



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

Received by OWRD

DEC 29 2022

Salem, OR

Application for District  
 Permanent Water  
 Right  
**Transfer**

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to the application is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app\\_criteria\\_review](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app_criteria_review).

Change in Place of Use Only

**1A. APPLICANT INFORMATION**

|  |                    |                     |                                    |                            |
|--|--------------------|---------------------|------------------------------------|----------------------------|
| IRRIGATION DISTRICT<br><b>Tumalo Irrigation District</b>   |                    |                     | PHONE NO.<br><b>(541) 382-3053</b> | ADDITIONAL CONTACT NO.     |
| ADDRESS<br><b>64697 Cook Avenue</b>  |                    |                     |                                    | COUNTY<br><b>Deschutes</b> |
| CITY<br><b>Bend</b>  | STATE<br><b>OR</b> | ZIP<br><b>97703</b> | E-MAIL<br><b>april@tumalo.org</b>  |                            |
| <b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b> |                    |                     |                                    |                            |

**1B. AGENT INFORMATION**

|  |       |     |           |                        |
|--|-------|-----|-----------|------------------------|
| AGENT/BUSINESS NAME<br><b>n/a</b>  |       |     | PHONE NO. | ADDITIONAL CONTACT NO. |
| ADDRESS  |       |     |           | FAX NO.                |
| CITY   | STATE | ZIP | E-MAIL    |                        |
| <b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b> |       |     |           |                        |

**2. PROPOSED CHANGE(S) TO WATER RIGHT(S)**

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

|    | Certificate | Permit / Previous Transfer | Decree           |
|----|-------------|----------------------------|------------------|
| 1. | 95175       | -                          | See Attachment A |
| 2. | 95176       | -                          | See Attachment A |
| 3. | 95177       | -                          | See Attachment A |
| 4. | 95178       | -                          | See Attachment A |
| 5. | 74149       | -                          | See Attachment A |

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**3. ATTACHMENTS**

Check each of the following **attachments** included with this application. The application will be returned if all required attachments are not included.

|  |   |
|--|---|
| <p><b>Supplemental Form A –</b><br/> <b>Description of Proposed Change(s) to a Water Right</b><br/> <input checked="" type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.</p> <p><b>Map</b><br/> <input checked="" type="checkbox"/> Permanent Transfer<br/> A map meeting the requirements of OAR 690-385-3300 must be included but need not be prepared by a Certified Water Right Examiner (CWRE).</p> | <p><b>Fees:</b><br/> <input checked="" type="checkbox"/> Amount enclosed: \$ <b>3,800.00</b><br/> See the Department’s Fee Schedule at <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> or call (503) 986-0900.</p> <p><b>Land Use Compatibility Statement</b><br/> <input type="checkbox"/> The Land Use Information Form is <u>not</u> required if water is to be diverted, conveyed and/or used only on federal lands or if <u>ALL</u> of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, c) the use of water is for irrigation <b>only</b> and d) the use is located within an irrigation district or an exclusive farm use zone.</p> |
|--|---|

**4. SIGNATURES**

The district certifies the following:

- (1) The water rights proposed for transfer are water rights subject to transfer and are not subject to forfeiture for nonuse under ORS 540.610;
- (2) Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district;
- (3) For lands which are no longer irrigated or susceptible of irrigation that are included in this transfer under the authority of ORS 540.572 and OAR 690-385-5000, notices as required under ORS.572 and OAR 690-385-5100 have been given to the user and any security interest holder of record of intent to transfer the right and the user was provided an opportunity to resolve the matter in the manner described by ORS 540.572 and OAR 690-385-5400 and 690-385-5600.
- (4) On behalf of the district, I affirm to the best of my knowledge the information contained in this application is true and accurate.

  
District Manager signature

**Chris Schull**  
name (print)

**11/7/2022**  
date

OR

\_\_\_\_\_  
Authorized District Representative signature

\_\_\_\_\_  
name (print)

\_\_\_\_\_  
date

|  |
|--|
| <p><b><u>Before submitting your application to the Department, be sure you have:</u></b></p> <ul style="list-style-type: none"> <li>• Answered each question completely.</li> <li>• Included all the required attachments.</li> <li>• Included a check payable to the Oregon Water Resources Department for the appropriate amount.</li> </ul> |
|--|

14195 2020

DISTRICT PETITION FOR PERMANENT TRANSFER

Salem, OR

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 #3 – AUTHORIZED PLACE OF USE (POU) |       |               |     |                   |      |     |       |      |         |       |                               |
|--|-------|---------------|-----|-------------------|------|-----|-------|------|---------|-------|-------------------------------|
| CERTIFICATE                              | POD # | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES | USER NAME                     |
|  |       |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |       |                               |
| 95175*                                   | 1     | 9/1/1900      | IR  | 17 S              | 11 E | 13  | NW SE |      | 100     | 9.00  | ERMK, LLC                     |
| 95175                                    | 1     | 9/1/1900      | IR  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14  | Kingery, John B. & Marilyn S. |
| 95175                                    | 1     | 8/5/1900      | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20  | Dugan, David L. & Melissa A.  |
| 95175*                                   | 1     | 9/1/1900      | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20  | Dugan, David L. & Melissa A.  |
| 95176                                    | 1     | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NE SW |      | 911     | 1.25  | Lahey, Neil D. & Hilary A.    |
| 95176                                    | 1     | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NW SE |      | 911     | 0.40  | Lahey, Neil D. & Hilary A.    |
| *Incorporated CW-9 Lands                 |       |               |     |                   |      |     |       |      | TOTAL:  | 13.19 |                               |

| TABLE #4 – PROPOSED PLACE OF USE (POU) |       |               |     |                   |      |     |       |      |         |       |                               |
|--|-------|---------------|-----|-------------------|------|-----|-------|------|---------|-------|-------------------------------|
| CERTIFICATE                            | POD # | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES | USER NAME                     |
|  |       |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |       |                               |
| 95175*                                 | 1     | 9/1/1900      | IR  | 17 S              | 11 E | 12  | NW SW |      | 900     | 9.00  | McClain Revocable Trust       |
| 95175                                  | 1     | 9/1/1900      | IR  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14  | Kingery, John B. & Marilyn S. |
| 95175                                  | 1     | 8/5/1900      | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20  | Dugan, David L. & Melissa A.  |
| 95175*                                 | 1     | 9/1/1900      | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20  | Dugan, David L. & Melissa A.  |
| 95176                                  | 1     | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NE SW |      | 913     | 0.60  | Lahey, Neil D. & Hilary A.    |
| 95176                                  | 1     | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NW SE |      | 913     | 1.05  | Lahey, Neil D. & Hilary A.    |
| *Incorporated CW-9 Lands               |       |               |     |                   |      |     |       |      | TOTAL:  | 13.19 |                               |

| Primary (IR): | Supplemental (IS):                             |
|---------------|--|
| 95175 (IR):   | 95176 (IS), 95177 (IS), 95178 (IS), 74149 (IS) |
| 95176 (IR):   | 95177 (IS), 95178 (IS), 74149 (IS)             |
| 95175* (IR):  | 95177 (IS), 95178 (IS), 74149 (IS)             |



# District Permanent Water Right Transfer Application

Received by OWRD

## Supplemental Form A

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### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

#### 1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

|   |                          |  |
|---|--------------------------|--|
| <input checked="" type="checkbox"/> Certificated Right                    | <u>95175</u>             |  |
|   | Certificate Number       |  |
| <input type="checkbox"/> Adjudicated, Non-certificated Right              | _____                    | _____                                  |
|   | Name of Decree           | Page Number                            |
| <input type="checkbox"/> Permit for which Proof has been Approved         | <u>-</u>                 | _____                                  |
|   | Permit Number            | Date Claim of Beneficial Use Submitted |
| <input type="checkbox"/> Transferred Right for which Proof has been Filed | <u>-</u>                 | _____                                  |
|   | Previous Transfer Number | Date Claim of Beneficial Use Submitted |
| <input type="checkbox"/> Permit for Supplemental Irrigation               | <u>-</u>                 | _____                                  |
|   | Permit Number            |  |

- Name on Permit, Certificate, or Decree: Tumalo Irrigation District
- Priority Date(s): August 5, 1900. September 1, 1900. April 28, 1905. May 27, 1907. June 1, 1907.

