T-10372

1-10312	NISTRI	CI- IEMP		
Name COID Lestir Clark	District		FEES PAID	
Address 1055 SW Lake Court	DESCRIPTION OF WATER RIGHT	4/16/07	292 00	87/43
S41-548-6047	Name of stream Deschutes R Crane Prairie Ros			
Change in Pour	Trib. of Columbia R Des. County of Crook Deschides	TOTAL		
	Use FROTEMUQU Jefferson		Cert. Fee	
Date filed	Quantity of water No. of acres			
Date of hearing	Name of ditch	1	FEES REFUNDED	
Place of hearing	Date of priority 1900 1907 1913	Date	Amount	Check No.
Date of order 12.27-07 Vol. 73, page 858	In name of COTO			
Date for application of water	Adjudication, Vol, page			
Proof mailed	App. No. 350 Per. No. — Cert. No. 76714			
Proof received	Certificate cancelled			
Certificate issued, page	Notation made on record by			
REMAR	KS			



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

December 28, 2007

CENTRAL OREGON IRRIGATION DISTRICT 1055 SW LAKE COURT REDMOND OR 97756

Reference: District Temporary Transfer T- 10372

Enclosed is a copy of the order approving your District temporary transfer.

This temporary transfer is effective for the 2008 irrigation season.

Sincerely,

Sarah Henderson

Executive Support

cc:

Watermaster #11

Sarah Henderson

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER
T-10372, Deschutes County)	APPROVING A TEMPORARY
)	DISTRICT TRANSFER

Authority

ORS 540.570 establishes the process in which a district may submit a request to temporarily transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

CENTRAL OREGON IRRIGATION DISTRICT ATTN: LESLIE CLARK 1055 SW LAKE COURT REDMOND, OR 97756

Findings of Fact

- 1. On April 16, 2007, the Central Oregon Irrigation District filed a district transfer application to temporarily change the place of use under Certificates 76358 and 76714. The Department assigned the application number T-10372.
- 2. Notice of the application for transfer was published April 24, 2007, pursuant to ORS 540.580 and OAR 690-385-3400. No comments were filed in response to the notice.
- 3. Certificate 76358 was superseded on September 26, 2007, by the issuance of Certificate 83571.
- 4. The portion of the first right to be transferred is as follows:

Certificate: 83571 in the name of CENTRAL OREGON IRRIGATION DISTRICT

(confirmed by Deschutes River decree)

Use: IRRIGATION OF 117.2 ACRES

Priority Date: OCTOBER 31, 1900 and DECEMBER 2, 1907

Season of Use: APRIL 1 through OCTOBER 31, further limited as follows:

APRIL 1 through APRIL 30 and OCTOBER 1 through OCTOBER 31

described herein as SEASON 1

MAY 1 through MAY 14 and SEPTEMBER 16 through SEPTEMBER 30

described herein as SEASON 2

MAY 15 through SEPTEMBER 15 described herein as SEASON 3

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Maximum Quantity (Rate) that can be applied to an acre:

SEASON 1: Limited to 1/80 cubic foot per second (CFS) per acre

SEASON 2: Limited to 1/60 CFS per acre SEASON 3: Limited to 1/32.4 CFS per acre

Maximum Duty that can be applied to an acre: Not to exceed 9.91 acre-feet (AF) per acre per year

The above listed rates and duty reflect allowance of a 45% transmission loss as determined by decree of the Circuit Court of Deschutes County, dated March 24, 1933. Those lands not served from the district main canal systems, but by direct pumping from the Deschutes River, are not allowed the 45% transmission loss.

Source:

DESCHUTES RIVER, tributary to COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Twp Rng Mer Sec Q-Q				p Rng Mer Sec Q-Q		Q-Q	Survey Coordinates
18 S	11 E	WM	13	SW NE	POD #1 (Central Oregon Canal): 1520 feet South			
					and 1535 feet west from the NE corner of Section 13			

Authorized Place of Use:

	IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres			
16 S	14 E	WM	21	NE SW	400	4.4			
16 S	14 E	WM	21	SE SW	400	10.3			
16 S	14 E	WM	21	NE SE	400	28.1			
16 S	14 E	WM	21	NW SE	400	34.7			
16 S	14 E	WM	21	SW SE	400	20.0			
16 S	14 E	WM	21	SE SE	400	3.2			
16 S	14 E	WM	27	SW SW	100	11.0			
16 S	14 E	WM	28	SE SE	107	1.0			
16 S	14 E	WM	34	NW NW	200	4.5			
	TOTAL: 117.								

