	SW 1/4							12.7				12.7	
NE 1/4	NW 1/4	6	17 S.	12 E.,	WM								8.0
NW 1/4	NW 1/4												14.0
SW 1/4	NW 1/4												23.0
NW 1/4	SW 1/4												10.0
NW 1/4	SW 1/4												20.0
SW 1/4	NW 1/4	7	17 S.	12 E.,	WM	10.0				17.0		27.0	
SE 1/4	SE 1/4	1	16 S.	11 E.,	WM	30.0					4.1	34.1	
NE 1/4	NE 1/4	12	16 S.	11 E.,	WM	28.0		1.7				29.7	
SE 1/4	NE 1/4												12.3
SW 1/4	SW 1/4					19.5					17.5	30.0	
SE 1/4	SW 1/4							4.0				4.0	
SW 1/4	SE 1/4												10.0
SE 1/4	SE 1/4												15.3
NE 1/4	SE 1/4												2.3
NE 1/4	NE 1/4	13	16 S.	11 E.,	WM	16.5		21.5				38.0	
NW 1/4	NE 1/4							31.0				31.0	
SW 1/4	NE 1/4					32.5		7.5				40.0	
SE 1/4	NE 1/4					35.5		3.7				39.2	
NE 1/4	NW 1/4							16.0				16.0	
NW 1/4	NW 1/4					30.5					8.9	39.4	
SW 1/4	NW 1/4							24.7				24.7	2.3
SE 1/4	NW 1/4							5.0				5.0	
NE 1/4	SE 1/4					15.0		24.6				39.6	
NW 1/4	SE 1/4					30.5		9.5				40.0	
SW 1/4	SE 1/4												40.0
NE 1/4	NE 1/4	14	16 S.	11 E.,	WM								5.7
SE 1/4	NE 1/4												6.0
SW 1/4	NW 1/4					30.0		10.0				40.0	
SE 1/4	NW 1/4					16.5						16.5	
NW 1/4	SW 1/4												13.0
NW 1/4	SW 1/4							23.2				23.2	
SE 1/4	SW 1/4												9.4
SE 1/4	NE 1/4	15	16 S.	11 E.,	WM	30.0		10.0				40.0	
SW 1/4	NE 1/4										35.1	35.1	
NE 1/4	NW 1/4											9.5	12.0
NE 1/4	NW 1/4					9.5						9.5	10.5
SW 1/4	NW 1/4												38.8
W 1/2	SE 1/4 NW 1/4					20.0						20.0	
NE 1/4	SW 1/4					15.0		24.4				39.4	
NW 1/4	SW 1/4					40.0						40.0	
SW 1/4	SW 1/4					17.0		9.0				26.0	
SE 1/4	SW 1/4					26.5		12.9				39.4	



This applica-  
tion is for  
Supp'l. Primary  
App'r. App'r.  
Acres Acres

-----Inchoate Rights-----  
Vested Rights  
Description Aug. 5, 1900 Sept., 1900 May 27, 1907 April 28, 1905 June 1, 1907  
Acres Acres Acres Acres Acres Acres