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Tumalo Creek

Tributary to: Deschutes River

- Are there **other water rights**, Permits or Ground Water Registrations associated with this land?
  - Yes
  - No

If "Yes", what are the Permit, Registration or Certificate Numbers? 95176, 95177, 74149, 95178

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

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▪ Certificate Number or other identifying number: 95175

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):**  
(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

| AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA) |      |      |     |       |   |
|---|------|------|-----|-------|---|
| POD ID#   | TWP  | RNG  | SEC | QQ    | MEASURED DISTANCES  |
| 1P  | 17 S | 11 E | 23  | SW NE | N. 70° 21' W.; 1,550 feet from the East ¼ corner of Section 23. (Tumalo Feed Canal) |

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▪ Certificate Number or other identifying number: 95175

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV”

T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

| TABLE I. – AUTHORIZED PLACE OF USE |               |     |                   |      |     |       |      |         |        |                               |           |
|------------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|--------|-------------------------------|-----------|
| POD                                | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES  | USER NAME                     | Notice #  |
|                                    |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |        |                               |           |
| 1                                  | 09/01/1900    | IR  | 17 S              | 11 E | 13  | NW SE |      | 100     | 9.00   | ERMK, LLC                     | N22.001 * |
| 1                                  | 09/01/1900    | IR  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14   | Kingery, John B. & Marilyn S. | N22.002   |
| 1                                  | 08/05/1900    | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20   | Dugan, David L. & Melissa A.  | N22.003   |
| 1                                  | 09/01/1900    | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20   | Dugan, David L. & Melissa A.  | N22.003 * |
| *Incorporated CW-9 Lands           |               |     |                   |      |     |       |      |         | TOTAL: | <b>11.54</b>                  |           |

| TABLE II. – PROPOSED PLACE OF USE |               |     |                   |      |     |       |      |         |        |                               |           |
|-----------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|--------|-------------------------------|-----------|
| POD                               | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES  | USER NAME                     | Notice #  |
|                                   |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |        |                               |           |
| 1                                 | 09/01/1900    | IR  | 17 S              | 11 E | 12  | NW SW |      | 900     | 9.00   | McClain Revocable Trust       | N22.001 * |
| 1                                 | 09/01/1900    | IR  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14   | Kingery, John B. & Marilyn S. | N22.002   |
| 1                                 | 08/05/1900    | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20   | Dugan, David L. & Melissa A.  | N22.003   |
| 1                                 | 09/01/1900    | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20   | Dugan, David L. & Melissa A.  | N22.003 * |
| *Incorporated CW-9 Lands          |               |     |                   |      |     |       |      |         | TOTAL: | <b>11.54</b>                  |           |

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## District Permanent Water Right Transfer Application Supplemental Form A

### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A **separate Supplemental Form A must be completed for each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

#### 1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

|  |                          |  |
|--|--------------------------|--|
| <input checked="" type="checkbox"/> Certificated Right                       | 95176                    |  |
|  | Certificate Number       |  |
| <input type="checkbox"/> Adjudicated,<br>Non-certificated Right              | _____                    | Page Number                            |
|  | Name of Decree           |  |
| <input type="checkbox"/> Permit for which Proof has<br>been Approved         | -                        | Date Claim of Beneficial Use Submitted |
|  | Permit Number            |  |
| <input type="checkbox"/> Transferred Right for which<br>Proof has been Filed | -                        | Date Claim of Beneficial Use Submitted |
|  | Previous Transfer Number |  |
| <input type="checkbox"/> Permit for Supplemental<br>Irrigation               | -                        |  |
|  | Permit Number            |  |

- Name on Permit, Certificate, or Decree: Tumalo Irrigation District
- Priority Date(s): October 29, 1913

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Tumalo Creek

Tributary to: Deschutes River

- Are there other water rights, Permits or Ground Water Registrations associated with this land?  
 Yes     No

If "Yes", what are the Permit, Registration or Certificate Numbers? 95177, 95178, 74149

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

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▪ Certificate Number or other identifying number: 95176

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

| AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA) |      |      |     |       |  |
|---|------|------|-----|-------|--|
| POD ID#   | TWP  | RNG  | SEC | QQ    | MEASURED DISTANCES   |
| 1   | 17 S | 11 E | 23  | SW NE | N 70° 21' W, 1550 feet from the E¼ Corner of Section 23. (Tumalo Feed Canal) |

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▪ Certificate Number or other identifying number: 95176

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

| TABLE I. – AUTHORIZED PLACE OF USE |               |     |                   |      |     |       |      |         |             |                            |          |
|------------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|-------------|----------------------------|----------|
| POD                                | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES       | USER NAME                  | Notice # |
|                                    |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |             |                            |          |
| 1                                  | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NE SW |      | 911     | 1.25        | Lahey, Neil D. & Hilary A. | N22.004  |
| 1                                  | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NW SE |      | 911     | 0.4         | Lahey, Neil D. & Hilary A. | N22.004  |
| TOTAL:                             |               |     |                   |      |     |       |      |         | <b>1.65</b> |                            |          |

| TABLE II. – PROPOSED PLACE OF USE |               |     |                   |      |     |       |      |         |             |                            |          |
|-----------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|-------------|----------------------------|----------|
| POD                               | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES       | USER NAME                  | Notice # |
|                                   |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |             |                            |          |
| 1                                 | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NE SW |      | 913     | 0.60        | Lahey, Neil D. & Hilary A. | N22.004  |
| 1                                 | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NW SE |      | 913     | 1.05        | Lahey, Neil D. & Hilary A. | N22.004  |
| TOTAL:                            |               |     |                   |      |     |       |      |         | <b>1.65</b> |                            |          |

(Supplementals on Page 4)

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95176 (Supplementals)

| TABLE I. – AUTHORIZED PLACE OF USE |               |     |                   |      |     |       |      |         |             |                               |          |
|------------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|-------------|-------------------------------|----------|
| POD                                | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES       | USER NAME                     | Notice # |
|                                    |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |             |                               |          |
| 1                                  | 10/29/1913    | IS  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14        | Kingery, John B. & Marilyn S. | N22.002  |
| 1                                  | 10/29/1913    | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20        | Dugan, David L. & Melissa A.  | N22.003  |
| TOTAL:                             |               |     |                   |      |     |       |      |         | <b>2.34</b> |                               |          |

| TABLE II. – PROPOSED PLACE OF USE |               |     |                   |      |     |       |      |         |             |                               |          |
|-----------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|-------------|-------------------------------|----------|
| POD                               | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES       | USER NAME                     | Notice # |
|                                   |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |             |                               |          |
| 1                                 | 10/29/1913    | IS  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14        | Kingery, John B. & Marilyn S. | N22.002  |
| 1                                 | 10/29/1913    | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20        | Dugan, David L. & Melissa A.  | N22.003  |
| TOTAL:                            |               |     |                   |      |     |       |      |         | <b>2.34</b> |                               |          |

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# District Permanent Water Right Transfer Application

## Supplemental Form A

### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A **separate Supplemental Form A must be completed for each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

### 1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

|   |                          |  |
|---|--------------------------|--|
| <input checked="" type="checkbox"/> Certificated Right                    | 95177                    |  |
|   | Certificate Number       |  |
| <input type="checkbox"/> Adjudicated, Non-certificated Right              | _____                    | Page Number                            |
|   | Name of Decree           |  |
| <input type="checkbox"/> Permit for which Proof has been Approved         | -                        | Date Claim of Beneficial Use Submitted |
|   | Permit Number            |  |
| <input type="checkbox"/> Transferred Right for which Proof has been Filed | -                        | Date Claim of Beneficial Use Submitted |
|   | Previous Transfer Number |  |
| <input type="checkbox"/> Permit for Supplemental Irrigation               | -                        |  |
|   | Permit Number            |  |

- Name on Permit, Certificate, or Decree: Tumalo Irrigation District
- Priority Date(s): April 7, 1911

, If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Crescent Lake Reservoir, constructed under Permit R-102.