5. Certificate 83571 is a deficient water right. If water were diverted simultaneously to all authorized lands and uses described in the right at the maximum rates and duty allowed (described in Finding of Fact #4), the total rate and duty for the water right would be exceeded. In the event water were diverted simultaneously to all authorized lands and uses at the maximum rates and duty allowed at the points of diversion described in the right, the portion of the right involved in this transfer would be limited as described in the table below. These rates and duty are also the quantities by which Certificate 83571 shall be reduced, if this transfer is approved.

POD #1 (Central Oregon Canal):

Priority Date	Season 1	Season 2	Season 3	Duty
October 31, 1900	1.459 CFS	1.946 CFS	2.572 CFS	1 156 29 AE
December 2, 1907			1.031 CFS	1,156.38 AF

6. Application T-10372 proposes to temporarily change the place of use of the right during the 2008 irrigation season to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	14 E	WM	22	NE SW	100	0.9
16 S	14 E	WM	22	NWSW	100	1.3
16 S	14 E	WM	22	SWSW	4800	4.6
16 S	14 E	WM	22	SE SW	3500	1.1
16 S	14 E	WM	22	SE SW	7600	3.71
16 S	14 E	WM	22	SE SW	8600	0.01
16 S	14 E	WM	22	SW SE	3500	2.9
16 S	14 E	WM	27	NW NE	3500	5.24
16 S	14 E	WM	27	SW NE	300	0.54
16 S	14 E	WM	27	SW NE	2801	1.7
16 S	14 E	WM	27	SW NE	3500	0.44
16 S	14 E	WM	27	NE NW	8600	0.4
16 S	14 E	WM	27	NW NW	700	0.1
16 S	14 E	WM	27	NW NW	8600	3.1
16 S	14 E	WM	27	SW NW	2801	6.41
16 S	14 E	WM	27	SWNW	300	0.13
16 S	14 E	WM	27	SE NW	300	3.4
16 S	14 E	WM	27	NE SW	2801	4.68
16 S	14 E	WM	27	NWSW	2801	8.36
16 S	14 E	WM	27	SW SW	2801	0.77
16 S	14 E	WM	27	SE SW	102	4.6
16 S	14 E	WM	27	NW SE	2801	9.95
16 S	14 E	WM	27	SW SE	2803	13.7
16 S	14 E	WM	27	SE SE	2803	4.2
16 S	14 E	WM	28	SE NE	100	5.8
16 S	14 E	WM	28	NE SE	100	3.66
16 S	14 E	WM	28	NW SE	100	14.0
16 S	14 E	WM	28	SW SE	100	1.1
16 S	14 E	WM	28	SE SE	100	10.4
					TOTAL:	117.2

7. The portion of the second right to be transferred is as follows:

Certificate: 76714 in the name of CENTRAL OREGON IRRIGATION DISTRICT

(perfected under Permit S-23256)

Use: SUPPLEMENTAL IRRIGATION OF 117.2 ACRES

Priority Date: FEBRUARY 28, 1913

Limit/Duty: This appropriation shall be limited to the duty of water as set out in the

modified supplemental decree of the circuit court dated March 24, 1933 in the matter of the determination of the relative rights to the use of the waters of the Deschutes River and its tributaries; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein, and shall be further limited to the terms of the inter-district contract date January 4, 1938, between the Central Oregon Irrigation District, Crook County Improvement District #1, and the Arnold Irrigation District, and

shall be subject to such reasonable rotation system as may be ordered by the

proper state officer.