Description			Vested Rights Acres	Aug. 5, 1900 Acres	Sept., 1900 Acres	May 27, 1907 Acres	April 28, 1905 Acres	June 1, 1907 Acres	Supp'l. App'r. Acres	Primary App'r. Acres
NE 1/4	NE 1/4	28 16 S. 11 E., WM	13.0		6.8			3.0	22.8	
SW 1/4	NE 1/4		14.0		10.7			11.3	36.0	
SE 1/4	NE 1/4		35.5						35.5	
NE 1/4	SE 1/4		1.5	30.9					32.4	
SE 1/4	SE 1/4		6.5	29.6					36.1	
SW 1/4	SE 1/4									4.4
NE 1/4	NE 1/4	33 16 S. 11 E., WM							<del>31.0</del>	26.6
SW 1/4	NE 1/4								11.7	
SE 1/4	NE 1/4								19.4	
NE 1/4	SE 1/4		2.5	36.7					39.2	
NW 1/4	SE 1/4									32.0
SW 1/4	SE 1/4		30.5	5.5					36.0	
SE 1/4	SE 1/4			29.8					29.8	
NE 1/4	NE 1/4	34 16 S. 11 E., WM						14.0	14.0	
NW 1/4	NE 1/4			38.8					38.8	
NE 1/4	NW 1/4			35.4					35.4	
NW 1/4	NW 1/4									13.0
SW 1/4	NW 1/4		21.0	10.3					31.3	
SE 1/4	NW 1/4		12.5	20.9					33.4	
NW 1/4	SW 1/4		34.5	3.1					37.6	
SW 1/4	SW 1/4									5.6
SW 1/4	SE 1/4		21.5	11.0					32.5	
NE 1/4	NE 1/4	35 16 S. 11 E., WM	6.0		19.8				25.8	
NW 1/4	NE 1/4		3.0		9.0				12.0	
SW 1/4	NE 1/4		10.0		20.0				30.0	
SE 1/4	NE 1/4		6.0		14.0				20.0	
NW 1/4	NW 1/4							19.2	19.2	
SW 1/4	NW 1/4									39.0
NW 1/4	SW 1/4									36.0
SW 1/4	SW 1/4							4.0	4.0	
SW 1/4	SW 1/4		24.0					11.1	35.1	
SE 1/4	SW 1/4		21.0						21.0	
NE 1/4	SE 1/4				29.0				39.0	
NW 1/4	SE 1/4				30.0			10.0	40.0	
SW 1/4	SE 1/4		28.0						28.0	
SE 1/4	SE 1/4				30.0			10.0	40.0	
NE 1/4	NE 1/4	1 17 S. 11 E., WM	30.0		7.5				<del>37.5</del>	
NW 1/4	NE 1/4		14.0					25.0	39.0	
SW 1/4	NE 1/4		29.0		4.8				33.8	
SE 1/4	NE 1/4		18.0		12.0				30.0	
NE 1/4	NW 1/4		1.75					32.45	34.2	
NW 1/4	NW 1/4				12.0				12.0	
SE 1/4	NW 1/4		32.0		8.0				40.0	
NE 1/4	SE 1/4		34.0						34.0	
NW 1/4	SE 1/4		19.0						19.0	
SW 1/4	SE 1/4		39.5						39.5	
SE 1/4	SE 1/4		40.0						40.0	
NE 1/4	NE 1/4	2 17 S. 11 E., WM	21.0		11.1				32.1	
NW 1/4	NE 1/4		13.0		14.1				27.1	
NE 1/4	NW 1/4									22.1
NW 1/4	NW 1/4							26.8	26.8	
SW 1/4	NW 1/4		18.0						18.0	
NW 1/4	SW 1/4									10.5
NW 1/4	NE 1/4	4 17 S. 11 E., WM								5.8
NE 1/4	NE 1/4	11 17 S. 11 E., WM			35.0				35.0	
NW 1/4	NE 1/4				35.5				35.5	
SW 1/4	NE 1/4				33.0				33.0	
NW 1/4	NE 1/4	12 17 S. 11 E., WM	32.0						32.0	
SW 1/4	NE 1/4		20.0						20.0	
SE 1/4	NE 1/4		27.0				8.0		35.0	
NE 1/4	NW 1/4		18.0				3.2		21.2	
NW 1/4	NW 1/4		30.5				0.5		31.0	
SW 1/4	NW 1/4		14.0						14.0	
SE 1/4	NW 1/4		18.5					0.5	19.0	
NE 1/4	SW 1/4		1.5					2.5	4.0	
NW 1/4	SE 1/4		12.0						12.0	
NW 1/4	NE 1/4	13 17 S. 11 E., WM			13.2				13.2	
SW 1/4	NE 1/4				8.0				8.0	
NE 1/4	NW 1/4					5.0			5.0	23.0
NW 1/4	NW 1/4					5.0			5.0	22.0
SE 1/4	NW 1/4									12.0
NE 1/4	NE 1/4	14 17 S. 11 E., WM								10.0
									6054.1	<del>1619.5</del>
NW 1/4	NE 1/4	6 17 S. 12 E., WM								6.0
SE 1/4	NW 1/4	35 16 S. 11 E., WM								6.6
									1619.5	

MUNICIPAL SUPPLY—

11. To supply the city of .....  
..... County, having a present population of .....  
(Name of)  
and an estimated population of ..... in 192.....