Tributary to: Crescent Creek

- Are there **other water rights**, Permits or Ground Water Registrations associated with this land?
  - Yes      No

If “**Yes**”, what are the Permit, Registration or Certificate Numbers?

Any “layered” water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

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▪ Certificate Number or other identifying number: 95177

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):**  
(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

| AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA) |      |     |     |               |                    |
|---|------|-----|-----|---------------|--------------------|
| POD ID#   | TWP  | RNG | SEC | QQ            | MEASURED DISTANCES |
| 2S  | 24 S | 6 E | 11  | SE SW & SW SE |                    |

14135

Page

▪ Certificate Number or other identifying number: 95177

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Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

DEC 29 2022

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

Salem, OR

| TABLE I. - AUTHORIZED PLACE OF USE |               |     |                   |      |     |       |      |         |              |                               |          |
|------------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|--------------|-------------------------------|----------|
| POD                                | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES        | USER NAME                     | Notice # |
|                                    |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |              |                               |          |
| 2S                                 | 04/07/1911    | IS  | 17 S              | 11 E | 13  | NW SE |      | 100     | 9.00         | ERMK, LLC                     | N22.001  |
| 2S                                 | 04/07/1911    | IS  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14         | Kingery, John B. & Marilyn S. | N22.002  |
| 2S                                 | 04/07/1911    | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20         | Dugan, David L. & Melissa A.  | N22.003  |
| 2S                                 | 04/07/1911    | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20         | Dugan, David L. & Melissa A.  | N22.003  |
| 2S                                 | 04/07/1911    | IS  | 16 S              | 11 E | 25  | NE SW |      | 911     | 1.25         | Lahey, Neil D. & Hilary A.    | N22.004  |
| 2S                                 | 04/07/1911    | IS  | 16 S              | 11 E | 25  | NW SE |      | 911     | 0.40         | Lahey, Neil D. & Hilary A.    | N22.004  |
| TOTAL:                             |               |     |                   |      |     |       |      |         | <b>13.19</b> |                               |          |

| TABLE II. - PROPOSED PLACE OF USE |               |     |                   |      |     |       |      |         |              |                               |          |
|-----------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|--------------|-------------------------------|----------|
| POD                               | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES        | USER NAME                     | Notice # |
|                                   |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |              |                               |          |
| 2S                                | 04/07/1911    | IS  | 17 S              | 11 E | 12  | NW SW |      | 900     | 9.00         | McClain Revocable Trust       | N22.001  |
| 2S                                | 04/07/1911    | IS  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14         | Kingery, John B. & Marilyn S. | N22.002  |
| 2S                                | 04/07/1911    | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20         | Dugan, David L. & Melissa A.  | N22.003  |
| 2S                                | 04/07/1911    | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20         | Dugan, David L. & Melissa A.  | N22.003  |
| 2S                                | 04/07/1911    | IS  | 16 S              | 11 E | 25  | NE SW |      | 913     | 0.60         | Lahey, Neil D. & Hilary A.    | N22.004  |
| 2S                                | 04/07/1911    | IS  | 16 S              | 11 E | 25  | NW SE |      | 913     | 1.05         | Lahey, Neil D. & Hilary A.    | N22.004  |
| TOTAL:                            |               |     |                   |      |     |       |      |         | <b>13.19</b> |                               |          |

14195



# District Permanent Water Right Transfer Application

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DEC 29 2022

## Supplemental Form A

Salem, OR

### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

#### 1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

|   |              |  |
|---|--------------|--|
| <input checked="" type="checkbox"/> Certificated Right                    | <u>95178</u> | Certificate Number                     |
| <input type="checkbox"/> Adjudicated, Non-certificated Right              | _____        | Page Number                            |
| <input type="checkbox"/> Permit for which Proof has been Approved         | <u>-</u>     | Date Claim of Beneficial Use Submitted |
| <input type="checkbox"/> Transferred Right for which Proof has been Filed | <u>-</u>     | Date Claim of Beneficial Use Submitted |
| <input type="checkbox"/> Permit for Supplemental Irrigation               | <u>-</u>     | Permit Number                          |

Name on Permit, Certificate, or Decree: Tumalo Irrigation District

Priority Date(s): December 8, 1961

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Crescent Lake Reservoir, constructed under Permit R-2744.

Tributary to: Crescent Creek and the Little Deschutes River

Are there **other water rights**, Permits or Ground Water Registrations associated with this land?

Yes  No

If "Yes", what are the Permit, Registration or Certificate Numbers?

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

DEC 29 2022  
Salem, OR

▪ Certificate Number or other identifying number: 95178

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):**  
(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

| AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA) |      |      |      |       |  |
|---|------|------|------|-------|--|
| POD ID#   | TW P | RN G | SE C | QQ    | MEASURED DISTANCES   |
| 4S  | 17 S | 12 E | 32   | NW NE | 2050 feet West from the NE corner of Section 32; Deschutes River (Bend Feed Canal) |
| 4S  | 24 S | 6 E  | 11   | SE SW | (Crescent Lake Reservoir)  |

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▪ Certificate Number or other identifying number: 95178

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Salem, OR

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV" T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

| TABLE I. – AUTHORIZED PLACE OF USE |               |     |                   |      |     |       |      |         |              |                               |          |  |
|------------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|--------------|-------------------------------|----------|--|
| POD                                | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES        | USER NAME                     | Notice # |  |
|                                    |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |              |                               |          |  |
| 4S                                 | 12/8/1961     | IS  | 17 S              | 11 E | 13  | NW SE |      | 100     | 9.00         | ERMK, LLC                     | N22.001  |  |
| 4S                                 | 12/8/1961     | IS  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14         | Kingery, John B. & Marilyn S. | N22.002  |  |
| 4S                                 | 12/8/1961     | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20         | Dugan, David L. & Melissa A.  | N22.003  |  |
| 4S                                 | 12/8/1961     | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20         | Dugan, David L. & Melissa A.  | N22.003  |  |
| 4S                                 | 12/8/1961     | IS  | 16 S              | 11 E | 25  | NE SW |      | 911     | 1.25         | Lahey, Neil D. & Hilary A.    | N22.004  |  |
| 4S                                 | 12/8/1961     | IS  | 16 S              | 11 E | 25  | NW SE |      | 911     | 0.40         | Lahey, Neil D. & Hilary A.    | N22.004  |  |
| TOTAL:                             |               |     |                   |      |     |       |      |         | <b>13.19</b> |                               |          |  |

| TABLE II. – PROPOSED PLACE OF USE |               |     |                   |      |     |       |      |         |              |                               |          |  |
|-----------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|--------------|-------------------------------|----------|--|
| POD                               | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES        | USER NAME                     | Notice # |  |
|                                   |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |              |                               |          |  |
| 4S                                | 12/8/1961     | IS  | 17 S              | 11 E | 12  | NW SW |      | 900     | 9.00         | McClain Revocable Trust       | N22.001  |  |
| 4S                                | 12/8/1961     | IS  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14         | Kingery, John B. & Marilyn S. | N22.002  |  |
| 4S                                | 12/8/1961     | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20         | Dugan, David L. & Melissa A.  | N22.003  |  |
| 4S                                | 12/8/1961     | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20         | Dugan, David L. & Melissa A.  | N22.003  |  |
| 4S                                | 12/8/1961     | IS  | 16 S              | 11 E | 25  | NE SW |      | 913     | 0.60         | Lahey, Neil D. & Hilary A.    | N22.004  |  |
| 4S                                | 12/8/1961     | IS  | 16 S              | 11 E | 25  | NW SE |      | 913     | 1.05         | Lahey, Neil D. & Hilary A.    | N22.004  |  |
| TOTAL:                            |               |     |                   |      |     |       |      |         | <b>13.19</b> |                               |          |  |

