

State of Oregon  
 WATER RESOURCES DEPARTMENT  
**2014 DISTRICT PETITION FOR PERMANENT TRANSFER**  
**(ORS 540.580)**

**RECEIVED**  
 JUN 11 2014  
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TUMALO IRRIGATION DISTRICT  
 64697 COOK AVENUE  
 BEND, OR 97701  
 (541)382-3053 FAX (541)383-3287

1. **WATER RIGHT**  
 CERTIFICATE: 74146 PRIORITY: 5/27/1907  
 CERTIFICATE: 74147 PRIORITY: 10/29/1913  
 CERTIFICATE:

2. **TYPE OF CHANGE:** PERMANENT CHANGE IN PLACE OF USE

3. **LOCATION OF AUTHORIZED PLACE OF USE: (PRESENT USER)**

NAME	LEGAL DESCRIPTION	CERT. #/ PRIORITY	USE	NOTICE #	ACRES
See authorized place of use attached.(table 1A)			I		
				TOTAL:	21.14

4. **LOCATION OF PROPOSED PLACE OF USE: (PROPOSED USER)**

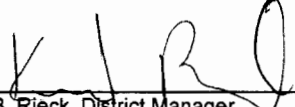
NAME	LEGAL DESCRIPTION	CERT. #/ PRIORITY	USE	NOTICE #	ACRES
See proposed place of use attached.(table 2A)			I		
				TOTAL:	21.14

5. **ITEMS ATTACHED:**

1. COPY OF NOTICES FILED WITH SALEM AND REGIONAL OWRD OFFICES (N/A for 540.572)  
 Including maps of "Off" and "On" lands.
2. DISTRICT BOUNDARIES  
 Description and map on file with OWRD's Regional and Salem offices.
3. FEES  
 \$2,800.00 IS ATTACHED TO THIS PETITION FOR FILING AND RECORDING FEES.

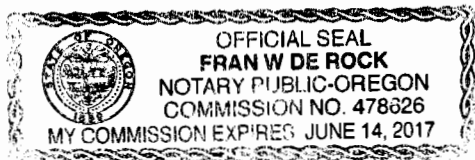
Each landowner affected by this transfer has authorized this transfer by a writing that is on file with the District. (N/A for 540.572)

Tumalo Irrigation District (PETITIONER) hereby certifies that this petition and attachments are accurate to the best of our knowledge and that the water rights referenced in this application have either been used within the last 5 years or are not subject to forfeiture.

  
 \_\_\_\_\_  
 Kenneth B. Rieck, District Manager

Date 6-9-2014

Subscribed and sworn to before me: Frank W. DeRock



My commission expires June 14, 2017

## Attachment A: Tumalo Irrigation District, 64697 Cook Avenue, Bend, OR 97703

## DISTRICT PETITION FOR PERMANENT TRANSFER

PROPOSED CHANGES TO THE WATER RIGHT: Tumalo Irrigation District proposes to change the place of use of the described water rights from the authorized location listed in Table I to the location listed in Table II.

TABLE 1A. – AUTHORIZED PLACE OF USE (POU)										
CERTIFICATE	POD #	PRIORITY DATE	USE	LEGAL DESCRIPTION					ACRES	USER NAME
				TWP	RNG	SEC	QQ	TAX LOT		
74147	2	10/29/1913	IR	17 S	11 E	13	NW SW	828	1.57	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	NW SW	824	3.30	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	NE NW	822	0.66	Cadwell, Carlton & Lynda
74147	2	10/29/1913	IR	17 S	11 E	13	NE NW	828	6.08	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	NE NW	829	0.33	Tanager Development, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	NW NW	829	0.70	Tanager Development, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	SE NW	828	1.53	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	SE NW	824	0.28	KC Development Group, LLC
74146	1	5/27/1907	IR	17 S	11 E	13	NW NE	819	0.04	Cadwell Family Trust
74146	1	5/27/1907	IR	17 S	11 E	13	NW NE	820	0.13	KC Development Group, LLC
74146	1	5/27/1907	IR	17 S	11 E	13	NW NE	828	3.29	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	SW NW	828	2.03	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	SW NW	824	1.20	KC Development Group, LLC
								TOTAL:	21.14	

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**TABLE 2A. – PROPOSED PLACE OF USE (POU)**

