

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

In the Matter of Allocation of Conserved Water Application CW-137, Deschutes and Jefferson Counties) PRELIMINARY DETERMINATION) PROPOSING APPROVAL OF ALLOCATION OF) CONSERVED WATER CW-137

Applicant

Three Sisters Irrigation District
PO Box 2230
Sisters, OR 97759
office@tsidweb.org

Agent

Deschutes River Conservancy
700 NW Hill Street, Suite 1
Bend, OR 97703
gen@deschutesriver.org

Applicable Law

Any person or group of persons holding a water use subject to transfer as defined in ORS 540.505 may submit an application for an Allocation of Conserved Water to the Water Resources Commission for a conservation project that has not yet been implemented or was implemented within five years prior to the submission of the application. ORS 537.465. Under the Allocation of Conserved Water Program, a portion of the water proposed to be conserved by an applicant may be used on additional lands, put to a different use, or be leased or sold to another user. OAR 690-018-0010. A portion of the water conserved is allocated to the state to be converted to an instream water right or to revert to the public for appropriation by other water users. ORS 537.470(3).

An application for an allocation of conserved water shall include: (a) A description of the measure as implemented and the date on which the measure was implemented; (b) A description of the diversion facilities before the conservation measure was implemented and the amount of water that was diverted at the facilities before the conservation measure was implemented; (c) The amount of water needed to supply existing rights after implementation of the conservation measure; (d) The amount of water conserved by implementing the conservation measure; (e) The proposed allocation and use of the conserved water if different from the allocation specified in ORS 537.470; (f) The intended use of any water allocated to the applicant and the proposed location of use; (g) The applicant's choice of priority date for the conserved water; (h) Evidence that the measure was implemented within five years prior to the date of filing the application; and (i) Any other information the commission considers necessary to evaluate the application. ORS 537.465.

Pursuant to OAR 690-018-0050, any person objecting to the proposed allocation may file a protest to this Preliminary Determination with the Water Resources Commission within 60 days of the mailing of this determination.

After determining any quantity of water needed to mitigate the effects on other water rights, 25-percent of the conserved water shall be allocated to the state and 75-percent to the applicant unless the applicant proposes a higher allocation to the state or more than 25-percent of the funds used to finance the conservation measures comes from federal or state sources not subject to repayment. ORS 537.470(3).

If an application for the allocation of conserved water is approved, the Department shall issue orders describing the changes in the original water rights. Once the conservation project is finalized, the Department shall issue new certificates preserving the previously established-priority date of the rights to reflect the unaffected portion of the water rights and new certificates reflecting the changes for the portions of the water rights involved in the conserved water application. ORS 537.470(6).

ORS 537.455 to 537.500 authorize and establish the process by which a water right holder may submit a request for an allocation of conserved water. OAR Chapter 690, Division 18, implements the statutes and provides the Department’s procedures and criteria for evaluating allocation of conserved water applications. OAR Chapter 690, Division 077 provides additional criteria for evaluating proposed instream water rights.

Findings of Fact

1. On May 26, 2023, Three Sisters Irrigation District (TSID) filed an allocation of conserved water application under Certificate 95971. The Department assigned the application number CW-137.
2. On July 5, 2005, TSID adopted an Allocation of Conserved Water Policy pursuant to OAR 690-018-0025. On July 6, 2010, September 1, 2015, and again on June 6, 2023, TSID reviewed and renewed the District’s Allocation of Conserved Water Policy.
3. The conservation project involves replacing approximately 24,300 feet of open ditch on TSID’s Cloverdale Lateral with buried high-density polyethylene (HDPE) pipe. The conversion to an enclosed pipe system is a proven technology for conserving water.
4. Application CW-137 proposes a rate reduction under the 1895 priority date, of approximately 0.33 cubic foot per second (cfs) and proposes to reduce the annual volume by 140.1 acre-feet (AF).

Conserved Water Description						
1985 Priority Date	Certificate		Needed		Conserved Water	
	Rate		Rate		Rate	Duty
Certificate	Maximum CFS	CFS/AC	Maximum CFS	CFS/AC	Maximum CFS	Maximum AF
95971	88.21	0.02	87.88*	0.02	0.33	140.1

Note: All priority dates on the certificate total 118.95 CFS, after CW-137 the total will be 118.62 CFS.

5. The right to be modified by CW-137 is as follows:

Certificate: 95971 in the name of THREE SISTERS IRRIGATION DISTRICT (confirmed by SQUAW CREEK [WHYCHUS CREEK] Decree)
Use: 5669.21 ACRES FOR IRRIGATION (IR), 46.34 ACRES-EQUIVALENT FOR POND MAINTENANCE (PM), AND LIVESTOCK (LV)
Priority Date: 1895
Rate: 88.21 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.
Source: WHYCHUS CREEK, tributary of THE DESCHUTES RIVER

Authorized Point of Diversion:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FET EAST FROM THE SW CORNER OF SECTION 21

Authorized Place of Use:

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
13 S	12 E	WM	20	SW NE		17.50	1401
13 S	12 E	WM	20	SE NW		17.00	1401
13 S	12 E	WM	29	NW NW		39.00	1401
13 S	12 E	WM	29	SW NW		37.00	1900
13 S	12 E	WM	29	NW SW		21.00	1900
13 S	12 E	WM	29	SW SW		16.00	2000
13 S	12 E	WM	30	NE NE		11.00	1401
13 S	12 E	WM	30	SW NE		2.00	1900
13 S	12 E	WM	30	SE NE		38.00	1900
13 S	12 E	WM	30	SW SE		6.00	2000
13 S	12 E	WM	30	SE SE		9.00	2000
13 S	12 E	WM	31	NE NE		9.00	2000
13 S	12 E	WM	31	NW NE		6.00	2000
13 S	12 E	WM	31	SW NE		8.00	2000
13 S	12 E	WM	31	SE NE		13.50	2000
13 S	12 E	WM	31	NE SW		3.50	2100
13 S	12 E	WM	31	SE SW		25.00	2100
13 S	12 E	WM	32	NW NW		1.00	2000
14 S	10 E	WM	36	SW NE		2.50	2400
14 S	10 E	WM	36	NE SE		2.00	200
14 S	10 E	WM	36	NE SE		1.50	800
14 S	10 E	WM	36	NE SE		1.50	900
14 S	10 E	WM	36	NW SE		2.00	500
14 S	10 E	WM	36	NW SE		4.00	600
14 S	10 E	WM	36	NW SE		1.50	2400

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14 S	10 E	WM	36	SW SE		2.00	1700
14 S	10 E	WM	36	SW SE		2.00	1800
14 S	10 E	WM	36	SW SE		2.00	1900
14 S	10 E	WM	36	SE SE		2.80	205
14 S	10 E	WM	36	SE SE		7.40	2500
14 S	10 E	WM	36	SE SE		4.00	2501
14 S	10 E	WM	36	SE SE		5.00	2502
14 S	10 E	WM	36	SE SE		2.47	2503
14 S	10 E	WM	36	SE SE		4.00	2504
14 S	11 E	WM	1	NE SW		17.70	101
14 S	11 E	WM	1	NW SW		0.30	101
14 S	11 E	WM	1	SW SW		22.50	101
14 S	11 E	WM	1	SE SW		19.30	101
14 S	11 E	WM	1	NE SE		17.00	101
14 S	11 E	WM	1	NW SE		28.30	101
14 S	11 E	WM	1	SW SE		32.70	101
14 S	11 E	WM	1	SE SE		39.80	101
14 S	11 E	WM	2	SE SE		23.10	101
14 S	11 E	WM	11	NE NE		13.40	101
14 S	11 E	WM	11	NW NE		12.40	101
14 S	11 E	WM	12	NE NE		1.00	101
14 S	11 E	WM	12	NW NW		1.20	101
14 S	11 E	WM	12	NE SE		1.90	3000
14 S	11 E	WM	12	SE SE		3.10	3000
14 S	11 E	WM	13	NW NE		5.00	200
14 S	11 E	WM	13	SW NE		0.68	300
14 S	11 E	WM	13	SE NE		14.00	401
14 S	11 E	WM	13	SW NW		13.50	500
14 S	11 E	WM	13	SE NW		5.50	500
14 S	11 E	WM	13	NE SW		8.00	500
14 S	11 E	WM	13	NW SW		33.00	500
14 S	11 E	WM	13	SW SW		21.50	700
14 S	11 E	WM	13	SW SW		4.00	800
14 S	11 E	WM	13	SE SW		7.57	402
14 S	11 E	WM	13	NE SE		37.00	401
14 S	11 E	WM	13	NW SE		1.50	300
14 S	11 E	WM	13	SW SE		22.00	402
14 S	11 E	WM	13	SE SE		12.00	401
14 S	11 E	WM	13	SE SE		12.00	402
14 S	11 E	WM	14	SE SE		2.00	700
14 S	11 E	WM	14	SE SE		3.50	800
14 S	11 E	WM	22	NE SW		2.10	600
14 S	11 E	WM	22	NE SW		2.10	700