95178





DEC 29 2022

Salem, OR

# District Permanent Water Right Transfer Application

## Supplemental Form A

### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

#### 1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

|   |              |  |
|---|--------------|--|
| <input checked="" type="checkbox"/> Certificated Right                    | <u>74149</u> | Certificate Number                     |
| <input type="checkbox"/> Adjudicated, Non-certificated Right              | _____        | Page Number                            |
| <input type="checkbox"/> Permit for which Proof has been Approved         | -            | Date Claim of Beneficial Use Submitted |
| <input type="checkbox"/> Transferred Right for which Proof has been Filed | -            | Date Claim of Beneficial Use Submitted |
| <input type="checkbox"/> Permit for Supplemental Irrigation               | -            | Permit Number                          |

Name on Permit, Certificate, or Decree: Tumalo Irrigation District

Priority Date(s): 1905

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Deschutes River

Tributary to: Columbia River

Are there **other water rights**, Permits or Ground Water Registrations associated with this land?

Yes  No

If "Yes", what are the Permit, Registration or Certificate Numbers?

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

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Salem, OR

▪ Certificate Number or other identifying number: 74149

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):**  
(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

| AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA) |      |      |      |       |  |
|---|------|------|------|-------|--|
| POD ID#   | TW P | RN G | SE C | QQ    | MEASURED DISTANCES   |
| 3S  | 17 S | 12 E | 32   | NW NE | 100 Feet South and 550 Feet East from the N¼ corner of Section 32. (Bend Feed Canal) |

14135

3

▪ Certificate Number or other identifying number: **74149**

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DEC 2 0 2010

Salem, OR

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

| TABLE I. – AUTHORIZED PLACE OF USE |               |     |                   |      |     |       |      |         |              |                               |          |
|------------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|--------------|-------------------------------|----------|
| POD                                | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES        | USER NAME                     | Notice # |
|                                    |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |              |                               |          |
| 3S                                 | 1905          | IS  | 17 S              | 11 E | 13  | NW SE |      | 100     | 9.00         | ERMK, LLC                     | N22.001  |
| 3S                                 | 1905          | IS  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14         | Kingery, John B. & Marilyn S. | N22.002  |
| 3S                                 | 1905          | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20         | Dugan, David L. & Melissa A.  | N22.003  |
| 3S                                 | 1905          | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20         | Dugan, David L. & Melissa A.  | N22.003  |
| 3S                                 | 1905          | IS  | 16 S              | 11 E | 25  | NE SW |      | 911     | 1.25         | Lahey, Neil D. & Hilary A.    | N22.004  |
| 3S                                 | 1905          | IS  | 16 S              | 11 E | 25  | NW SE |      | 911     | 0.40         | Lahey, Neil D. & Hilary A.    | N22.004  |
| TOTAL:                             |               |     |                   |      |     |       |      |         | <b>13.19</b> |                               |          |

| TABLE II. – PROPOSED PLACE OF USE |               |     |                   |      |     |       |      |         |              |                               |          |
|-----------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|--------------|-------------------------------|----------|
| POD                               | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES        | USER NAME                     | Notice # |
|                                   |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |              |                               |          |
| 3S                                | 1905          | IS  | 17 S              | 11 E | 12  | NW SW |      | 900     | 9.00         | McClain Revocable Trust       | N22.001  |
| 3S                                | 1905          | IS  | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14         | Kingery, John B. & Marilyn S. | N22.002  |
| 3S                                | 1905          | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20         | Dugan, David L. & Melissa A.  | N22.003  |
| 3S                                | 1905          | IS  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20         | Dugan, David L. & Melissa A.  | N22.003  |
| 3S                                | 1905          | IS  | 16 S              | 11 E | 25  | NE SW |      | 913     | 0.60         | Lahey, Neil D. & Hilary A.    | N22.004  |
| 3S                                | 1905          | IS  | 16 S              | 11 E | 25  | NW SE |      | 913     | 1.05         | Lahey, Neil D. & Hilary A.    | N22.004  |
| TOTAL:                            |               |     |                   |      |     |       |      |         | <b>13.19</b> |                               |          |

74149



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

Received by OWRD  
 DEC 29 2022  
 Salem, OR

# Notice of District Permanent Water Right Transfer

*Filing of this notice must occur prior to making the change and must be included in the district's permanent transfer application, which is due no later than the end of the calendar year.*

## 1. APPLICANT INFORMATION

District: **Tumalo Irrigation District**

Contact Person: **April L. Harris Spath**

Phone: **541-382-3053**

Mailing Address: **64697 Cook Avenue**

City: **Bend** State: **OR** Zip: **97703**

\*E-Mail address: **april@tumalo.org**

\*Optional information

District Internal Notice Number (DINN): **N22.001**

## 2. PROPOSED CHANGE(S) TO WATER RIGHT(S)

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:

| CERTIFICATE NUMBER | PERMIT or TRANSFER NUMBER | DECREE (name, volume, and page) |
|--------------------|---------------------------|---------------------------------|
| <b>95175*</b>      | -                         | <b>See Attachment A (1P)</b>    |

## 3. AUTHORIZED POINTS OF DIVERSION (POD) OR APPROPRIATION (POA)

The authorized point(s) of diversion (POD) or appropriation (POA) for the water rights affected by this notice are as follows:

| DECREE or CERTIFICATE | PERMIT or TRANSFER | POD / POA # | LOCATION – MEASURED DISTANCES |
|-----------------------|--------------------|-------------|-------------------------------|
| <b>95175*</b>         | -                  | <b>1</b>    | <b>See Attachment A (1P)</b>  |

\*Incorporated CW-9 Lands

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Salem, OR

**4. PROPOSED CHANGES TO THE WATER RIGHT**

The 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 I – AUTHORIZED PLACE OF USE (POU) |       |               |     |                   |      |     |       |      |         |       |           |
|---|-------|---------------|-----|-------------------|------|-----|-------|------|---------|-------|-----------|
| CERTIFICATE                             | POD # | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES | USER NAME |
|   |       |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |       |           |
| 95175*                                  | 1     | 9/1/1900      | IR  | 17 S              | 11 E | 13  | NW SE |      | 00100   | 9.00  | ERMK, LLC |
| TOTAL:                                  |       |               |     |                   |      |     |       |      |         | 9.00  |           |

| TABLE II – PROPOSED PLACE OF USE (POU) |       |               |     |                   |      |     |       |      |         |       |                         |
|--|-------|---------------|-----|-------------------|------|-----|-------|------|---------|-------|-------------------------|
| CERTIFICATE                            | POD # | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES | USER NAME               |
|  |       |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |       |                         |
| 95175*                                 | 1     | 9/1/1900      | IR  | 17 S              | 11 E | 12  | NW SW |      | 00900   | 9.00  | McClain Revocable Trust |
| TOTAL:                                 |       |               |     |                   |      |     |       |      |         | 9.00  |                         |

| Primary (IR): | Supplemental (IS):                 |
|---------------|------------------------------------|
| 95175* (IR):  | 95177 (IS), 95178 (IS), 74149 (IS) |

\*Incorporated CW-9 Lands


14135

**5. MAPS and AUTHORIZATIONS**

- Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- The water rights affected by this notice are not subject to forfeiture for nonuse under ORS 540.610.
- Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- The water rights affected by this change do not require a Land Use Compatibility Statement because ALL of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, c) the use of water is for irrigation **only** and d) the use is located within an irrigation district or an exclusive farm use zone.
- The undersigned understand and acknowledge that the proposed change in place of use 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.