(Answer questions 12, 13, 14, and 15 in all cases)

- 12. Estimated cost of proposed works, \$ Works constructed
- 13. Construction work will begin on or before .....
- 14. Construction work will be completed on or before .....
- 15. The water will be completely applied to the proposed use on or before .....

Duplicate maps of the proposed ditch or other works, prepared in accordance with the rules of the State Engineer, accompany this application.

(Sgd) O. Laurgaard  
.....  
(Name of applicant)

Signed in the presence of us as witnesses:

- (1) (Sgd) Walton Van Winkle ..... Salem, Oregon .....  
(Name) (Address of witness)
- (2) (Sgd) John H. Lewis ..... " " .....  
(Name) (Address of witness)

Remarks: Any right that may have been heretofore acquired to the waters of Bull Creek Springs is hereby respectfully reserved, and any right that may have heretofore been acquired from any other of the sources of supply is also reserved. The water right herein requested is for <sup>165.86</sup> ~~151.49~~ c.f.s. from Tumalo Creek to be supplemented when such quantity is not available therein by diverting not to exceed 34 c.f.s. from Little Crater Creek and 40 c.f.s. from Crater Creek when conditions permit, and 1 c.f.s. from three small springs.

STATE OF OREGON, )  
                                  ) ss.  
County of Marion, )

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for correction or completion, as follows: .....

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before ....., 192.....

WITNESS my hand this ..... day of ....., 192.....

STATE ENGINEER

Application No. 3263

Permit No. 19628

# PERMIT

TO APPROPRIATE THE PUBLIC  
WATERS OF THE STATE  
OF OREGON

Division No. \_\_\_\_\_ District No. \_\_\_\_\_

This instrument was first received in the  
office of the State Engineer at Salem, Oregon,

on the 29th day of October,

1951, at 4:45 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

January 31, 1951

Recorded in book No. 48 of

Permits on page 19628

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 5 Page \_\_\_\_\_

Fees Paid \$111.48

## PERMIT

STATE OF OREGON, }  
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same,  
SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use  
and shall not exceed <sup>165.86</sup>~~151.49~~ cubic feet per second <sup>during the irrigation season</sup> measured at the point of diversion from the  
stream, or its equivalent in case of rotation with other water users, from Tumalo Creek, Crater  
Creek, Little Crater Creek and 3 springs

The use to which this water is to be applied is domestic, stock, irrigation and supplemental  
irrigation.

For irrigation, this appropriation shall be limited as follows:  
CUBIC FEET PER SECOND OF TIME PER ACRE AT DIVERSION.

Trans- mission Losses	April 1 to May 1	May 1 to May 15	May 15 to Sept. 15	Sept. 15 to Oct. 1	Oct. 1 to Nov. 1	Total Acre Feet Per Acre at Diver- sion During Season
45%	1 ft. to 80 ac.	1 ft. to 60 ac.	1 ft. to 32.4 ac.	1 ft. to 60 ac.	1 ft. to 80 ac.	9.91

provided that the amount of water allowed herein, together with the amount secured  
under any other right existing for the same lands shall not exceed the limitation  
allowed herein, the water right herein granted being for 151.49 c.f.s. from Tumalo  
Creek to be supplemented when such quantity is not available therein by diverting  
not to exceed 34 c.f.s. from Little Crater Creek and 40 c.f.s. from Crater Creek,  
and 1 c.f.s. from three small springs; provided further that the quantity of water  
to be diverted during the non-irrigation season for stock and domestic purposes  
shall not exceed 150 cubic feet per second at any time, nor shall it exceed the  
equivalent of a continuous flow of 50 cubic feet per second during said non-  
irrigation season. No water in addition to that allowed for irrigation shall  
be diverted for stock and domestic use during the irrigation season. This appro-  
priation shall be subject to such reasonable rotation system as may be ordered  
by the proper state officer.

The priority date of this permit is October 29, 1913.

Actual construction work shall begin on or before January 31, 1952, and shall  
thereafter be prosecuted with reasonable diligence and be completed on or before  
October 1, 1955.

Complete application of the water to the proposed use shall be made on or before  
October 1, 1956. Extended to Oct. 1, 1957

WITNESS my hand this 31st day of January, 1951.

CHAS. E. STRICKLIN STATE ENGINEER