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14 S	11 E	WM	22	SE SW		2.90	600
14 S	11 E	WM	22	SE SW		9.00	900
14 S	11 E	WM	22	NW SE		2.90	700
14 S	11 E	WM	23	NE NE		6.00	100
14 S	11 E	WM	23	NE NE		15.00	200
14 S	11 E	WM	23	NE NE		1.50	400
14 S	11 E	WM	23	SE NE		19.80	300
14 S	11 E	WM	23	SE SW		4.20	1200
14 S	11 E	WM	23	NE SE		2.20	400
14 S	11 E	WM	23	NE SE		5.80	800
14 S	11 E	WM	23	NW SE		8.00	400
14 S	11 E	WM	23	NW SE		6.50	700
14 S	11 E	WM	23	SW SE		1.80	1000
14 S	11 E	WM	23	SW SE		5.00	1100
14 S	11 E	WM	24	NE NE		6.50	100
14 S	11 E	WM	24	NW NE		1.50	100
14 S	11 E	WM	24	NW NW		4.70	400
14 S	11 E	WM	24	NW NW		2.80	100
14 S	11 E	WM	27	NW NE		5.00	300
14 S	11 E	WM	27	NW NE		4.00	400
14 S	11 E	WM	28	SE SW		6.00	500
14 S	11 E	WM	29	SW SW		7.50	600
14 S	11 E	WM	29	SE SW		2.50	700
14 S	11 E	WM	29	SE SW		8.00	700
14 S	11 E	WM	29	SW SE		3.00	900
14 S	11 E	WM	30	SE SW		6.80	900
14 S	11 E	WM	30	SE SW		9.00	900
14 S	11 E	WM	30	NE SE		16.50	500
14 S	11 E	WM	30	NE SE		3.00	600
14 S	11 E	WM	30	SW SE		30.90	900
14 S	11 E	WM	30	SE SE		36.70	900
14 S	11 E	WM	31	NE NE		36.80	600
14 S	11 E	WM	31	NW NE		37.10	600
14 S	11 E	WM	31	SW NE		29.30	600
14 S	11 E	WM	31	SE NE		31.60	600
14 S	11 E	WM	31	NE NW		8.90	600
14 S	11 E	WM	31	SE NW		0.70	600
14 S	11 E	WM	31	NW SW	3	4.00	300
14 S	11 E	WM	31	NW SW	3	3.00	500
14 S	11 E	WM	31	NW SW	3	2.00	600
14 S	11 E	WM	31	NW SW	3	4.00	700
14 S	11 E	WM	31	NW SW	3	2.50	800
14 S	11 E	WM	31	NW SW	3	2.00	900

IRRIGATION with 1895 PRIORITY DATE

Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14S	11E	WM	31	NW SW	3	4.00	1000
14S	11E	WM	31	SW SW	4	8.13	200
14S	11E	WM	31	SW SW	4	6.00	201
14S	11E	WM	31	SW SW	4	6.80	204
14S	11E	WM	31	SW SW	4	3.70	205
14S	11E	WM	31	SW SW	4	1.70	2500
14S	11E	WM	31	NE SE		33.60	600
14S	11E	WM	31	NW SE		14.10	500
14S	11E	WM	31	NW SE		1.60	500
14S	11E	WM	31	SW SE		12.20	500
14S	11E	WM	31	SE SE		39.10	500
14S	11E	WM	32	NE NE		29.00	100
14S	11E	WM	32	NW NE		22.00	100
14S	11E	WM	32	SW NE		7.00	100
14S	11E	WM	32	SE NE		11.00	100
14S	11E	WM	32	SW SW		16.00	1200
14S	11E	WM	32	SE SE		6.00	1700
14S	11E	WM	32	SE SE		12.50	1701
14S	11E	WM	32	SE SE		1.50	1702
14S	11E	WM	33	NW NW		20.00	400
14S	11E	WM	33	NE SW		8.50	3600
14S	11E	WM	33	NW SW		2.50	1300
14S	11E	WM	33	SW SW		0.50	1300
14S	11E	WM	33	SW SW		7.23	1400
14S	11E	WM	33	SW SW		4.77	1500
14S	11E	WM	33	SW SW		8.00	1600
14S	11E	WM	33	SW SW		6.00	1700
14S	11E	WM	33	SW SW		1.00	3500
14S	11E	WM	33	SE SW		1.00	1700
14S	11E	WM	33	SE SW		5.00	1800
14S	11E	WM	33	SE SW		4.00	3400
14S	11E	WM	33	SE SW		4.00	3500
14S	11E	WM	33	SE SE		8.00	2400
14S	11E	WM	33	SE SE		7.50	2500
14S	11E	WM	33	SE SE		7.50	2600
14S	11E	WM	33	SE SE		1.00	2800
14S	11E	WM	34	SW SW		5.00	6100
14S	12E	WM	5	NE NE	1	15.50	800
14S	12E	WM	5	NW NE	2	27.00	800
14S	12E	WM	5	SW NE		25.00	800
14S	12E	WM	5	SE NE		10.00	800
14S	12E	WM	5	NE NW	3	10.50	800
14S	12E	WM	5	SE NW		7.00	800

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14 S	12 E	WM	6	NE NW	3	40.00	902
14 S	12 E	WM	6	SE NW		1.50	100
14 S	12 E	WM	6	NW SW	6	10.60	400
14 S	12 E	WM	6	SW SW	7	22.50	400
14 S	12 E	WM	6	SW SW	7	11.20	400
14 S	12 E	WM	6	SE SW		15.80	400
14 S	12 E	WM	6	SE SW		6.00	400
14 S	12 E	WM	6	SW SE		18.00	800
14 S	12 E	WM	7	NW NE		11.00	800
14 S	12 E	WM	7	NE NW		17.50	100
14 S	12 E	WM	7	NE NW		1.10	100
14 S	12 E	WM	7	NW NW	1	31.80	100
14 S	12 E	WM	7	SE NW		27.00	600
14 S	12 E	WM	7	SW SW	4	6.00	1102
14 S	12 E	WM	7	SE SW		2.50	1102
14 S	12 E	WM	7	SE SE		8.00	1401
14 S	12 E	WM	17	SW NW		32.50	1401
14 S	12 E	WM	18	NE NE		40.50	1401
14 S	12 E	WM	18	NW NE		29.50	1401
14 S	12 E	WM	18	SW NE		37.00	1401
14 S	12 E	WM	18	SE NE		32.50	1401
14 S	12 E	WM	18	NE NW		27.50	1102
14 S	12 E	WM	18	NW NW	1	32.00	1102
14 S	12 E	WM	18	SW NW	2	38.50	1102
14 S	12 E	WM	18	SE NW		38.00	1102
14 S	12 E	WM	18	NE SW		23.00	1102
14 S	12 E	WM	18	NE SW		7.50	2200
14 S	12 E	WM	18	NW SW	3	34.00	1102
14 S	12 E	WM	18	NW SW	3	5.00	2100
14 S	12 E	WM	18	SW SW	4	19.50	2100
14 S	12 E	WM	18	NW SE		2.50	1401
14 S	12 E	WM	18	SE SE		1.60	1400
15 S	10 E	WM	1	NE SE		10.00	400
15 S	10 E	WM	1	NE SE		1.50	500
15 S	10 E	WM	1	SE SE		37.00	500
15 S	10 E	WM	10	SW NE		9.00	706
15 S	10 E	WM	10	SW NW		5.70	706
15 S	10 E	WM	10	SE NW		3.10	706
15 S	10 E	WM	10	NE SW		1.90	706
15 S	10 E	WM	10	NW SW		0.30	706
15 S	10 E	WM	10	NE SE		2.10	1300
15 S	10 E	WM	10	SE SE		9.00	1300
15 S	10 E	WM	11	SW NW		0.70	1300

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	10 E	WM	11	SE NW		9.50	1300
15 S	10 E	WM	11	NE SW		23.10	1300
15 S	10 E	WM	11	NW SW		6.30	1300
15 S	10 E	WM	11	SW SW		1.50	1300
15 S	10 E	WM	11	SE SW		8.50	1300
15 S	10 E	WM	12	NW NE		10.70	200
15 S	10 E	WM	12	NW NE		4.50	302
15 S	10 E	WM	12	NW NE		7.90	303
15 S	10 E	WM	12	SW NE		15.30	301
15 S	10 E	WM	12	SE NE		1.21	100
15 S	10 E	WM	12	NE NW		2.80	302
15 S	10 E	WM	12	NE NW		9.40	303
15 S	10 E	WM	12	NE NW		11.00	304
15 S	10 E	WM	12	NE NW		0.50	304
15 S	10 E	WM	12	NE SE		6.60	700
15 S	10 E	WM	12	SW SE		15.00	700
15 S	10 E	WM	12	SE SE		39.00	700
15 S	10 E	WM	13	NE NE		8.50	100
15 S	10 E	WM	13	NW NE		9.50	100
15 S	10 E	WM	13	NE SW		4.00	702
15 S	10 E	WM	13	SW SW		0.60	700
15 S	10 E	WM	13	SE SW		4.90	700
15 S	10 E	WM	13	SE SW		3.80	705
15 S	10 E	WM	13	NW SE		1.42	500
15 S	10 E	WM	13	SW SE		4.50	704
15 S	10 E	WM	13	SW SE		5.50	705
15 S	10 E	WM	13	SE SE		12.00	703
15 S	10 E	WM	13	SE SE		5.50	704
15 S	10 E	WM	15	NE SE		10.50	200
15 S	10 E	WM	24	NE NE		6.00	405
15 S	10 E	WM	24	NE NE		5.50	406
15 S	10 E	WM	24	NE NE		2.00	408
15 S	10 E	WM	24	NW NE		17.00	408
15 S	10 E	WM	24	NW NE		5.00	408
15 S	10 E	WM	24	SW NE		18.00	301
15 S	10 E	WM	24	SW NE		13.40	403
15 S	10 E	WM	24	SE NE		16.00	401
15 S	10 E	WM	24	SE NE		16.00	404
15 S	10 E	WM	24	NE NW		7.50	400
15 S	10 E	WM	24	NW NW		32.00	200
15 S	10 E	WM	24	SW NW		16.43	200
15 S	10 E	WM	24	SE NW		3.00	300
15 S	10 E	WM	24	NW SW		9.57	200