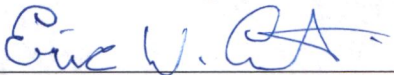
**6. SIGNATURES**

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

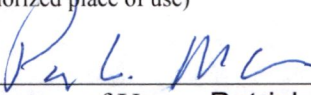
  
 \_\_\_\_\_  
 Signature of District Manager  
 or Authorized Representative

11/24/21  
 \_\_\_\_\_  
 Date

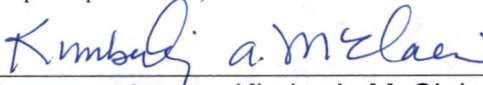
**Chris Schull**  
 \_\_\_\_\_  
 Type or Print Name of District Manager  
 or Authorized Representative

  
 \_\_\_\_\_  
 Signature of User – Eric Coats  
 (authorized place of use)

11-24-21  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Signature of User – Patrick McClain  
 (proposed place of use)

11-10-21  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Signature of User – Kimberly McClain  
 (proposed place of use)

11.12.21  
 \_\_\_\_\_  
 Date

**INSTRUCTIONS FOR FILING NOTICE:**

- 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 only the Notice Form (the inclusion of maps is not necessary) to Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1271

DEC 29 2022

## Attachment A:

| Certificate | Use | Permit/Decree                              | Priority Date  | POD |
|-------------|-----|--|--|-----|
| 95175       | IR  | Tumalo 1911 Decree V1,<br>P135 & V16, P188 | 8/5/1900, 9/1/1900,<br>4/28/1905, 5/27/1907,<br>6/1/1907 | 1   |
| 95176       | IR  | Permit #19628                              | 10/29/1913   | 1   |
| 83571       | IR  | Deschutes 1926 Decree<br>V8, P405          | 10/31/1900   | 9   |
| 95176       | IS  | Permit #19628                              | 10/29/1913   | 1   |
| 95177       | IS  | Permit #624                                | 4/7/1911   | 2S  |
| 74149       | IS  | Deschutes 1928 Decree<br>V9, P362          | 1905   | 3S  |
| 95178       | IS  | Permit #27841                              | 12/8/1961  | 4S  |
| 76714       | IS  | Permit #23256                              | 2/28/1913  | 11S |

\*Incorporated CW-9 Lands

| POD | Source   | Location  |
|-----|--|---|
| 1   | Tumalo Creek, tributary to the Deschutes River   | SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 23, T. 17 S., R. 11 E., W.M.; N. 70° 21' W.; 1550 feet from the E $\frac{1}{4}$ corner of Section 23. (Tumalo Feed Canal)   |
| 9   | Deschutes River, tributary to the Columbia River   | Deschutes River (Tumalo ID Bend Feed Canal) - NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;   |
| 2S  | Crescent Lake Reservoir, constructed under Permit R-102, tributary to Crescent Creek:                                | SE $\frac{1}{4}$ SW $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T. 24 S., R. 6 E., W.M.   |
| 3S  | Deschutes River, tributary to the Columbia River   | Deschutes River (Tumalo ID Bend Feed Canal) - NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;   |
| 4S  | Crescent Lake Reservoir, constructed under Permit R-2744, tributary to Crescent Creek and the Little Deschutes River | Deschutes River (Tumalo ID Bend Feed Canal) - NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;<br>Crescent Lake Reservoir - SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 11, T. 24 S., R. 6 E., W.M.; |
| 11S | Crane Prairie Reservoir, constructed under Permit R-1687, tributary of Deschutes River                               | POD #11-SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 29, T. 17 S., R. 12 E., W.M.; 850 Feet North and 630 Feet East from the N $\frac{1}{4}$ Corner, Section 29. (Bend Feed Canal)   |

Bend Feed Canal, Station ID: 14068500



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

Received by OWRD  
 DEC 29 2022  
 Salem, OR

# Notice of District Permanent Water Right Transfer

*Filing of this notice must occur prior to making the change and must be included in the district's permanent transfer application, which is due no later than the end of the calendar year.*

## 1. APPLICANT INFORMATION

District: **Tumalo Irrigation District**

Contact Person: **April L. Harris Spath**

Phone: **541-382-3053**

Mailing Address: **64697 Cook Avenue**

City: **Bend** State: **OR** Zip: **97703**

\*E-Mail address: **april@tumalo.org**

*\*Optional information*

District Internal Notice Number (DINN): **N22.002**

## 2. PROPOSED CHANGE(S) TO WATER RIGHT(S)

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:

| CERTIFICATE NUMBER | PERMIT or TRANSFER NUMBER | DECREE (name, volume, and page) |
|--------------------|---------------------------|---------------------------------|
| 95175              | -                         | See Attachment A (1P)           |

## 3. AUTHORIZED POINTS OF DIVERSION (POD) OR APPROPRIATION (POA)

The authorized point(s) of diversion (POD) or appropriation (POA) for the water rights affected by this notice are as follows:

| DECREE or CERTIFICATE | PERMIT or TRANSFER | POD / POA # | LOCATION – MEASURED DISTANCES |
|-----------------------|--------------------|-------------|-------------------------------|
| 95175                 | -                  | 1           | See Attachment A              |



**4. PROPOSED CHANGES TO THE WATER RIGHT**

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The 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.

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| TABLE I – AUTHORIZED PLACE OF USE (POU) |       |               |     |                   |      |     |       |      |         |       |                               |
|---|-------|---------------|-----|-------------------|------|-----|-------|------|---------|-------|-------------------------------|
| CERTIFICATE                             | POD # | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES | USER NAME                     |
|   |       |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |       |                               |
| 95175                                   | 1     | 9/1/1900      | IR  | 16 S              | 11 E | 27  | SW SE |      | 00502   | 1.14  | Kingery, John B. & Marilyn S. |
| TOTAL:                                  |       |               |     |                   |      |     |       |      |         | 1.14  |                               |

| TABLE II – PROPOSED PLACE OF USE (POU) |       |               |     |                   |      |     |       |      |         |       |                               |
|--|-------|---------------|-----|-------------------|------|-----|-------|------|---------|-------|-------------------------------|
| CERTIFICATE                            | POD # | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES | USER NAME                     |
|  |       |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |       |                               |
| 95175                                  | 1     | 9/1/1900      | IR  | 16 S              | 11 E | 27  | SW SE |      | 00502   | 1.14  | Kingery, John B. & Marilyn S. |
| TOTAL:                                 |       |               |     |                   |      |     |       |      |         | 1.14  |                               |

|               |  |
|---------------|--|
| Primary (IR): | Supplemental (IS):                             |
| 95175 (IR):   | 95176 (IS), 95177 (IS), 95178 (IS), 74149 (IS) |

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**5. MAPS and AUTHORIZATIONS**

Salem, OR

- Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- The water rights affected by this notice are not subject to forfeiture for nonuse under ORS 540.610.
- Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- The water rights affected by this change do not require a Land Use Compatibility Statement because ALL of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, c) the use of water is for irrigation **only** and d) the use is located within an irrigation district or an exclusive farm use zone.
- The undersigned understand and acknowledge that the proposed change in place of use 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.