CERTIFICATE	POD #	PRIORITY DATE	USE	LEGAL DESCRIPTION					ACRES	USER NAME
				TWP	RNG	SEC	QQ	TAX LOT		
74147	2	10/29/1913	IR	17 S	11 E	13	NW SW	824	0.71	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	NE NW	819	2.72	Cadwell Family Trust
74147	2	10/29/1913	IR	17 S	11 E	13	NE NW	822	3.61	Cadwell, Carlton & Lynda
74147	2	10/29/1913	IR	17 S	11 E	13	NE NW	828	0.06	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	NE NW	829	0.70	Tanager Development, LLC
74146	1	5/27/1907	IR	17 S	11 E	13	NW NW	829	0.56	Tanager Development, LLC
74146	1	5/27/1907	IR	17 S	11 E	13	SE NW	824	1.44	KC Development Group, LLC
74146	1	5/27/1907	IR	17 S	11 E	13	SE NW	828	0.04	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	SE NW	828	2.82	KC Development Group, LLC
74146	1	5/27/1907	IR	17 S	11 E	13	NW NE	819	1.28	Cadwell Family Trust
74147	2	10/29/1913	IR	17 S	11 E	13	NW NE	820	0.06	KC Development Group, LLC
74146	1	5/27/1907	IR	17 S	11 E	13	NW NE	828	0.01	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	SW NW	823	1.17	Tanager Development, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	SW NW	824	0.57	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	SW NW	828	3.06	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	14	NE NE	11401	0.99	Tanager Development, LLC
74146	1	5/27/1907	IR	17 S	11 E	14	NE NE	11401	0.06	Tanager Development, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	NE SW	824	0.34	KC Development Group, LLC
74146	1	5/27/1907	IR	17 S	11 E	13	NE SW	824	0.07	KC Development Group, LLC
74147	2	10/29/1913	IR	17 S	11 E	13	NE SW	826	0.87	Tanager Development, LLC
<b>TOTAL:</b>									<b>21.14</b>	

Primary (IR):	Supplemental (IS)
74146 (IR):	74147 (IS), 74148 (IS), 74149 (IS), 76520 (IS)
74147 (IR):	74148 (IS), 74149 (IS), 76520 (IS)

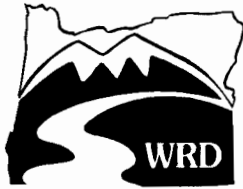
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**Salem, OR**







Oregon Water Resources Department  
 721 Summer Street NE, Suite A  
 Salem, OR 97301-1271

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**OAR Chapter 690, Division 385  
 NOTICE OF DISTRICT PERMANENT TRANSFER  
 Place of Use**

District: Tumalo Irrigation District

Contact Person: Fran W. DeRock Phone: 541-382-3053

Mailing Address: 64697 Cook Ave. Bend, OR 97701

District Internal Notice #: N14.002

I. Pursuant to ORS 540.580 and OAR Chapter 690, Division 385, the district is providing the Water Resources Department this notice of a proposed change in place of use prior to making the change. The district proposes to change the place of use for the following water rights:

WATER RIGHTS			
PERMIT NUMBER	CERTIFICATE NUMBER	DECREE (name, volume, and page)	PRIMARY (P) or SUPP (S)
	74146	See attachment A	
	74147	See attachment A	

II. The authorized point(s) of diversion for the water rights proposed for transfer are as follows:

AUTHORIZED POINT(S) OF DIVERSION / APPROPRIATION				
PERMIT	DECREE or CERTIFICATE	POD#	SOURCE	LOCATION - LEGAL DESCRIPTION
	74146	1P	Tumalo Creek	See Attachment A
	74147	2P	Tumalo Creek	See Attachment A

III. The district proposes to change the place of use from the authorized location listed in Table 1 to the location listed in Table 2.

IV. Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.

V. The water right proposed for transfer is a water right subject to transfer and has not been forfeited for nonuse under ORS 540.610.

VI. Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.

**TABLE 1. – AUTHORIZED PLACE OF USE-See Table 1A (attached)**

WATER RIGHT		Primary PRIORITY	USE	POD #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree	Cert/Perm				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
PRIMARY	SUPP	DATE											

\* Primary      Supp. Cert.  
 74146            74147, 74148, 74149, 76520  
 74147            74148, 74149, 76520  
 76106            74149, 76520

**TABLE 2. – PROPOSED PLACE OF USE-See Table #2A (attached)**

WATER RIGHT		Primary PRIORITY	USE	POD #	LEGAL DESCRIPTION							ACRES	USER NAME
Cert/Decree	Cert/Perm				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
PRIMARY	SUPP	DATE											

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VII. The undersigned understand and acknowledge that the proposed transfer is subject to the approval of the Water Resources Department. The undersigned also understand and acknowledge that if the Water Resources Department finds the change in place of use allowed by the district under this notice results in injury to an existing water right, the Department may direct the district to cease delivery of water to the proposed place of use or direct the district to mitigate the injury.