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	10 E	WM	24	NW SW		5.50	800
15 S	10 E	WM	24	SW SW		3.50	800
15 S	10 E	WM	24	SW SW		15.00	900
15 S	10 E	WM	24	SE SW		5.00	600
15 S	10 E	WM	24	NE SE		25.00	503
15 S	10 E	WM	24	NE SE		2.00	505
15 S	10 E	WM	24	SW SE		3.00	500
15 S	10 E	WM	24	SE SE		21.00	505
15 S	10 E	WM	26	NW NE		22.60	604
15 S	10 E	WM	26	SW NE		28.50	600
15 S	10 E	WM	26	NE NW		31.30	602
15 S	10 E	WM	26	SE NW		8.10	600
15 S	10 E	WM	26	NW SE		4.50	600
15 S	10 E	WM	28	NW SW		40.00	3200
15 S	11 E	WM	3	NW NW	4	30.00	1101
15 S	11 E	WM	4	NE NE	1	15.00	600
15 S	11 E	WM	4	NW NE	2	25.00	100
15 S	11 E	WM	4	SW NE		40.00	101
15 S	11 E	WM	4	NE NW	3	39.50	201
15 S	11 E	WM	4	NW NW	4	16.50	201
15 S	11 E	WM	4	NW NW	4	15.50	202
15 S	11 E	WM	4	SW NW		36.00	201
15 S	11 E	WM	4	SE NW		40.50	201
15 S	11 E	WM	4	NE SW		39.71	400
15 S	11 E	WM	4	NW SW		37.50	301
15 S	11 E	WM	4	SW SW		27.50	401
15 S	11 E	WM	4	SE SW		35.29	402
15 S	11 E	WM	4	NE SE		1.60	100
15 S	11 E	WM	4	NE SE		2.90	100
15 S	11 E	WM	4	NE SE		1.00	100
15 S	11 E	WM	4	NE SE		18.40	100
15 S	11 E	WM	4	NW SE		38.70	100
15 S	11 E	WM	4	SW SE		35.00	100
15 S	11 E	WM	4	SE SE		17.80	100
15 S	11 E	WM	5	NE NE	1	9.00	102
15 S	11 E	WM	5	NE NE	1	13.00	103
15 S	11 E	WM	5	NE NE	1	7.50	104
15 S	11 E	WM	5	SW NE		19.00	105
15 S	11 E	WM	5	SE NE		37.00	105
15 S	11 E	WM	5	NW NW	4	17.00	302
15 S	11 E	WM	5	NW NW	4	7.50	303
15 S	11 E	WM	5	NW NW	4	8.50	305
15 S	11 E	WM	5	SW NW		16.00	301

IRRIGATION with 1895 PRIORITY DATE									
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax		
15 S	11 E	WM	5	SW NW		17.50	304		
15 S	11 E	WM	5	SW NW		2.50	306		
15 S	11 E	WM	5	NE SW		36.00	400		
15 S	11 E	WM	5	NW SW		36.00	400		
15 S	11 E	WM	5	SW SW		36.00	400		
15 S	11 E	WM	5	SE SW		38.00	400		
15 S	11 E	WM	5	NE SE		17.00	500		
15 S	11 E	WM	5	NW SE		25.00	500		
15 S	11 E	WM	5	SW SE		37.00	500		
15 S	11 E	WM	5	SE SE		31.00	500		
15 S	11 E	WM	6	NE NE	1	37.00	100		
15 S	11 E	WM	6	NW NE	2	0.20	100		
15 S	11 E	WM	6	SE NE		2.00	100		
15 S	11 E	WM	6	SE NE		20.00	101		
15 S	11 E	WM	6	NE NW	3	0.60	700		
15 S	11 E	WM	6	NE NW	3	3.00	701		
15 S	11 E	WM	6	NE NW	3	1.90	702		
15 S	11 E	WM	6	NE NW	3	2.00	800		
15 S	11 E	WM	6	NE NW	3	2.00	900		
15 S	11 E	WM	6	NE NW	3	5.00	1000		
15 S	11 E	WM	6	SE NW		3.00	700		
15 S	11 E	WM	6	SE NW		2.00	702		
15 S	11 E	WM	6	SE NW		3.60	703		
15 S	11 E	WM	6	SE NW		3.40	704		
15 S	11 E	WM	6	NE SE		20.00	200		
15 S	11 E	WM	6	NW SE		19.50	200		
15 S	11 E	WM	6	SW SE		17.00	200		
15 S	11 E	WM	6	SE SE		22.00	200		
15 S	11 E	WM	7	NE NE		2.00	100		
15 S	11 E	WM	7	NE NE		27.20	300		
15 S	11 E	WM	7	NW NE		36.40	300		
15 S	11 E	WM	7	SW NE		36.80	300		
15 S	11 E	WM	7	SE NE		28.60	300		
15 S	11 E	WM	7	NE NW		2.20	400		
15 S	11 E	WM	7	NE NW		14.80	400		
15 S	11 E	WM	7	NW NW	1	36.10	400		
15 S	11 E	WM	7	SW NW	2	29.90	400		
15 S	11 E	WM	7	SE NW		28.50	400		
15 S	11 E	WM	7	NE SW		40.00	500		
15 S	11 E	WM	7	NW SW	3	34.00	500		
15 S	11 E	WM	7	SW SW	4	28.00	500		
15 S	11 E	WM	7	SE SW		40.00	500		
15 S	11 E	WM	7	NE SE		38.50	600		

IRRIGATION with 1895 PRIORITY DATE									
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax		
15S	11E	WM	7	NW SE		30.50	600		
15S	11E	WM	7	SW SE		40.00	600		
15S	11E	WM	7	.SE SE		39.00	600		
15S	11E	WM	8	NE NE		5.95	100		
15S	11E	WM	8	NW NE		26.75	100		
15S	11E	WM	8	NW NE		3.00	100		
15S	11E	WM	8	SW NE		18.00	100		
15S	11E	WM	8	SW NE		22.00	300		
15S	11E	WM	8	SE NE		9.30	100		
15S	11E	WM	8	SE NE		10.80	300		
15S	11E	WM	8	NE NW		1.40	200		
15S	11E	WM	8	NE NW		8.30	201		
15S	11E	WM	8	NE NW		8.40	201		
15S	11E	WM	8	NE NW		8.60	201		
15S	11E	WM	8	NE NW		0.05	202		
15S	11E	WM	8	NE NW		0.55	202		
15S	11E	WM	8	NE NW		0.27	202		
15S	11E	WM	8	NE NW		0.10	202		
15S	11E	WM	8	NW NW		2.30	200		
15S	11E	WM	8	NW NW		5.60	200		
15S	11E	WM	8	NW NW		3.00	200		
15S	11E	WM	8	NW NW		0.90	200		
15S	11E	WM	8	NW NW		13.85	200		
15S	11E	WM	8	NW NW		1.00	200		
15S	11E	WM	8	NW NW		0.50	201		
15S	11E	WM	8	NW NW		1.00	202		
15S	11E	WM	8	SW NW		6.20	200		
15S	11E	WM	8	SW NW		26.92	200		
15S	11E	WM	8	SE NW		28.53	201		
15S	11E	WM	8	SE NW		5.00	201		
15S	11E	WM	8	SE NW		4.52	201		
15S	11E	WM	8	SE NW		0.61	202		
15S	11E	WM	8	NE SW		27.00	202		
15S	11E	WM	8	NW SW		35.00	202		
15S	11E	WM	8	SW SW		14.00	400		
15S	11E	WM	8	SW SW		22.00	600		
15S	11E	WM	8	SE SW		13.00	500		
15S	11E	WM	8	SE SW		19.00	600		
15S	11E	WM	8	NE SE		4.35	300		
15S	11E	WM	8	NW SE		35.55	300		
15S	11E	WM	8	SW SE		32.50	700		
15S	11E	WM	8	SE SE		2.00	700		
15S	11E	WM	9	NE NE		7.50	400		

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	9	NW NE		31.00	400
15 S	11 E	WM	9	NE NW		19.10	100
15 S	11 E	WM	9	NW NW		17.90	100
15 S	11 E	WM	9	SW NW		4.00	100
15 S	11 E	WM	9	SE NW		2.00	100
15 S	11 E	WM	17	NE NW		11.00	200
15 S	11 E	WM	17	NW NW		36.00	200
15 S	11 E	WM	17	SW NW		19.50	300
15 S	11 E	WM	17	SW NW		3.50	300
15 S	11 E	WM	17	SE NW		2.10	300
15 S	11 E	WM	17	SE NW		5.40	500
15 S	11 E	WM	18	NE NE		38.00	100
15 S	11 E	WM	18	NW NE		36.00	100
15 S	11 E	WM	18	SW NE		23.50	800
15 S	11 E	WM	18	SE NE		12.50	900
15 S	11 E	WM	18	SE NE		14.20	800
15 S	11 E	WM	18	SE NE		1.50	1000
15 S	11 E	WM	18	NE NW		13.00	200
15 S	11 E	WM	18	NE NW		7.50	300
15 S	11 E	WM	18	NE NW		1.00	301
15 S	11 E	WM	18	NE NW		3.90	400
15 S	11 E	WM	18	NW NW	1	6.00	300
15 S	11 E	WM	18	NW NW	1	10.00	400
15 S	11 E	WM	18	SW NW	2	4.16	700
15 S	11 E	WM	18	SE NW		4.50	700
15 S	11 E	WM	18	NE SW		2.00	700
15 S	11 E	WM	18	NE SW		4.00	1601
15 S	11 E	WM	18	NW SW	3	2.20	700
15 S	11 E	WM	18	NW SW	3	12.50	1900
15 S	11 E	WM	18	SW SW	4	9.40	2100
15 S	11 E	WM	18	SW SW	4	15.60	2100
15 S	11 E	WM	18	SE SW		23.07	2000
15 S	11 E	WM	18	SE SW		8.70	2100
15 S	11 E	WM	18	NW SE		12.00	2300
15 S	11 E	WM	18	SW SE		19.00	2300
15 S	11 E	WM	19	SW SW		8.10	4001
15 S	11 E	WM	19	SW SW		21.40	4001
15 S	11 E	WM	19	SE SW		24.00	4001
15 S	11 E	WM	20	NE NE		26.50	2800
15 S	11 E	WM	20	NW NE		27.00	2800
15 S	11 E	WM	20	SW NE		17.60	2800
15 S	11 E	WM	20	NE NW		3.50	3303
15 S	11 E	WM	20	NW NW		25.50	2800