**6. SIGNATURES**

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



Signature of District Manager  
or Authorized Representative

3/1/22  
Date

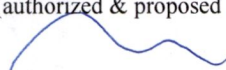
**Chris Schull**

Type or Print Name of District Manager  
or Authorized Representative



Signature of User – John Kingery  
(authorized & proposed place of use)

3/1/22  
Date



Signature of User – Marilyn Kingery  
(authorized & proposed place of use)

1 March 2022  
Date

**INSTRUCTIONS FOR FILING NOTICE:**

- 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 only the Notice Form (the inclusion of maps is not necessary) to Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1271

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## Attachment A:

| Certificate | Use | Permit/Decree                              | Priority Date  | Salem, OR<br>POD |
|-------------|-----|--|--|------------------|
| 95175       | IR  | Tumalo 1911 Decree V1,<br>P135 & V16, P188 | 8/5/1900, 9/1/1900,<br>4/28/1905, 5/27/1907,<br>6/1/1907 | 1                |
| 95176       | IR  | Permit #19628                              | 10/29/1913   | 1                |
| 83571       | IR  | Deschutes 1926 Decree<br>V8, P405          | 10/31/1900   | 9                |
| 95176       | IS  | Permit #19628                              | 10/29/1913   | 1                |
| 95177       | IS  | Permit #624                                | 4/7/1911   | 2S               |
| 74149       | IS  | Deschutes 1928 Decree<br>V9, P362          | 1905   | 3S               |
| 95178       | IS  | Permit #27841                              | 12/8/1961  | 4S               |
| 76714       | IS  | Permit #23256                              | 2/28/1913  | 11S              |

\*Incorporated CW-9 Lands

| POD | Source   | Location  |
|-----|--|---|
| 1   | Tumalo Creek, tributary to the Deschutes River   | SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 23, T. 17 S., R. 11 E., W.M.; N. 70° 21' W.; 1550 feet from the E $\frac{1}{4}$ corner of Section 23. (Tumalo Feed Canal)   |
| 9   | Deschutes River, tributary to the Columbia River   | Deschutes River (Tumalo ID Bend Feed Canal) - NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;   |
| 2S  | Crescent Lake Reservoir, constructed under Permit R-102, tributary to Crescent Creek:                                | SE $\frac{1}{4}$ SW $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T. 24 S., R. 6 E., W.M.   |
| 3S  | Deschutes River, tributary to the Columbia River   | Deschutes River (Tumalo ID Bend Feed Canal) - NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;   |
| 4S  | Crescent Lake Reservoir, constructed under Permit R-2744, tributary to Crescent Creek and the Little Deschutes River | Deschutes River (Tumalo ID Bend Feed Canal) - NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;<br>Crescent Lake Reservoir - SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 11, T. 24 S., R. 6 E., W.M.; |
| 11S | Crane Prairie Reservoir, constructed under Permit R-1687, tributary of Deschutes River                               | POD #11-SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 29, T. 17 S., R. 12 E., W.M.; 850 Feet North and 630 Feet East from the N $\frac{1}{4}$ Corner, Section 29. (Bend Feed Canal)   |

Bend Feed Canal, Station ID: 14068500



Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

Received by OWRD

DEC 29 2022

Salem, OR

Notice of District  
 Permanent Water Right  
**Transfer**

*Filing of this notice must occur prior to making the change and must be included in the district's permanent transfer application, which is due no later than the end of the calendar year.*

**1. APPLICANT INFORMATION**

District: **Tumalo Irrigation District**

Contact Person: **April L. Harris Spath**

Phone: **541-382-3053**

Mailing Address: **64697 Cook Avenue**

City: **Bend** State: **OR** Zip: **97703**

\*E-Mail address: **april@tumalo.org**

*\*Optional information*

District Internal Notice Number (DINN): **N22.003**

**2. PROPOSED CHANGE(S) TO WATER RIGHT(S)**

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:

| CERTIFICATE NUMBER | PERMIT or TRANSFER NUMBER | DECREE (name, volume, and page) |
|--------------------|---------------------------|---------------------------------|
| 95175              | -                         | See Attachment A (1P)           |

**3. AUTHORIZED POINTS OF DIVERSION (POD) OR APPROPRIATION (POA)**

The authorized point(s) of diversion (POD) or appropriation (POA) for the water rights affected by this notice are as follows:

| DECREE or CERTIFICATE | PERMIT or TRANSFER | POD / POA # | LOCATION - MEASURED DISTANCES |
|-----------------------|--------------------|-------------|-------------------------------|
| 95175                 | -                  | 1           | See Attachment A (1P)         |

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Reviewed by CWRD

DEC 29 2022

Salem, OR

**4. PROPOSED CHANGES TO THE WATER RIGHT**

The 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 I – AUTHORIZED PLACE OF USE (POU) |       |               |     |                   |      |     |       |      |         |       |                              |
|---|-------|---------------|-----|-------------------|------|-----|-------|------|---------|-------|------------------------------|
| CERTIFICATE                             | POD # | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES | USER NAME                    |
|   |       |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |       |                              |
| 95175                                   | 1     | 8/5/1900      | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20  | Dugan, David L. & Melissa A. |
| 95175*                                  | 1     | 9/1/1900      | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20  | Dugan, David L. & Melissa A. |
| *Incorporated CW-9 Lands                |       |               |     |                   |      |     |       |      | TOTAL:  | 1.40  |                              |

| TABLE II – PROPOSED PLACE OF USE (POU) |       |               |     |                   |      |     |       |      |         |       |                              |
|--|-------|---------------|-----|-------------------|------|-----|-------|------|---------|-------|------------------------------|
| CERTIFICATE                            | POD # | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES | USER NAME                    |
|  |       |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |       |                              |
| 95175                                  | 1     | 8/5/1900      | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 1.20  | Dugan, David L. & Melissa A. |
| 95175*                                 | 1     | 9/1/1900      | IR  | 17 S              | 11 E | 11  | SE NW |      | 600     | 0.20  | Dugan, David L. & Melissa A. |
| *Incorporated CW-9 Lands               |       |               |     |                   |      |     |       |      | TOTAL:  | 1.40  |                              |

| Primary (IR): | Supplemental (IS):                             |
|---------------|--|
| 95175 (IR):   | 95176 (IS), 95177 (IS), 95178 (IS), 74149 (IS) |
| 95175* (IR):  | 95177 (IS), 95178 (IS), 74149 (IS)             |


14135

**5. MAPS and AUTHORIZATIONS**

- Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- The water rights affected by this notice are not subject to forfeiture for nonuse under ORS 540.610.
- Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- The water rights affected by this change do not require a Land Use Compatibility Statement because ALL of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, c) the use of water is for irrigation **only** and d) the use is located within an irrigation district or an exclusive farm use zone.
- The undersigned understand and acknowledge that the proposed change in place of use 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.