Source:

CRANE PRAIRIE RESERVOIR constructed under Permit R-1687, a

tributary to DESCHUTES RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates	
18 S	11 E	WM	13	SW NE	Central Oregon 1 (Central Oregon Canal): 1520 feet South	
		-			and 1535 feet West from the NE corner of Section 13	

Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres		
16 S	14 E	WM	21	NE SW	400	4.4		
16 S	14 E	WM	21	SE SW	400	10.3		
16 S	14 E	WM	21	NE SE	400	28.1		
16 S	14 E	WM	21.	NW SE	400	34.7		
16 S	14 E	WM	21	SW SE	400	20.0		
16 S ·	14 E	WM	21	SE SE	400	3.2		
16 S	14 E	WM	27	SW SW	100	11.0		
16 S	14 E	WM	28	SE SE	107	1.0		
16 S	14 E	WM	34	NW NW	200	4.5		
					TOTAL:	117.2		

Application T-10372 proposes to temporarily change the place of use of the right during the 2008 irrigation season to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	14 E	WM	22	NE SW	100	0.9
16 S	14 E	WM	22	NWSW	100	1.3
16 S	14 E	WM	22	SW SW	4800	4.6
16 S	14 E	WM	22	SE SW	3500	1.1
16 S	14 E	WM	22	SE SW	7600	3.71
16 S	14 E	WM	22	SE SW	8600	0.01
16 S	14 E	WM	22	SW SE	3500	2.9
16 S	14 E	WM	27	NW NE	3500	5.24
16 S	14 E	WM	27	SW NE	300	0.54
16 S	14 E	WM	27	SW NE	2801	1.7
16 S	14 E	WM	27	SW NE	3500	0.44
16 S	14 E	WM	27	NE NW	8600	0.4
16 S	14 E	WM	27	NW NW	700	0.1
16 S	14 E	WM	27	NWNW	8600	3.1
16 S	14 E	WM	27	SW NW	2801	6.41
16 S	14 E	WM	27	SWNW	300	0.13
16 S	14 E	WM	27	SE NW	300	3.4
16 S	14 E	WM	27	NE SW	2801	4.68
16 S	14 E	WM	27	NW SW	2801	8.36
16 S	14 E	WM	27	SW SW	2801	0.77
16 S	14 E	WM	27	SE SW	102	4.6
16 S	14 E	WM	27	NW SE	2801	9.95
16 S	14 E	WM	27	SW SE	2803	13.7
16 S	14 E	WM	27	SE SE	2803	4.2

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
16 S	14 E	WM	28	SE NE	100	5.8
16 S	14 E	WM	28	NE SE	100	3.66
16 S	14 E	WM	28	NW SE	100	14.0
16 S	14 E	WM	28	SW SE	100	1.1
16 S	14 E	WM	28	SE SE	100	10.4
			····		TOTAL:	117.2

- 9. The district temporary transfer application satisfies the criteria of OAR 690-385-3000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
- 10. The water right is subject to transfer as defined in OAR 690-385-0100(17).
- 11. The proposed change in place of use would not result in enlargement of the right.
- 12. The proposed change would not result in injury to other water rights.

Conclusions of Law

The change in place of use proposed in application T-10372 satisfies the requirements of ORS 540.574(3) and 540.570.

Now, therefore, it is ORDERED:

- 1. The proposed temporary change in place of use to the water rights evidenced by Certificates 83571 and 76714 is approved.
- 2. The temporary transfer is effective for the 2008 irrigation season.
- 3. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 83571 and 76714 and any related decree.
- 4. The use of water on the lands from which the water right is transferred and at the new temporary place of use during the same irrigation season or calendar year is prohibited and may subject the district and landowner to civil penalties.
- 5. The use of water under this temporary transfer may be conditioned or revoked at any time to the extent necessary to avoid injury if the Department finds the transfer causes injury to any existing water right.
- 6. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
- 7. The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.

	8.	automatically t adjudication as	o the terms and conditions of the or evidenced by a court decree.	water under this temporary transfer reverts iginal water right permit, certificate, or
	Dat	ted at Salem, Or	egon this 27^{11} day of 2	mfa_, 2007.
pr	1 1	<i>Suble Lo</i> illip C. Ward, Di		
	Ма	tiling date:	DEC 3 1 2007	

District Temporary Transfer Completion Checklist

	11	13	7	1
Т-	11	JS	1	L

Transfer Specialist: Lisa Jaramillo

Water Rights Affected

App File No.	Permit No.	Certificate No.	Living Certificate?
decree	decree	83571	⊠ Yes □ No
S-13180	S-23256	76714	⊠ Yes □ No