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	20	SW NW		11.50	2800
15 S	11 E	WM	20	SE NW		1.00	3302
15 S	11 E	WM	30	NE NW		8.90	200
15 S	11 E	WM	30	NW NW	1	11.00	99
15 S	11 E	WM	30	NW NW	1	1.10	200
15 S	11 E	WM	30	NW NW	1	10.00	201
15 S	11 E	WM	30	SW NW	2	3.00	99
15 S	11 E	WM	30	SW NW	2	10.50	303
15 S	11 E	WM	30	SE NW		11.50	302
15 S	11 E	WM	30	SE NW		11.50	304
TOTAL						5669.21	

POND MAINTENANCE with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
13 S	12 E	WM	30	SE NE		1.00	1900
13 S	12 E	WM	30	SW SE		0.50	2000
14 S	11 E	WM	30	NE SE		0.50	500
14 S	11 E	WM	33	NW NW		1.00	400
14 S	11 E	WM	33	NE SW		0.50	3600
14 S	11 E	WM	33	NW SE		9.10	500
14 S	12 E	WM	7	NW NW	1	0.50	100
14 S	12 E	WM	7	SE SW		2.50	1102
15 S	10 E	WM	1	NE SE		0.30	500
15 S	10 E	WM	1	SE SE		1.20	500
15 S	10 E	WM	12	NW NE		0.50	303
15 S	10 E	WM	12	NE NW		0.10	304
15 S	10 E	WM	13	SW SE		0.20	705
15 S	10 E	WM	24	SW NE		0.20	403
15 S	10 E	WM	24	NW SW		1.00	700
15 S	11 E	WM	4	SW NW		3.00	201
15 S	11 E	WM	4	SW SW		1.00	401
15 S	11 E	WM	5	SE SW		1.00	400
15 S	11 E	WM	6	NE NE	1	0.30	100
15 S	11 E	WM	6	SE NE		0.50	100
15 S	11 E	WM	6	SE SE		1.00	200
15 S	11 E	WM	7	SW SW	4	3.00	500
15 S	11 E	WM	7	NE SE		0.50	600
15 S	11 E	WM	8	NW NW		1.00	200
15 S	11 E	WM	8	SW NW		1.00	200
15 S	11 E	WM	8	NW SW		1.00	300
15 S	11 E	WM	8	SW SW		1.00	
15 S	11 E	WM	8	SE SW		1.00	500
15 S	11 E	WM	9	NE NW		4.00	100

POND MAINTENANCE with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	18	NW NE		1.00	100
15 S	11 E	WM	18	SW NE		0.04	800
15 S	11 E	WM	18	NE NW		0.10	400
15 S	11 E	WM	18	NW NW	1	0.50	300
15 S	11 E	WM	18	SW NW	2	0.30	700
15 S	11 E	WM	18	SW SW	4	0.50	2100
15 S	11 E	WM	18	SE SW		0.50	2300
15 S	11 E	WM	18	SW SE		0.50	2300
15 S	11 E	WM	20	NE NW		2.00	3303
15 S	11 E	WM	20	SW NW		1.00	2800
15 S	11 E	WM	20	NW SW		1.50	2800
TOTAL						46.34	

6. Certificate 95971 and the Squaw Creek Decree do not specify a period of use. However, the Deschutes River Decree specifies an irrigation season of April 1 through October 31. To prevent enlargement of the right, the instream right shall be limited to the irrigation season and such time TSID is diverting water for a beneficial use under Certificate 95971.
7. Water has been used within the five-year period prior to submission of the allocation of conserved water application, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. Diversion structures, canals, and ditches sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of the application.
9. The Applicant requests that the conserved water be allocated as follows:

Certificate- 1895 Priority Date	State's Portion			Applicant's Portion			Conserved Water		
	Percentage	Maximum Rate (CFS)	Max. Duty (Volume) AF	Percentage	Maximum Rate (CFS)	Max. Duty (Volume) AF	Percentage	Maximum Rate (CFS)	Max. Duty (Volume) AF
95971	100%	0.33	140.1	0%	0	0	100%	0.33	140.1

10. The Applicant requests that the priority date for any conserved water be the same as the originating right.
11. The applicant received state and federal funds for 100% of the projected cost of this conservation project. TSID requested 100% of the conserved water be allocated for an instream water right to be held in trust by the Water Resources Department for the people of Oregon.

12. On May 25, 2023, TSID's representative provided notice of the proposed conservation project to the Confederated Tribes of the Warm Springs, Deschutes County Planning Department, Jefferson County Planning Department, and the City of Sisters Planning Department as required by OAR 690-018-0040(22).
13. The Applicant anticipates implementation of the conservation measures to occur on or before November 1, 2023.
14. The Applicant proposes that any instream water right created be for the purposes of conservation, maintenance, and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat, other ecological values, recreation and scenic attraction, and water quality.
15. The Applicant requested the Department protect the new instream water right created from the conserved water under Certificate 95971 from the authorized point of diversion to the mouth of Whychus Creek, then into the Deschutes River to Lake Billy Chinook.
16. The Applicant requested the deadline for submitting the Notice of Completion of November 1, 2023. The Applicant will submit a Request for Finalization of the allocation on or before November 1, 2023.
17. The application meets the requirements of OAR 690-018-0040.
18. The Department has consulted with the Oregon Department of Environmental Quality (ODEQ) to ascertain whether the proposed instream flows are necessary to support instream flow uses. It was determined instream flow requirements exceed natural stream flow, and additional instream flow may improve temperature impairments and water quality for designated beneficial uses: salmonid spawning, rearing, and passage. ODEQ has Whychus Creek identified as water quality limited, 303(d) impaired for temperature within the ODEQ's Water Quality Assessment program. The Department has determined the proposed instream flows are necessary to support instream flow uses. Instream water right certificates 73223 and 73224 exist in the stream reach where the proposed instream water right is to be protected but may not always be met. The public benefit or use for the proposed instream water right is for the same instream flow purposes. The priority date of Certificate 95971 for the portion being conserved is 1895. The priority date of Certificates 73223 and 73224 is October 11, 1990. Replacing a portion of the existing instream water right certificates with an earlier priority date supports the public benefits.
19. Notice of the proposed conservation project was published in the Department's weekly notice on June 13, 2023, and in the Bend Bulletin newspaper on June 7 and 14, 2023, as required under OAR 690-018-0050(1)(a) and (2). No comments were filed in response to the notices.

Allocation of Conserved Water Review Criteria [OAR 690-018-0050]

20. The proposed allocation of conserved water will result in a reduced diversion of the use allowed under the existing right pursuant to OAR 690-0018-0050(4)(a). (Finding of Fact #4).
21. On June 6, 2023, the District #11 Watermaster performed a review of the proposed Allocation of Conserved Water Project. The Watermaster determined that the conservation project would not harm other water rights; therefore, no quantity of conserved water is needed to mitigate for harm to other water rights. The Watermaster’s review indicated seepage losses from TSID’s authorized POD located at approximately River Mile (RM) 24.5 to the OWRD gaging station #14076050 at approximately RM 20.7. Enlargement could occur unless the instream water right allows for this seepage loss. The Watermaster’s review also indicated due to the inability to measure the TSID diversion accurately, the new “Whychus Creek below TSID gage” will be used to show the proposed instream water right has been passed. The change in flow from the Whychus Creek near Sisters gage and the Whychus Creek below TSID gage will be used to determine the TSID diversion flow. OAR 690-018-0050(4)(b) and (d).
22. The instream use will be conditioned to allow less water to be protected instream below the point of diversion based upon instream measurements conducted by Department staff or others approved by the Department, which may show lower or higher levels of loss and allow the instream flows to be adjusted accordingly. The instream quantity may not exceed the instream quantity identified at the point of diversion.
23. The conservation project is consistent with the local comprehensive land use plan requirements established in OAR 690-005-0045. OAR 690-018-0050(4)(c). (Finding of Fact #12).
24. Pursuant to OAR 690-018-0050(4)(e), the new reduced rate for the existing uses involved in Allocation of Conserved Water Application CW-137 is as follows:

Priority	Acres or Ac-Eq	Maximum Rate (CFS)
1895	5715.55	87.88

(Finding of Fact #4).

25. Pursuant to OAR 690-018-0050(4)(e), the rate and volume allocated to the State for instream use is as follows:

Priority Date	Maximum Rate (cfs)	Maximum Duty (Volume) (AF)
1895	0.33	140.1

(Finding of Fact #9).

26. As required by OAR 690-018-0050(4)(f), the Department has determined that the instream right created will support public benefits. (Finding of Fact #18).