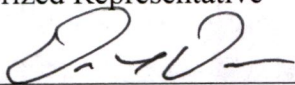
**6. SIGNATURES**

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

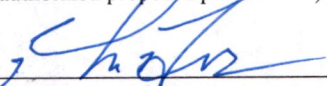
  
 \_\_\_\_\_  
 Signature of District Manager  
 or Authorized Representative

6/10/2022  
 \_\_\_\_\_  
 Date

**Chris Schull**  
 \_\_\_\_\_  
 Type or Print Name of District Manager  
 or Authorized Representative

  
 \_\_\_\_\_  
 Signature of User – David L. Dugan  
 (authorized/proposed place of use)

6/6/2022  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Signature of User – Melissa A. Dugan  
 (authorized/proposed place of use)

6-10-2022  
 \_\_\_\_\_  
 Date

**INSTRUCTIONS FOR FILING NOTICE:**

- 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 only the Notice Form (the inclusion of maps is not necessary) to Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1271

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**Attachment A:**

| Certificate | Use | Permit/Decree                           | Priority Date                                      | POD |
|-------------|-----|---|--|-----|
| 95175       | IR  | Tumalo 1911 Decree V1, P135 & V16, P188 | 8/5/1900, 9/1/1900, 4/28/1905, 5/27/1907, 6/1/1907 | 1   |
| 95176       | IR  | Permit #19628                           | 10/29/1913   | 1   |
| 83571       | IR  | Deschutes 1926 Decree V8, P405          | 10/31/1900   | 9   |
| 95176       | IS  | Permit #19628                           | 10/29/1913   | 1   |
| 95177       | IS  | Permit #624                             | 4/7/1911   | 2S  |
| 74149       | IS  | Deschutes 1928 Decree V9, P362          | 1905   | 3S  |
| 95178       | IS  | Permit #27841                           | 12/8/1961  | 4S  |
| 76714       | IS  | Permit #23256                           | 2/28/1913  | 11S |

*\*Incorporated CW-9 Lands*

| POD | Source   | Location  |
|-----|--|---|
| 1   | Tumalo Creek, tributary to the Deschutes River   | SW¼ NE¼, Section 23, T. 17 S., R. 11 E., W.M.; N. 70° 21' W.; 1550 feet from the E ¼ corner of Section 23. (Tumalo Feed Canal)  |
| 9   | Deschutes River, tributary to the Columbia River   | Deschutes River (Tumalo ID Bend Feed Canal) - NW¼ NE¼, Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;  |
| 2S  | Crescent Lake Reservoir, constructed under Permit R-102, tributary to Crescent Creek:                                | SE¼ SW¼ & SW¼ SE¼ Section 11, T. 24 S., R. 6 E., W.M.   |
| 3S  | Deschutes River, tributary to the Columbia River   | Deschutes River (Tumalo ID Bend Feed Canal) - NW¼ NE¼, Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;  |
| 4S  | Crescent Lake Reservoir, constructed under Permit R-2744, tributary to Crescent Creek and the Little Deschutes River | Deschutes River (Tumalo ID Bend Feed Canal) - NW¼ NE¼, Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;<br>Crescent Lake Reservoir - SE¼ SW¼, Section 11, T. 24 S., R. 6 E., W.M.; |
| 11S | Crane Prairie Reservoir, constructed under Permit R-1687, tributary of Deschutes River                               | POD #11-SE¼ NE¼, Section 29, T. 17 S., R. 12 E., W.M.; 850 Feet North and 630 Feet East from the N¼ Corner, Section 29. (Bend Feed Canal)   |

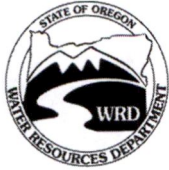
Bend Feed Canal, Station ID: 14068500

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Salem, OR

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Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

DEC 29 2022  
 Salem, OR

Notice of District  
 Permanent Water Right  
**Transfer**

*Filing of this notice must occur prior to making the change and must be included in the district's permanent transfer application, which is due no later than the end of the calendar year.*

**1. APPLICANT INFORMATION**

District: **Tumalo Irrigation District**

Contact Person: **April L. Harris Spath**

Phone: **541-382-3053**

Mailing Address: **64697 Cook Avenue**

City: **Bend** State: **OR** Zip: **97703**

\*E-Mail address: **april@tumalo.org**

*\*Optional information*

District Internal Notice Number (DINN): **N22.004**

**2. PROPOSED CHANGE(S) TO WATER RIGHT(S)**

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:

| CERTIFICATE NUMBER | PERMIT or TRANSFER NUMBER | DECREE (name, volume, and page) |
|--------------------|---------------------------|---------------------------------|
| 95176              | -                         | See Attachment A (1P)           |

**3. AUTHORIZED POINTS OF DIVERSION (POD) OR APPROPRIATION (POA)**

The authorized point(s) of diversion (POD) or appropriation (POA) for the water rights affected by this notice are as follows:

| DECREE or CERTIFICATE | PERMIT or TRANSFER | POD / POA # | LOCATION – MEASURED DISTANCES |
|-----------------------|--------------------|-------------|-------------------------------|
| 95176                 | -                  | 1           | See Attachment A (1P)         |

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Salem, OR

**4. PROPOSED CHANGES TO THE WATER RIGHT**

The 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 I – AUTHORIZED PLACE OF USE (POU)**

| CERTIFICATE   | POD # | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES | USER NAME                  |
|---------------|-------|---------------|-----|-------------------|------|-----|-------|------|---------|-------|----------------------------|
|               |       |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |       |                            |
| 95176         | 1     | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NE SW |      | 911     | 1.25  | Lahey, Neil D. & Hilary A. |
| 95176         | 1     | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NW SE |      | 911     | 0.40  | Lahey, Neil D. & Hilary A. |
| <b>TOTAL:</b> |       |               |     |                   |      |     |       |      |         | 1.65  |                            |

**TABLE II – PROPOSED PLACE OF USE (POU)**

| CERTIFICATE   | POD # | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES | USER NAME                  |
|---------------|-------|---------------|-----|-------------------|------|-----|-------|------|---------|-------|----------------------------|
|               |       |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |       |                            |
| 95176         | 1     | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NE SW |      | 913     | 0.60  | Lahey, Neil D. & Hilary A. |
| 95176         | 1     | 10/29/1913    | IR  | 16 S              | 11 E | 25  | NW SE |      | 913     | 1.05  | Lahey, Neil D. & Hilary A. |
| <b>TOTAL:</b> |       |               |     |                   |      |     |       |      |         | 1.65  |                            |

|               |                                    |
|---------------|------------------------------------|
| Primary (IR): | Supplemental (IS):                 |
| 95176 (IR):   | 95177 (IS), 95178 (IS), 74149 (IS) |

14135

**5. MAPS and AUTHORIZATIONS**

- Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- The water rights affected by this notice are not subject to forfeiture for nonuse under ORS 540.610.
- Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- The water rights affected by this change do not require a Land Use Compatibility Statement because ALL of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, c) the use of water is for irrigation **only** and d) the use is located within an irrigation district or an exclusive farm use zone.
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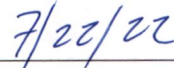
**6. SIGNATURES**

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



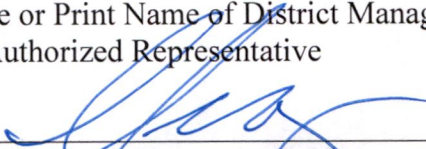
Signature of District Manager  
or Authorized Representative

Chris Schull



Date

Type or Print Name of District Manager  
or Authorized Representative



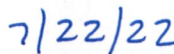
Signature of User – Neil D. Lahey  
(authorized/proposed place of use)



Date



Signature of User – Hilary A. Lahey  
(authorized/proposed place of use)



Date

**INSTRUCTIONS FOR FILING NOTICE:**

- 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 only the Notice Form (the inclusion of maps is not necessary) to Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1271

Received by OWRD

DEC 29 2022

Salem, OR

14135

DEC 29 2022

## Attachment A:

| Certificate | Use | Permit/Decree                              | Priority Date  | POD       |
|-------------|-----|--|--|-----------|
| 95175       | IR  | Tumalo 1911 Decree V1,<br>P135 & V16, P188 | 8/5/1900, 9/1/1900,<br>4/28/1905, 5/27/1907,<br>6/1/1907 | Salem, OR |
| 95176       | IR  | Permit #19628                              | 10/29/1913   | 1         |
| 83571       | IR  | Deschutes 1926 Decree<br>V8, P405          | 10/31/1900   | 9         |
| 95176       | IS  | Permit #19628                              | 10/29/1913   | 1         |
| 95177       | IS  | Permit #624                                | 4/7/1911   | 2S        |
| 74149       | IS  | Deschutes 1928 Decree<br>V9, P362          | 1905   | 3S        |
| 95178       | IS  | Permit #27841                              | 12/8/1961  | 4S        |
| 76714       | IS  | Permit #23256                              | 2/28/1913  | 11S       |