I certify that the information contained in this Notice of District Permanent Transfer is true and accurate.

KAB, RL  
Signature of District Manager  
or Authorized Representative

6.10.2014  
Date

Kenneth Rieck  
Typed Name of District Manager  
or Authorized Representative

X [Signature]  
Signature of User Eric Caldwell, for KCDG  
(Authorized place of use)

6/10/2014  
Date

X [Signature]  
Signature of User Eric Caldwell, for KCDG  
(Proposed place of use)

6/10/2014  
Date

**INSTRUCTIONS:**

- 1) Pursuant to OAR 690-385-4100(3), the district shall deliver this Notice Form and Map(s) to the local Watermaster *prior to* delivering water to the proposed place of use.
- 2) Pursuant to OAR 690-385-4100(4), the district also shall concurrently deliver a copy of the Notice Form to:  
Oregon Water Resources Department  
Transfer Section  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271

The Water Resources Department shall publish a summary of the Notice of District Permanent Transfer in the Department's weekly publication for the purpose of providing public notice.

Attachment A		TUMALO IRRIGATION DISTRICT CERTIFICATES SOURCE/POINT OF DIVERSION	
ID #	Primary Cert. #	Source	Location
1P	74146 <i>Tumalo Decree V1, P135 &amp; V16, P188.</i>	Tumalo Creek, tributary to the Deschutes River 8/5/1900, Sept. 1900, 4/28/1905, 5/27/1907 & 6/1/1907	17S 11E W.M. 23 SW/NE - Tumalo Feed Canal - N 70° 21' W.; 1550 feet from East 1/4 corner of Section 23 (Tumalo Creek POD #1) 18S 10E W.M. 2 NW/SW - N. 14° 02' E.; 1713 feet from South 1/4 corner of Section 2 (Tumalo Creek POD #2)
2P	74147 Permit #19628	Tumalo Creek, tributary to the Deschutes River 10/29/1913	17S 11E W.M. 23 SW/NE - Tumalo Feed Canal (Tumalo Creek POD #1) - N. 70° 21' W.; 1550 feet from East 1/4 corner of Section 23
3P	76106  Permit #27840	Tumalo Creek and Upper Tumalo Reservoir, constructed under Permit R-2743, tributaries of the Deschutes River 12/8/1961	17S 11E W.M. 23 SE/NE - Tumalo Creek - 2080 feet South and 1310 feet West from NE Corner of Section 23 16S 11E W.M. 33 SE/SW - Upper Tumalo Reservoir
9P	83571	TID Bend Feed Canal 10/31/1900	2050 Feet West from NE Corner of Section 32 (POD #9)
<b>Supp. Cert. #</b>			
1S	74147 to 74146 Permit #19628	Tumalo Creek, tributary to the Deschutes River 10/29/1913	17S 11E W.M. 23 SW/NE - Tumalo Feed Canal (Tumalo Creek POD #1) - N 70° 21' W.; 1550 feet from East 1/4 corner of Section 23
2S	74148 to 74146, 74147, 74149 Permit #624	Crescent Lake Reservoir, constructed under Permit R-102, tributary to Crescent Creek 4/7/1911	24S 6E W.M. 11 SE/SW and SW/SE
3S	74149 to 74146, 74147, 76106 Duffy Decree V9, P362	Deschutes River, tributary to the Columbia River 1905	17S 12E W.M. 32 NW/NE - Bend Feed Canal - 100 feet South and 550 feet East from N1/4 corner of Section 32
4S	76520 to 74146, 74147, 74148, 74149, 76106 Permit #27841	Crescent Lake Reservoir, constructed under Permit R-2744, tributary to Crescent Creek and the Little Deschutes River 12/8/1961	17S 12E W.M. 32 NW/NE - Deschutes River (Tumalo ID Bend Feed Canal) - 2050 feet West from NE corner of Section 32 24S 6E W.M. 11 SE/SW - Crescent Lake Reservoir
11S	76714	Crane Prairie Reservoir, constructed under Permit R-1687, tributary of Deschutes River 2/28/1913	COID North Canal: 850 Feet North and 630 feet West from the E1/4 Corner of Section 29 (POD #11)

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