27. The new instream water right created will be protected in Whychus Creek from the authorized point of diversion as described in Finding of Fact #5, at approximately RM 24.5 to the confluence of Whychus Creek at RM 0, and into the mainstem Deschutes River to Lake Billy Chinook. OAR 690-018-0050(4)(h); OAR 690-077-0015(8).
28. The instream right shall allow the use and protection of flows as follows:

Source: Whychus Creek, a tributary of Deschutes River

From the authorized point of diversion at approximately RM 24.5:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FET EAST FROM THE SW CORNER OF SECTION 21

Whychus Creek, a tributary of Deschutes River

Priority Date	Period	Location	Rate (cfs)	Volume (AF)
1895	April 1 through October 31	Reach 1: At the authorized POD at approximately RM 24.5 to the mouth of Whychus Creek	0.33	140.1

Deschutes River, tributary to the Columbia River

Priority Date	Period	Location	Rate (cfs)	Volume (AF)
1895	April 1 through October 31	Reach 2: From the confluence of Whychus Creek with the Deschutes River to Lake Billy Chinook at RM 120	0.33	140.1

29. The amount and timing of the proposed instream flows are allowable within the limits and use of the original water right. Within the described instream reach, stream channel losses and gains calculated based on available data and the use of senior appropriators will determine the amount of water to which this right is entitled downstream from the original point of diversion and within the specified stream reach from the point of diversion to the mouth of Whychus Creek and whether the described instream flows below the point of diversion may be adjusted. If adjusted, instream flows from immediately below the point of diversion to the mouth of Whychus Creek and into the Deschutes River to Lake Billy Chinook may not exceed the quantities specified at the point of diversion. OAR 690-077-0015(10).
30. The protection of flows within the proposed reach is appropriate, considering:
- The instream water use begins at the recorded point of diversion;
 - The location of confluences with other streams downstream of the point of diversion.
 - There are no known areas of natural loss of streamflow to the river bed downstream from the point of diversion; and
 - Any return flows resulting from the exercise of the existing water right would re-enter the river downstream of the reach of the instream water right.

OAR 690-077-0015(8).

31. The combination of instream rights for the proposed reach on Whychus Creek does not exceed the amount needed to provide increased public benefits, but does exceed the estimated average natural flow or level occurring from the drainage system. The estimated average natural flow may not be exceeded unless criteria for exceeding the estimated average natural flows are met, the Department has determined that the criteria for the exceedance has been met and is better described in the following two paragraphs. OAR 690-077-0015(4) and (11).
32. On Whychus Creek, during the period April 1 through September 30, the total quantities of water to be protected instream under the existing and proposed instream rights within a portion of the reach from approximately T15S, R10E, Section 21 (approximately River Mile (RM) 24.5) to the confluence with Indian Ford Creek (just upstream from RM 20) will exceed the quantities identified as necessary for instream use for various fish life stages under Certificate 73224, which was created under ORS 537.341, an application process for state agencies to establish new instream water rights. During the period June 1 through October 31, the total quantities of water to be protected instream under the existing and proposed instream rights within another portion of the reach from T14S, R10E, Section 26 (approximately RM 16) to the mouth of Whychus Creek will exceed the quantities identified as necessary for instream use for various fish life stages under Certificate 73223, which was also created under ORS 537.341. The Oregon Department of Fish and Wildlife has identified that Whychus Creek is a high priority for flow restoration. In addition, the original instream flows established under Certificates 73224 and 73223 were based on flow needs for resident redband trout and did not account for flows necessary to support reintroduction of Mid-Columbia summer steelhead trout and spring Chinook salmon.
33. The Department has identified that the quantities protected instream may be additive to other existing instream water rights established within the same reach under ORS 537.341, 537.346, 537.348 or 537.470 during the period of April 1 through September 30 for the portion of the reach extending from approximately T15S, R10E, Section 21 (approximately RM 24.5) to the confluence with Indian Ford Creek (just upstream from RM 20)] and during the period June 30 through October 30 for the portion of the reach extending from T14S, R10E, Section 26 (approximately RM 16) to the mouth of Whychus Creek. In other portions of the identified reach, the quantities protected instream may be additive to other existing water rights established under ORS 537.348 and 537.470 and may replace a portion of existing water rights established under ORS 537.341 or 537.346 with an earlier priority date, unless otherwise specified in an order approving a new instream water right under these statutes.
34. The deadline for submitting a Notice of Completion is November 1, 2023. The deadline for submitting a Request for Finalization is November 1, 2023. (Finding of Fact #16). OAR 690-018-0050(4)(i).

35. Except as conditioned in Finding of Fact No's 6, 21, and 22, no other conditions or limitations are needed to prevent or mitigate for harm to existing water rights. (Finding of Fact #21). OAR 690-018-0050(4)(j).

Determination and Proposed Action

The project described in Allocation of Conserved Water Application CW-137, is consistent with the criteria in ORS 537.455 to 537.500, and OAR Chapter 690, Divisions 018 and 077. If protests are not filed pursuant to OAR 690-018-0050(6), the conserved water application will be approved.

If Allocation of Conserved Water Application CW-137 is approved, the Order Approving will include the following:

1. The proposed change will result in a reduced diversion for the uses allowed with an 1895 priority date under the original water right. Findings of Fact #4 and #20.
2. The proposed allocation of conserved water, as conditioned, will not harm existing water rights. Finding of Fact #21 and #35.
3. The application is consistent with the requirements established in OAR 690-005-0045. Finding of Fact #12 and #23.
4. The changes proposed in CW-137 are approved.
5. The quantities of water conserved and allocated are as follows:

Certificate with an 1895 Priority Date	State's Portion			Applicant's Portion			Conserved Water		
	Percentage	Maximum Rate (CFS)	Max. Duty (Volume) AF	Percentage	Maximum Rate (CFS)	Max. Duty (Volume) AF	Percentage	Maximum Rate (CFS)	Max. Duty (Volume) AF
95971	100%	0.33	140.1	0%	0	0	100%	0.33	140.1

6. The right to the use of the water is restricted to beneficial use at the places of use described and is subject to all other conditions and limitations contained in Certificate 95971 and any related decree.

Upon filing the Notice of Completion:

7. Water Right Certificate 95971 is modified as follows by the rate only for uses with an 1895 priority date (the Department will cancel Certificate 95971 and issue a superseding certificate incorporating these modifications when it is determined to be necessary for record keeping):

Use: 5669.21 ACRES FOR IRRIGATION (IR), 46.34 ACRES-EQUIVALENT FOR POND MAINTENANCE (PM), AND LIVESTOCK (LV)
Priority Dates 1895
Rate: 87.88 CUBIC FEET PER SECOND

The maximum diversion rate by priority date is as follows:

Priority	Acres or Ac-Eq	Maximum Rate (CFS)
1895	5715.55	87.88

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

Source: WHYCHUS CREEK, tributary of THE DESCHUTES RIVER

Authorized Place of Use:

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
13 S	12 E	WM	20	SW NE		17.50	1401
13 S	12 E	WM	20	SE NW		17.00	1401
13 S	12 E	WM	29	NW NW		39.00	1401
13 S	12 E	WM	29	SW NW		37.00	1900
13 S	12 E	WM	29	NW SW		21.00	1900
13 S	12 E	WM	29	SW SW		16.00	2000
13 S	12 E	WM	30	NE NE		11.00	1401
13 S	12 E	WM	30	SW NE		2.00	1900
13 S	12 E	WM	30	SE NE		38.00	1900
13 S	12 E	WM	30	SW SE		6.00	2000
13 S	12 E	WM	30	SE SE		9.00	2000
13 S	12 E	WM	31	NE NE		9.00	2000
13 S	12 E	WM	31	NW NE		6.00	2000
13 S	12 E	WM	31	SW NE		8.00	2000
13 S	12 E	WM	31	SE NE		13.50	2000
13 S	12 E	WM	31	NE SW		3.50	2100
13 S	12 E	WM	31	SE SW		25.00	2100
13 S	12 E	WM	32	NW NW		1.00	2000
14 S	10 E	WM	36	SW NE		2.50	2400
14 S	10 E	WM	36	NE SE		2.00	200
14 S	10 E	WM	36	NE SE		1.50	800
14 S	10 E	WM	36	NE SE		1.50	900
14 S	10 E	WM	36	NW SE		2.00	500
14 S	10 E	WM	36	NW SE		4.00	600
14 S	10 E	WM	36	NW SE		1.50	2400
14 S	10 E	WM	36	SW SE		2.00	1700
14 S	10 E	WM	36	SW SE		2.00	1800
14 S	10 E	WM	36	SW SE		2.00	1900
14 S	10 E	WM	36	SE SE		2.80	205
14 S	10 E	WM	36	SE SE		7.40	2500
14 S	10 E	WM	36	SE SE		4.00	2501
14 S	10 E	WM	36	SE SE		5.00	2502

IRRIGATION with 1895 PRIORITY DATE									
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax		
14S	10E	WM	36	SESE		2.47	2503		
14S	10E	WM	36	SESE		4.00	2504		
14S	11E	WM	1	NESW		17.70	101		
14S	11E	WM	1	NW SW		0.30	101		
14S	11E	WM	1	SW SW		22.50	101		
14S	11E	WM	1	SE SW		19.30	101		
14S	11E	WM	1	NE SE		17.00	101		
14S	11E	WM	1	NW SE		28.30	101		
14S	11E	WM	1	SW SE		32.70	101		
14S	11E	WM	1	SE SE		39.80	101		
14S	11E	WM	2	SE SE		23.10	101		
14S	11E	WM	11	NE NE		13.40	101		
14S	11E	WM	11	NW NE		12.40	101		
14S	11E	WM	12	NE NE		1.00	101		
14S	11E	WM	12	NW NW		1.20	101		
14S	11E	WM	12	NE SE		1.90	3000		
14S	11E	WM	12	SE SE		3.10	3000		
14S	11E	WM	13	NW NE		5.00	200		
14S	11E	WM	13	SW NE		0.68	300		
14S	11E	WM	13	SE NE		14.00	401		
14S	11E	WM	13	SW NW		13.50	500		
14S	11E	WM	13	SE NW		5.50	500		
14S	11E	WM	13	NE SW		8.00	500		
14S	11E	WM	13	NW SW		33.00	500		
14S	11E	WM	13	SW SW		21.50	700		
14S	11E	WM	13	SW SW		4.00	800		
14S	11E	WM	13	SE SW		7.57	402		
14S	11E	WM	13	NE SE		37.00	401		
14S	11E	WM	13	NW SE		1.50	300		
14S	11E	WM	13	SW SE		22.00	402		
14S	11E	WM	13	SE SE		12.00	401		
14S	11E	WM	13	SE SE		12.00	402		
14S	11E	WM	14	SE SE		2.00	700		
14S	11E	WM	14	SE SE		3.50	800		
14S	11E	WM	22	NE SW		2.10	600		
14S	11E	WM	22	NE SW		2.10	700		
14S	11E	WM	22	SE SW		2.90	600		
14S	11E	WM	22	SE SW		9.00	900		
14S	11E	WM	22	NW SE		2.90	700		
14S	11E	WM	23	NE NE		6.00	100		
14S	11E	WM	23	NE NE		15.00	200		
14S	11E	WM	23	NE NE		1.50	400		
14S	11E	WM	23	SE NE		19.80	300		