\*Incorporated CW-9 Lands

| POD | Source   | Location  |
|-----|--|---|
| 1   | Tumalo Creek, tributary to the Deschutes River   | SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 23, T. 17 S., R. 11 E., W.M.; N. 70° 21' W.; 1550 feet from the E $\frac{1}{4}$ corner of Section 23. (Tumalo Feed Canal)   |
| 9   | Deschutes River, tributary to the Columbia River   | Deschutes River (Tumalo ID Bend Feed Canal) - NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;   |
| 2S  | Crescent Lake Reservoir, constructed under Permit R-102, tributary to Crescent Creek:                                | SE $\frac{1}{4}$ SW $\frac{1}{4}$ & SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T. 24 S., R. 6 E., W.M.   |
| 3S  | Deschutes River, tributary to the Columbia River   | Deschutes River (Tumalo ID Bend Feed Canal) - NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;   |
| 4S  | Crescent Lake Reservoir, constructed under Permit R-2744, tributary to Crescent Creek and the Little Deschutes River | Deschutes River (Tumalo ID Bend Feed Canal) - NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 32, T. 17 S., R 12 E., W.M.; 2050 feet West from the NE corner of Section 32;<br>Crescent Lake Reservoir - SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 11, T. 24 S., R. 6 E., W.M.; |
| 11S | Crane Prairie Reservoir, constructed under Permit R-1687, tributary of Deschutes River                               | POD #11-SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 29, T. 17 S., R. 12 E., W.M.; 850 Feet North and 630 Feet East from the N $\frac{1}{4}$ Corner, Section 29. (Bend Feed Canal)   |

Bend Feed Canal, Station ID: 14068500

December 27, 2022

Received by OWRD

DEC 29 2022

Salem, OR

Oregon Water Resources Department  
Transfer Section  
725 Summer St. NE, Suite A  
Salem, Oregon 97301-1271

Re: 2022 District Petition for Permanent Transfer  
ORS 540.580 & OAR Chapter 690, Division 385

Ann,

Enclosed are the following:

- 2022 District Permanent Transfer Application
- Supplemental Form A for the following certificates: 95175, 95176, 95177, 95178, and 74149.
- Four Notices of District Permanent Transfer (Place of Use) and associated maps.
- The District's check for \$3,800.00 which represents fees & transfer costs.

Please contact me by phone at 541-382-3053 or by e-mail at [april@tumalo.org](mailto:april@tumalo.org) if you have any questions or need additional information. Thank you.

Respectfully,



April L. Harris Spath  
Office Manager

14135

February 7, 2023

Oregon Water Resources Department  
Transfer Section (T-14135)  
725 Summer St. NE, Suite A  
Salem, Oregon 97301-1271

Re: 2022 District Petition for Permanent Transfer

Ann,

Enclosed are the following:

- Supplemental Form A for certificate 79719.
- Revised maps for N22.002, with 79719 added.
- The District's check for \$610.00 for the cost of the additional certificate.

Please contact me by phone at 541-382-3053 or by e-mail at [april@tumalo.org](mailto:april@tumalo.org) if you have any questions or need additional information. Thank you.

Respectfully,



April L. Harris Spath  
Office Manager



## District Permanent Water Right Transfer Application Supplemental Form A

### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. **A separate Supplemental Form A must be completed for each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

#### 1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

|   |                          |  |
|---|--------------------------|--|
| <input checked="" type="checkbox"/> Certificated Right                    | 79719                    |  |
|   | Certificate Number       |  |
| <input type="checkbox"/> Adjudicated, Non-certificated Right              | Name of Decree           | Page Number                            |
| <input type="checkbox"/> Permit for which Proof has been Approved         | -                        | Date Claim of Beneficial Use Submitted |
|   | Permit Number            |  |
| <input type="checkbox"/> Transferred Right for which Proof has been Filed | -                        | Date Claim of Beneficial Use Submitted |
|   | Previous Transfer Number |  |
| <input type="checkbox"/> Permit for Supplemental Irrigation               | -                        |  |
|   | Permit Number            |  |

▪ Name on Permit, Certificate, or Decree: Julia Kennedy

▪ Priority Date(s): October 24, 1995

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Well in the Deschutes River Basin

Tributary to: \_\_\_\_\_

▪ Are there other water rights, Permits or Ground Water Registrations associated with this land?

KI Yes     No

If "Yes", what are the Permit, Registration or Certificate Numbers? 95176, 95177, 74149, 95178

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

▪ Certificate Number or other identifying number: 79719

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

| AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA) |      |      |     |       |  |
|---|------|------|-----|-------|--|
| POD ID#   | TWP  | RNG  | SEC | QQ    | MEASURED DISTANCES   |
| 1   | 16 S | 11 E | 27  | SW SE | 850 Feet North and 250 Feet East from the South ¼ Corner of Section 27 |

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▪ Certificate Number or other identifying number: 79719

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

| TABLE I. – AUTHORIZED PLACE OF USE |               |     |                   |      |     |       |      |         |             |                               |          |
|------------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|-------------|-------------------------------|----------|
| POD                                | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES       | USER NAME                     | Notice # |
|                                    |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |             |                               |          |
| 1                                  | 10/24/1995    | S   | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14        | Kingery, John B. & Marilyn S. | N22.002  |
| TOTAL:                             |               |     |                   |      |     |       |      |         | <b>1.14</b> |                               |          |

| TABLE II. – PROPOSED PLACE OF USE |               |     |                   |      |     |       |      |         |             |                               |          |
|-----------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|-------------|-------------------------------|----------|
| POD                               | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES       | USER NAME                     | Notice # |
|                                   |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |             |                               |          |
| 1                                 | 10/24/1995    | S   | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14        | Kingery, John B. & Marilyn S. | N22.002  |
| TOTAL:                            |               |     |                   |      |     |       |      |         | <b>1.14</b> |                               |          |



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2/7/2023  
OWRD

▪ Certificate Number or other identifying number: 79719

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

| TABLE I. – AUTHORIZED PLACE OF USE |               |     |                   |      |     |       |      |         |             |                               |          |
|------------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|-------------|-------------------------------|----------|
| POD                                | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES       | USER NAME                     | Notice # |
|                                    |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |             |                               |          |
| 1                                  | 10/24/1995    | S   | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14        | Kingery, John B. & Marilyn S. | N22.002  |
| TOTAL:                             |               |     |                   |      |     |       |      |         | <b>1.14</b> |                               |          |

| TABLE II. – PROPOSED PLACE OF USE |               |     |                   |      |     |       |      |         |             |                               |          |
|-----------------------------------|---------------|-----|-------------------|------|-----|-------|------|---------|-------------|-------------------------------|----------|
| POD                               | PRIORITY DATE | USE | LEGAL DESCRIPTION |      |     |       |      |         | ACRES       | USER NAME                     | Notice # |
|                                   |               |     | TWP               | RNG  | SEC | QQ    | GLot | TAX LOT |             |                               |          |
| 1                                 | 10/24/1995    | S   | 16 S              | 11 E | 27  | SW SE |      | 502     | 1.14        | Kingery, John B. & Marilyn S. | N22.002  |
| TOTAL:                            |               |     |                   |      |     |       |      |         | <b>1.14</b> |                               |          |

T-14135