PP - III-	1 01111101	Commonto i ioi	Dring Co	rtiffeate.	
decree	decree	83571	⊠ Yes	☐ No	
S-13180	S-23256	76714	⊠ Yes	☐ No	
Applicant: Central Oregon Irri Attn: Leslie Clark 1055 SW Lake Cou Redmond, OR 977	ırt				
Copies Needed: Watermaster Distriction CWRE No.: N/A	ct: #11 – Jeremy G	<u>iffin</u>			
Irrig Dist Name/Ad	dress:				
Commentors Name	/Address: None				
A / -	W (Salem) Date: 12/19 Date: 12/21/07				
Comments/Special	Issues:				
Special Order Volum	me: <u>73</u> , Pages _	858 Final	Order Signa	ature Date:	12-26-07

WRIS clone correction needed Lisa J. Susan

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO:

CENTRAL OREGON IRRIGATION DISTRICT 1055 SW LAKE COURT REDMOND, OREGON 97756

confirms the right to use the waters of the DESCHUTES RIVER, a tributary of the COLUMBIA RIVER, for:

IRRIGATION (IR) of 42,919.893 Acres and 519.617 Acres Inchoate, (Total = 43,439.51) POND MAINTENANCE (PM) for 147.110 Acres/Equivalent and 63.700 Acres/Equivalent Inchoate,

INDUSTRIAL (IM) for 87.100 Acres/Equivalent, DUST ABATEMENT (DA) of 2.800 Acres,

MUNICIPAL (MU) for 781.957 Acres/Equivalent and 23.500 Acres/Equivalent Inchoate,

QUASI-MUNICIPAL (QM) for 7.000 Acres/Equivalent and 58.370 Acres/Equivalent Inchoate,

MINING (MI) for 16.000 Acres/Equivalent Inchoate,

DOMESTIC (DO), and

LIVESTOCK (LV).

This right was confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County. The decree is of record at Salem, in the Order Record of the Water Resources Department, in Volume 12, at page 282 and in Volume 16, at pages 1 and 390. The total quantity of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed a total of 1350.071 CUBIC FEET PER SECOND (cfs) and 20 307 cfs inchoate, or the equivalent in case of rotation. The dates of priority are OCTOBER 31, 1900, for 978.297 cfs including inchoate and DECEMBER 2, 1907, for the balance allowed by the decree (392.080 cfs including inchoate).

978,297 392,080 1370,377 1370,378

1059

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Diversion Rates Determined by Decree

The amount of water used for irrigation and other uses (described in terms of equivalent irrigated acres or acres/equivalent) is limited to a diversion not to exceed the quantity determined by decree of the Circuit Court of the State of Oregon for Deschutes County, dated March 24, 1933.

Canal Diversions

The amount of water used for irrigation and other uses served by the main canal systems, together with the amount of water secured under any other right existing for the same lands, is limited by the March 24, 1933, decree of the Circuit Court of the State of Oregon for Deschutes County to a diversion not to exceed:

QUANTITY FOR CANAL DIVERSIONS FROM SOURCE						
SEASON	PERIOD OF USE	RATE				
Season 1	April 1 through April 30 and October 1 through October 31	1 cfs to 80.0 acres				
Season 2	May 1 through May 14 and September 16 through September 30	1 cfs to 60.0 acres				
Season 3	May 15 through September 15	1 cfs to 32.4 acres				

The total quantity of water delivered through the main canal systems that may be applied to each acre irrigated or acre/equivalent during the irrigation season of each year may not exceed 9.91 acre-feet (AF) as measured at the point of diversion from the source. The quantities specified reflect an allowance for a 45% transmission loss in the canal system.

Direct Diversions

The amount of water used for irrigation and other uses for those lands NOT served by the main canal systems and diverting directly from the source, together with the amount of water secured under any other right existing for the same lands, is limited by the March 24, 1933, decree of the Circuit Court of the State of Oregon for Deschutes County to a diversion not to exceed:

QUANTITY FOR DIRECT DIVERSION FROM SOURCE					
SEASON	PERIOD OF USE	RATE			
Season 1	April 1 through April 30 and October 1 through October 31	1 cfs to 145.45 acres			
Season 2	May 1 through May 14 and September 16 through September 30	1 cfs to 109.09 acres			
Season 3	May 15 through September 15	1 cfs to 58.91 acres			

The total quantity of water diverted directly from the source that may be applied to each acre irrigated or acre/equivalent during the irrigation season of each year may not exceed 5.45 acre-feet (AF) as measured at the point of diversion from the source. The quantities specified for those lands served by direct diversion from the source, and that are not served from the main canal systems, do not include the allowance for the 45% transmission loss.