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14 S	11 E	WM	23	SE SW		4.20	1200
14 S	11 E	WM	23	NE SE		2.20	400
14 S	11 E	WM	23	NE SE		5.80	800
14 S	11 E	WM	23	NW SE		8.00	400
14 S	11 E	WM	23	NW SE		6.50	700
14 S	11 E	WM	23	SW SE		1.80	1000
14 S	11 E	WM	23	SW SE		5.00	1100
14 S	11 E	WM	24	NE NE		6.50	100
14 S	11 E	WM	24	NW NE		1.50	100
14 S	11 E	WM	24	NW NW		4.70	400
14 S	11 E	WM	24	NW NW		2.80	100
14 S	11 E	WM	27	NW NE		5.00	300
14 S	11 E	WM	27	NW NE		4.00	400
14 S	11 E	WM	28	SE SW		6.00	500
14 S	11 E	WM	29	SW SW		7.50	600
14 S	11 E	WM	29	SE SW		2.50	700
14 S	11 E	WM	29	SE SW		8.00	700
14 S	11 E	WM	29	SW SE		3.00	900
14 S	11 E	WM	30	SE SW		6.80	900
14 S	11 E	WM	30	SE SW		9.00	900
14 S	11 E	WM	30	NE SE		16.50	500
14 S	11 E	WM	30	NE SE		3.00	600
14 S	11 E	WM	30	SW SE		30.90	900
14 S	11 E	WM	30	SE SE		36.70	900
14 S	11 E	WM	31	NE NE		36.80	600
14 S	11 E	WM	31	NW NE		37.10	600
14 S	11 E	WM	31	SW NE		29.30	600
14 S	11 E	WM	31	SE NE		31.60	600
14 S	11 E	WM	31	NE NW		8.90	600
14 S	11 E	WM	31	SE NW		0.70	600
14 S	11 E	WM	31	NW SW	3	4.00	300
14 S	11 E	WM	31	NW SW	3	3.00	500
14 S	11 E	WM	31	NW SW	3	2.00	600
14 S	11 E	WM	31	NW SW	3	4.00	700
14 S	11 E	WM	31	NW SW	3	2.50	800
14 S	11 E	WM	31	NW SW	3	2.00	900
14 S	11 E	WM	31	NW SW	3	4.00	1000
14 S	11 E	WM	31	SW SW	4	8.13	200
14 S	11 E	WM	31	SW SW	4	6.00	201
14 S	11 E	WM	31	SW SW	4	6.80	204
14 S	11 E	WM	31	SW SW	4	3.70	205
14 S	11 E	WM	31	SW SW	4	1.70	2500
14 S	11 E	WM	31	NE SE		33.60	600

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14 S	11 E	WM	31	NW SE		14.10	500
14 S	11 E	WM	31	NW SE		1.60	500
14 S	11 E	WM	31	SW SE		12.20	500
14 S	11 E	WM	31	SE SE		39.10	500
14 S	11 E	WM	32	NE NE		29.00	100
14 S	11 E	WM	32	NW NE		22.00	100
14 S	11 E	WM	32	SW NE		7.00	100
14 S	11 E	WM	32	SE NE		11.00	100
14 S	11 E	WM	32	SW SW		16.00	1200
14 S	11 E	WM	32	SE SE		6.00	1700
14 S	11 E	WM	32	SE SE		12.50	1701
14 S	11 E	WM	32	SE SE		1.50	1702
14 S	11 E	WM	33	NW NW		20.00	400
14 S	11 E	WM	33	NE SW		8.50	3600
14 S	11 E	WM	33	NW SW		2.50	1300
14 S	11 E	WM	33	SW SW		0.50	1300
14 S	11 E	WM	33	SW SW		7.23	1400
14 S	11 E	WM	33	SW SW		4.77	1500
14 S	11 E	WM	33	SW SW		8.00	1600
14 S	11 E	WM	33	SW SW		6.00	1700
14 S	11 E	WM	33	SW SW		1.00	3500
14 S	11 E	WM	33	SE SW		1.00	1700
14 S	11 E	WM	33	SE SW		5.00	1800
14 S	11 E	WM	33	SE SW		4.00	3400
14 S	11 E	WM	33	SE SW		4.00	3500
14 S	11 E	WM	33	SE SE		8.00	2400
14 S	11 E	WM	33	SE SE		7.50	2500
14 S	11 E	WM	33	SE SE		7.50	2600
14 S	11 E	WM	33	SE SE		1.00	2800
14 S	11 E	WM	34	SW SW		5.00	6100
14 S	12 E	WM	5	NE NE	1	15.50	800
14 S	12 E	WM	5	NW NE	2	27.00	800
14 S	12 E	WM	5	SW NE		25.00	800
14 S	12 E	WM	5	SE NE		10.00	800
14 S	12 E	WM	5	NE NW	3	10.50	800
14 S	12 E	WM	5	SE NW		7.00	800
14 S	12 E	WM	6	NE NW	3	40.00	902
14 S	12 E	WM	6	SE NW		1.50	100
14 S	12 E	WM	6	NW SW	6	10.60	400
14 S	12 E	WM	6	SW SW	7	22.50	400
14 S	12 E	WM	6	SW SW	7	11.20	400
14 S	12 E	WM	6	SE SW		15.80	400
14 S	12 E	WM	6	SE SW		6.00	400

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
14 S	12 E	WM	6	SW SE		18.00	800
14 S	12 E	WM	7	NW NE		11.00	800
14 S	12 E	WM	7	NE NW		17.50	100
14 S	12 E	WM	7	NE NW		1.10	100
14 S	12 E	WM	7	NW NW	1	31.80	100
14 S	12 E	WM	7	SE NW		27.00	600
14 S	12 E	WM	7	SW SW	4	6.00	1102
14 S	12 E	WM	7	SE SW		2.50	1102
14 S	12 E	WM	7	SE SE		8.00	1401
14 S	12 E	WM	17	SW NW		32.50	1401
14 S	12 E	WM	18	NE NE		40.50	1401
14 S	12 E	WM	18	NW NE		29.50	1401
14 S	12 E	WM	18	SW NE		37.00	1401
14 S	12 E	WM	18	SE NE		32.50	1401
14 S	12 E	WM	18	NE NW		27.50	1102
14 S	12 E	WM	18	NW NW	1	32.00	1102
14 S	12 E	WM	18	SW NW	2	38.50	1102
14 S	12 E	WM	18	SE NW		38.00	1102
14 S	12 E	WM	18	NE SW		23.00	1102
14 S	12 E	WM	18	NE SW		7.50	2200
14 S	12 E	WM	18	NW SW	3	34.00	1102
14 S	12 E	WM	18	NW SW	3	5.00	2100
14 S	12 E	WM	18	SW SW	4	19.50	2100
14 S	12 E	WM	18	NW SE		2.50	1401
14 S	12 E	WM	18	SE SE		1.60	1400
15 S	10 E	WM	1	NE SE		10.00	400
15 S	10 E	WM	1	NE SE		1.50	500
15 S	10 E	WM	1	SE SE		37.00	500
15 S	10 E	WM	10	SW NE		9.00	706
15 S	10 E	WM	10	SW NW		5.70	706
15 S	10 E	WM	10	SE NW		3.10	706
15 S	10 E	WM	10	NE SW		1.90	706
15 S	10 E	WM	10	NW SW		0.30	706
15 S	10 E	WM	10	NE SE		2.10	1300
15 S	10 E	WM	10	SE SE		9.00	1300
15 S	10 E	WM	11	SW NW		0.70	1300
15 S	10 E	WM	11	SE NW		9.50	1300
15 S	10 E	WM	11	NE SW		23.10	1300
15 S	10 E	WM	11	NW SW		6.30	1300
15 S	10 E	WM	11	SW SW		1.50	1300
15 S	10 E	WM	11	SE SW		8.50	1300
15 S	10 E	WM	12	NW NE		10.70	200
15 S	10 E	WM	12	NW NE		4.50	302

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	10 E	WM	12	NW NE		7.90	303
15 S	10 E	WM	12	SW NE		15.30	301
15 S	10 E	WM	12	SE NE		1.21	100
15 S	10 E	WM	12	NE NW		2.80	302
15 S	10 E	WM	12	NE NW		9.40	303
15 S	10 E	WM	12	NE NW		11.00	304
15 S	10 E	WM	12	NE NW		0.50	304
15 S	10 E	WM	12	NE SE		6.60	700
15 S	10 E	WM	12	SW SE		15.00	700
15 S	10 E	WM	12	SE SE		39.00	700
15 S	10 E	WM	13	NE NE		8.50	100
15 S	10 E	WM	13	NW NE		9.50	100
15 S	10 E	WM	13	NE SW		4.00	702
15 S	10 E	WM	13	SW SW		0.60	700
15 S	10 E	WM	13	SE SW		4.90	700
15 S	10 E	WM	13	SE SW		3.80	705
15 S	10 E	WM	13	NW SE		1.42	500
15 S	10 E	WM	13	SW SE		4.50	704
15 S	10 E	WM	13	SW SE		5.50	705
15 S	10 E	WM	13	SE SE		12.00	703
15 S	10 E	WM	13	SE SE		5.50	704
15 S	10 E	WM	15	NE SE		10.50	200
15 S	10 E	WM	24	NE NE		6.00	405
15 S	10 E	WM	24	NE NE		5.50	406
15 S	10 E	WM	24	NE NE		2.00	408
15 S	10 E	WM	24	NW NE		17.00	408
15 S	10 E	WM	24	NW NE		5.00	408
15 S	10 E	WM	24	SW NE		18.00	301
15 S	10 E	WM	24	SW NE		13.40	403
15 S	10 E	WM	24	SE NE		16.00	401
15 S	10 E	WM	24	SE NE		16.00	404
15 S	10 E	WM	24	NE NW		7.50	400
15 S	10 E	WM	24	NW NW		32.00	200
15 S	10 E	WM	24	SW NW		16.43	200
15 S	10 E	WM	24	SE NW		3.00	300
15 S	10 E	WM	24	NW SW		9.57	200
15 S	10 E	WM	24	NW SW		5.50	800
15 S	10 E	WM	24	SW SW		3.50	800
15 S	10 E	WM	24	SW SW		15.00	900
15 S	10 E	WM	24	SE SW		5.00	600
15 S	10 E	WM	24	NE SE		25.00	503
15 S	10 E	WM	24	NE SE		2.00	505
15 S	10 E	WM	24	SW SE		3.00	500

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	10 E	WM	24	SE SE		21.00	505
15 S	10 E	WM	26	NW NE		22.60	604
15 S	10 E	WM	26	SW NE		28.50	600
15 S	10 E	WM	26	NE NW		31.30	602
15 S	10 E	WM	26	SE NW		8.10	600
15 S	10 E	WM	26	NW SE		4.50	600
15 S	10 E	WM	28	NW SW		40.00	3200
15 S	11 E	WM	3	NW NW	4	30.00	1101
15 S	11 E	WM	4	NE NE	1	15.00	600
15 S	11 E	WM	4	NW NE	2	25.00	100
15 S	11 E	WM	4	SW NE		40.00	101
15 S	11 E	WM	4	NE NW	3	39.50	201
15 S	11 E	WM	4	NW NW	4	16.50	201
15 S	11 E	WM	4	NW NW	4	15.50	202
15 S	11 E	WM	4	SW NW		36.00	201
15 S	11 E	WM	4	SE NW		40.50	201
15 S	11 E	WM	4	NE SW		39.71	400
15 S	11 E	WM	4	NW SW		37.50	301
15 S	11 E	WM	4	SW SW		27.50	401
15 S	11 E	WM	4	SE SW		35.29	402
15 S	11 E	WM	4	NE SE		1.60	100
15 S	11 E	WM	4	NE SE		2.90	100
15 S	11 E	WM	4	NE SE		1.00	100
15 S	11 E	WM	4	NE SE		18.40	100
15 S	11 E	WM	4	NW SE		38.70	100
15 S	11 E	WM	4	SW SE		35.00	100
15 S	11 E	WM	4	SE SE		17.80	100
15 S	11 E	WM	5	NE NE	1	9.00	102
15 S	11 E	WM	5	NE NE	1	13.00	103
15 S	11 E	WM	5	NE NE	1	7.50	104
15 S	11 E	WM	5	SW NE		19.00	105
15 S	11 E	WM	5	SE NE		37.00	105
15 S	11 E	WM	5	NW NW	4	17.00	302
15 S	11 E	WM	5	NW NW	4	7.50	303
15 S	11 E	WM	5	NW NW	4	8.50	305
15 S	11 E	WM	5	SW NW		16.00	301
15 S	11 E	WM	5	SW NW		17.50	304
15 S	11 E	WM	5	SW NW		2.50	306
15 S	11 E	WM	5	NE SW		36.00	400
15 S	11 E	WM	5	NW SW		36.00	400
15 S	11 E	WM	5	SW SW		36.00	400
15 S	11 E	WM	5	SE SW		38.00	400
15 S	11 E	WM	5	NE SE		17.00	500

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	5	NW SE		25.00	500
15 S	11 E	WM	5	SW SE		37.00	500
15 S	11 E	WM	5	SE SE		31.00	500
15 S	11 E	WM	6	NE NE	1	37.00	100
15 S	11 E	WM	6	NW NE	2	0.20	100
15 S	11 E	WM	6	SE NE		2.00	100
15 S	11 E	WM	6	SE NE		20.00	101
15 S	11 E	WM	6	NE NW	3	0.60	700
15 S	11 E	WM	6	NE NW	3	3.00	701
15 S	11 E	WM	6	NE NW	3	1.90	702
15 S	11 E	WM	6	NE NW	3	2.00	800
15 S	11 E	WM	6	NE NW	3	2.00	900
15 S	11 E	WM	6	NE NW	3	5.00	1000
15 S	11 E	WM	6	SE NW		3.00	700
15 S	11 E	WM	6	SE NW		2.00	702
15 S	11 E	WM	6	SE NW		3.60	703
15 S	11 E	WM	6	SE NW		3.40	704
15 S	11 E	WM	6	NE SE		20.00	200
15 S	11 E	WM	6	NW SE		19.50	200
15 S	11 E	WM	6	SW SE		17.00	200
15 S	11 E	WM	6	SE SE		22.00	200
15 S	11 E	WM	7	NE NE		2.00	100
15 S	11 E	WM	7	NE NE		27.20	300
15 S	11 E	WM	7	NW NE		36.40	300
15 S	11 E	WM	7	SW NE		36.80	300
15 S	11 E	WM	7	SE NE		28.60	300
15 S	11 E	WM	7	NE NW		2.20	400
15 S	11 E	WM	7	NE NW		14.80	400
15 S	11 E	WM	7	NW NW	1	36.10	400
15 S	11 E	WM	7	SW NW	2	29.90	400
15 S	11 E	WM	7	SE NW		28.50	400
15 S	11 E	WM	7	NE SW		40.00	500
15 S	11 E	WM	7	NW SW	3	34.00	500
15 S	11 E	WM	7	SW SW	4	28.00	500
15 S	11 E	WM	7	SE SW		40.00	500
15 S	11 E	WM	7	NE SE		38.50	600
15 S	11 E	WM	7	NW SE		30.50	600
15 S	11 E	WM	7	SW SE		40.00	600
15 S	11 E	WM	7	SE SE		39.00	600
15 S	11 E	WM	8	NE NE		5.95	100
15 S	11 E	WM	8	NW NE		26.75	100
15 S	11 E	WM	8	NW NE		3.00	100
15 S	11 E	WM	8	SW NE		18.00	100

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	8	SW NE		22.00	300
15 S	11 E	WM	8	SE NE		9.30	100
15 S	11 E	WM	8	SE NE		10.80	300
15 S	11 E	WM	8	NE NW		1.40	200
15 S	11 E	WM	8	NE NW		8.30	201
15 S	11 E	WM	8	NE NW		8.40	201
15 S	11 E	WM	8	NE NW		8.60	201
15 S	11 E	WM	8	NE NW		0.05	202
15 S	11 E	WM	8	NE NW		0.55	202
15 S	11 E	WM	8	NE NW		0.27	202
15 S	11 E	WM	8	NE NW		0.10	202
15 S	11 E	WM	8	NW NW		2.30	200
15 S	11 E	WM	8	NW NW		5.60	200
15 S	11 E	WM	8	NW NW		3.00	200
15 S	11 E	WM	8	NW NW		0.90	200
15 S	11 E	WM	8	NW NW		13.85	200
15 S	11 E	WM	8	NW NW		1.00	200
15 S	11 E	WM	8	NW NW		0.50	201
15 S	11 E	WM	8	NW NW		1.00	202
15 S	11 E	WM	8	SW NW		6.20	200
15 S	11 E	WM	8	SW NW		26.92	200
15 S	11 E	WM	8	SE NW		28.53	201
15 S	11 E	WM	8	SE NW		5.00	201
15 S	11 E	WM	8	SE NW		4.52	201
15 S	11 E	WM	8	SE NW		0.61	202
15 S	11 E	WM	8	NE SW		27.00	202
15 S	11 E	WM	8	NW SW		35.00	202
15 S	11 E	WM	8	SW SW		14.00	400
15 S	11 E	WM	8	SW SW		22.00	600
15 S	11 E	WM	8	SE SW		13.00	500
15 S	11 E	WM	8	SE SW		19.00	600
15 S	11 E	WM	8	NE SE		4.35	300
15 S	11 E	WM	8	NW SE		35.55	300
15 S	11 E	WM	8	SW SE		32.50	700
15 S	11 E	WM	8	SE SE		2.00	700
15 S	11 E	WM	9	NE NE		7.50	400
15 S	11 E	WM	9	NW NE		31.00	400
15 S	11 E	WM	9	NE NW		19.10	100
15 S	11 E	WM	9	NW NW		17.90	100
15 S	11 E	WM	9	SW NW		4.00	100
15 S	11 E	WM	9	SE NW		2.00	100
15 S	11 E	WM	17	NE NW		11.00	200
15 S	11 E	WM	17	NW NW		36.00	200