Diversion Rates by Point of Diversion (POD)

The quantities of water to which this right is entitled are further limited to the quantities listed for each point of diversion as follows:

	V	7
>	\mathcal{M}	
-	71	

DIVEDGION NAME	DOD	7 3s	TICE		
DIVERSION NAME	POD	1	2	3.	USE
CENTRAL OREGON CANAL	1 /	311.016 cfs	414.688 cfs	767.941 cfs	IR ·
	-	3.165 cfs	4.220 cfs	7.815 cfs	IR Inchoate
	*	0.649 cfs	0.866 cfs	1.603 cfs	PM
		0.153 cfs	0.204 cfs	0.377 cfs	PM Inchoate
		0.317 cfs	0.423 cfs	0.782 cfs	IM
	B	0.020 cfs	0.027 cfs	0.049 cfs	DA
		0.088 cfs	0.117 cfs	0.216 cfs	QM
		0.175 cfs	0.233 cfs	0.432 cfs	QM Inchoate
		-1.250	-1.670	3.090	CW-29
w &	TOTAL:	314.333 cfs	419.107 cfs	776.126 cfs	Including inchoate

Inchoate Quasi-Municipal Use (QM) limited to a total amount not to exceed 49.97 AF

Total Diversion not to exceed 246,421.88 AF and 2680.25 AF Inchoate

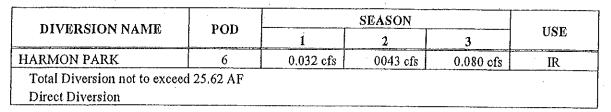
When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Canal Diversion, includes 45% transmission loss

DAY IND CLOSE SELECT	POD		SEASON		USE
DIVERSION NAME	POD	1.1	2	3	USE
COLUMBIA PARK	3	0.014 cfs	0.019 cfs	0.036 cfs	IR
Total Diversion not to exceed 11	.45 AF				
Direct Diversion	14/200	表表的作品		47	
11.000	11 + (13 4)		化为风料的特色		

DAMEDGIONINIAME		DOD!		SEAS	ON A		USE
DIVERSION NAME		POD (2	+ 11% T .2	3	USE
DRAKE PARK SOUTH	KEA	4	0.103 cfs	0.13	38 cfs	0.255 cfs	MU
Total Diversion not to exceed	d 81.7	6 ÅF	Philippini		W #		
Direct Diversion	10	1 2 1		1. 6. 11	1 1		

	DOM:		SEASON	25	TICE
DIVERSION NAME	POD		2	3 19 cfs 0.202 cfs	USE
DRAKE PARK SOUTH	4 & 5	0.082 cfs	0.109 cfs	0.202 cfs	IR
DRAKE PARK NORTH					
Total Diversion not to excee	ed 64.86 AF	8			
Direct Diversion		ts.	8 5		



DIVERSION NAME	POD				
		1	2	3	USE
PIONEER PARK SOUTH	7	0.008 cfs	0.010 cfs	0.019 cfs	IR
Total Diversion not to exceed Direct Diversion	l 6.00 AF				

DIVERSION NAME	POD		TION		
DIVERSION NAIME	POD	1	2	2 3	USE
PIONEER PARK SOUTH PIONEER PARK NORTH	7 & 8	0.029 cfs	0.039 cfs	0.071 cfs	IR
Total Diversion not to exceed	122.89 AF				
Direct Diversion	·				

ENTERIOR CHARLES AND	BOD				
DIVERSION NAME	POD	1	2	3	USE
T.I.D. BEND FEED CANAL	9	0.237 cfs	0.316 cfs	0.585 cfs	IR.
		0.211 cfs	0.281 cfs	0.520 cfs	IR Inchoate
	TOTAL	0.448 cfs	0.597 cfs	1.105 cfs	Including Inchoate

Total Diversion not to exceed 187.70 AF and 166.98 AF Inchoate

For the inchoate use, the water user shall not divert water for the allowed use whenever flows in the Deschutes River at the new point of diversion drop below 660 cfs during the period from April 1 through October 31 outside of the operational season of Central Oregon Irrigation District, when water is not being delivered by the District.