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	17	SW NW		19.50	300
15 S	11 E	WM	17	SW NW		3.50	300
15 S	11 E	WM	17	SE NW		2.10	300
15 S	11 E	WM	17	SE NW		5.40	500
15 S	11 E	WM	18	NE NE		38.00	100
15 S	11 E	WM	18	NW NE		36.00	100
15 S	11 E	WM	18	SW NE		23.50	800
15 S	11 E	WM	18	SE NE		12.50	900
15 S	11 E	WM	18	SE NE		14.20	800
15 S	11 E	WM	18	SE NE		1.50	1000
15 S	11 E	WM	18	NE NW		13.00	200
15 S	11 E	WM	18	NE NW		7.50	300
15 S	11 E	WM	18	NE NW		1.00	301
15 S	11 E	WM	18	NE NW		3.90	400
15 S	11 E	WM	18	NW NW	1	6.00	300
15 S	11 E	WM	18	NW NW	1	10.00	400
15 S	11 E	WM	18	SW NW	2	4.16	700
15 S	11 E	WM	18	SE NW		4.50	700
15 S	11 E	WM	18	NE SW		2.00	700
15 S	11 E	WM	18	NE SW		4.00	1601
15 S	11 E	WM	18	NW SW	3	2.20	700
15 S	11 E	WM	18	NW SW	3	12.50	1900
15 S	11 E	WM	18	SW SW	4	9.40	2100
15 S	11 E	WM	18	SW SW	4	15.60	2100
15 S	11 E	WM	18	SE SW		23.07	2000
15 S	11 E	WM	18	SE SW		8.70	2100
15 S	11 E	WM	18	NW SE		12.00	2300
15 S	11 E	WM	18	SW SE		19.00	2300
15 S	11 E	WM	19	SW SW		8.10	4001
15 S	11 E	WM	19	SW SW		21.40	4001
15 S	11 E	WM	19	SE SW		24.00	4001
15 S	11 E	WM	20	NE NE		26.50	2800
15 S	11 E	WM	20	NW NE		27.00	2800
15 S	11 E	WM	20	SW NE		17.60	2800
15 S	11 E	WM	20	NE NW		3.50	3303
15 S	11 E	WM	20	NW NW		25.50	2800
15 S	11 E	WM	20	SW NW		11.50	2800
15 S	11 E	WM	20	SE NW		1.00	3302
15 S	11 E	WM	30	NE NW		8.90	200
15 S	11 E	WM	30	NW NW	1	11.00	99
15 S	11 E	WM	30	NW NW	1	1.10	200
15 S	11 E	WM	30	NW NW	1	10.00	201
15 S	11 E	WM	30	SW NW	2	3.00	99

IRRIGATION with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	30	SW NW	2	10.50	303
15 S	11 E	WM	30	SE NW		11.50	302
15 S	11 E	WM	30	SE NW		11.50	304
TOTAL						5669.21	

POND MAINTENANCE with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
13 S	12 E	WM	30	SE NE		1.00	1900
13 S	12 E	WM	30	SW SE		0.50	2000
14 S	11 E	WM	30	NE SE		0.50	500
14 S	11 E	WM	33	NW NW		1.00	400
14 S	11 E	WM	33	NE SW		0.50	3600
14 S	11 E	WM	33	NW SE		9.10	500
14 S	12 E	WM	7	NW NW	1	0.50	100
14 S	12 E	WM	7	SE SW		2.50	1102
15 S	10 E	WM	1	NE SE		0.30	500
15 S	10 E	WM	1	SE SE		1.20	500
15 S	10 E	WM	12	NW NE		0.50	303
15 S	10 E	WM	12	NE NW		0.10	304
15 S	10 E	WM	13	SW SE		0.20	705
15 S	10 E	WM	24	SW NE		0.20	403
15 S	10 E	WM	24	NW SW		1.00	700
15 S	11 E	WM	4	SW NW		3.00	201
15 S	11 E	WM	4	SW SW		1.00	401
15 S	11 E	WM	5	SE SW		1.00	400
15 S	11 E	WM	6	NE NE	1	0.30	100
15 S	11 E	WM	6	SE NE		0.50	100
15 S	11 E	WM	6	SE SE		1.00	200
15 S	11 E	WM	7	SW SW	4	3.00	500
15 S	11 E	WM	7	NE SE		0.50	600
15 S	11 E	WM	8	NW NW		1.00	200
15 S	11 E	WM	8	SW NW		1.00	200
15 S	11 E	WM	8	NW SW		1.00	300
15 S	11 E	WM	8	SW SW		1.00	
15 S	11 E	WM	8	SE SW		1.00	500
15 S	11 E	WM	9	NE NW		4.00	100
15 S	11 E	WM	18	NW NE		1.00	100
15 S	11 E	WM	18	SW NE		0.04	800
15 S	11 E	WM	18	NE NW		0.10	400
15 S	11 E	WM	18	NW NW	1	0.50	300
15 S	11 E	WM	18	SW NW	2	0.30	700
15 S	11 E	WM	18	SW SW	4	0.50	2100
15 S	11 E	WM	18	SE SW		0.50	2300

POND MAINTENANCE with 1895 PRIORITY DATE							
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax
15 S	11 E	WM	18	SW SE		0.50	2300
15 S	11 E	WM	20	NE NW		2.00	3303
15 S	11 E	WM	20	SW NW		1.00	2800
15 S	11 E	WM	20	NW SW		1.50	2800
TOTAL						46.34	

8. Water use measurement conditions:
 - a. The water user shall maintain the meters or measuring devices in good working order.
 - b. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

9. All conserved water shall be managed instream until a Request for Finalization is submitted as follows:

Priority Date	Period	Rate (cfs)	Volume (acre-feet)
1895	April 1 through October 31	0.33	140.1

Whychus Creek, a tributary of Deschutes River

From the authorized point of diversion at approximately River Mile (RM) 24.5:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	15 S	10 E	WM	21	SW SW	998 FEET NORTH AND 1211 FET EAST FROM THE SW CORNER OF SECTION 21

To: the confluence of Whychus Creek at RM 0, and into the mainstem Deschutes River to Lake Billy Chinook at RM 120.

Upon Filing the Request for Finalization:

10. The project is complete, and no additional time is needed for finalization.
11. The Department shall issue a new instream water right certificate for the conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values as follows:

Priority Date	Period	Rate (cfs)	Volume (acre-feet)
1895	April 1 through October 31	0.33	140.1

Whychus Creek, a tributary of Deschutes River

Priority Date	Period	Location	Rate (cfs)	Volume (AF)
1895	April 1 through October 31	Reach 1: At the authorized POD at approximately RM 24.5 to the mouth of Whychus Creek	0.33	140.1

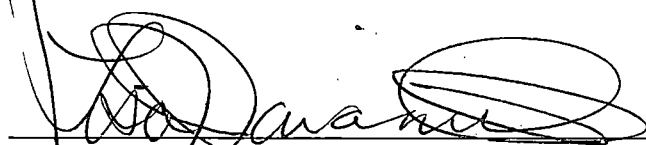
Deschutes River, tributary to the Columbia River

Priority Date	Period	Location	Rate (cfs)	Volume (AF)
1895	April 1 through October 31	Reach 2: From the confluence of Whychus Creek with the Deschutes River to Lake Billy Chinook at RM 120	0.33	140.1

Within the specified stream reach, the amount of water to which this right is entitled shall not exceed the quantity of water legally available at the original points of diversion. Stream channel losses and gains calculated based on available data and the use of water by senior appropriators will determine the amount of water to which this right is entitled downstream from the original point of diversion within the specified stream reach.

The instream right established by this allocation shall replace a portion of instream water rights established pursuant to ORS 537.341 OR 537.346 and be in addition to instream water rights established pursuant to ORS 537.348 or 537.470 unless otherwise specified in an order approving a new instream water right under these statutes.

Dated at Salem, Oregon **AUG 22 2023**



 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
 DOUGLAS E. WOODCOCK, ACTING DIRECTOR
 Oregon Water Resources Department

Mailing Date: **AUG 23 2023**

NOTICE OF RIGHTS

The Legislative Assembly finds that persons affected by actions taken by state agencies have a right to be informed of their rights and remedies with respect to those actions. ORS 183.415. The Commission shall notify the applicant and any other person requesting notice, of the action the Commission intends to take under ORS 537.470(3). Any person objecting to the proposed allocation may file a protest requesting a contested case hearing before the Commission. ORS 537.470(4).

If a protest to the proposed allocation of conserved water is received by the Department within 60 days of the mailing of the preliminary determination pursuant to ORS 537.470(4) and OAR 690-018-0050(4), the Director may work with the applicant and any protestant to determine whether the issues can be resolved through mutually agreeable conditions, or by modifying the application. OAR 690-018-0050(6).

If protests are received raising issues that cannot be resolved pursuant to OAR 690-018-0050(6), the Director shall present the application, all protests and a recommendation for action to the Commission for review and action. OAR 690-018-0050(8).

The Commission shall examine the application, the protests and the Director's recommendation. If the Commission finds the allocation of conserved water is likely to injure existing water rights or is otherwise inconsistent with these rules, the Commission may direct the Department to hold a contested case hearing on the application pursuant to ORS 183.413 and OAR 690, Divisions 1 and 2 or to resume attempts to resolve the disputed issues. If the Commission finds the allocation of conserved water is not likely to injure existing rights and is otherwise consistent with OAR 690-018-0050, the Commission may authorize the Director to issue an order approving the application. OAR 690-018-0050(9).

In the event of a land use dispute, as defined in OAR 690-005-0015, the Director shall follow resolution procedures provided in 690-005-0040 (Resolution of Land Use Disputes). OAR 690-018-0050(10).

If a protest is withdrawn, or any party to a hearing notifies the Department or the administrative law judge that the party will not appear, or if the party fails to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that parties have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

Any party may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public or private organization if the Department determines that appearance of a person by an

authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

Protests should be addressed to the attention of Allocation of Conserved Water Program, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.