For the inchoate use, when required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Canal Diversion, includes 45% Transmission Loss

DISTRIBUTION NELLENS	DOD.			FICINO				
DIVERSION NAME	POD	1	2	3	USE			
RIVER EDGE GOLF CLUB	10	0.578 cfs	0.770 cfs	1.426 cfs	IR			
Total Diversion not to exceed 457.84 AF								
Direct Diversion	. ,							

DIVERSION NAME	POD		SEASON		
DIVERSION NAME	POD	1	2	3	USE
C.O.I.D. NORTH CANAL	11	223.865 cfs	298.486 cfs	552.752 cfs	IR
		3.031 cfs	4.041 cfs	7.484 cfs	IR Inchoate
		1.190 cfs	1.586 cfs	2.937 cfs	PM
		0.644 cfs	0.858 cfs	1.589 cfs	PM Inchoate
		0.772 cfs	1.029 cfs	1.906 cfs	IM
·		0.015 cfs	0.020 cfs	0.037 cfs	DA
•		0.200 cfs	0.267 cfs	0.494 cfs	MI Inchoate
		9.587 cfs	12.783 cfs	· 23.672 cfs	MU
		0.294 cfs	0.392 cfs	0.725 cfs	MU Inchoate
		-0.300 cfs	-0.400 cfs	-0.740 cfs	CW-39
		-0.290 cfs	-0.380 cfs	-0.710 cfs	CW-42
·	TOTAL:	239.006 cfs	318.681 cfs	590.145 cfs	Including Inchoate

Total Diversion not to exceed 186,176.19 AF and 3304.49 AF Inchoate

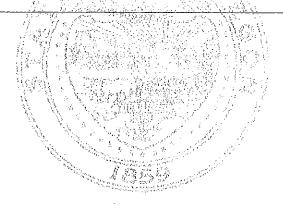
The use of water for the inchoate municipal use shall be limited to 23.500 acres equivalent and use shall be made during the irrigation season.

For the inchoate uses, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Canal Diversion, includes 45% Transmission Loss

DIVERSION NAME	TOD		SEASON				
DIYERSION NAME	POD	1	2	3	USE		
CLINE FALLS STATE PARK	12	0.017 cfs	0.023 cfs	0.042 cfs	R		
Total Diversion not to excee	d 13.626 AF						

Direct Diversion



DIVERSION NAME	POD	15	SEASON			
DIVERSION NAME	TOD	1	2	. 3	USE	
RIVER BEND	13	0.049 cfs	0.065 cfs	0.086 cfs	IR 1900 Inchoate	
LIMITED		P.		0.035 cfs	IR 1907 Inchoate	
PARTNERSHIP		0.310 cfs	0.410 cfs	0.540 cfs	QM 1900 Inchoate	
				0.210 cfs	QM 1907 Inchoate	
	TOTAL:	0.359 cfs	0.475 cfs	0.626 cfs	1900 Inchoate	
· ·				0.245 cfs	1907 Inchoate	

Total Diversion not to exceed 208.70 AF Inchoate

The water user shall not divert water for the allowed use whenever flows in the Deschutes River at the new point of diversion drop below 660 cfs during the period from April 1 through October 31 outside of the operational season of Central Oregon Irrigation District, when water is not being delivered by the District.

Prior to diverting water, the water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted from the river into a closed distribution system at the place of use and shall submit annual water use reports to the Department. The types and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The water user shall install and maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

Direct Diversion

Points of Diversion

The points of diversion are located as follows:

			A	UTHOI	RIZED POIN	IS OF DIVERSION
POD	TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
1	18S	11E	WM	13	SW¼NE¼	CENTRAL OREGON CANAL: 1520 FEET SOUTH AND 1535 FEET WEST FROM NE CORNER OF SECTION 13
3	178	12E	WM	31	SE¼ SE¼	COLUMBIA PARK: 740 FEET NORTH AND 490 FEET WEST FROM SE CORNER OF SECTION 31
4	178	12E	WM	31	NE¼ SE¼	DRAKE PARK SOUTH: 700 FEET NORTH AND120 FEET WEST FROM SE CORNER OF NE¼ SE¼ OF SECTION 31
5	178	12E	WM	32	SW¼ NW¼	DRAKE PARK NORTH: 2150 FEET SOUTH AND 750 FEET EAST FROM NW CORNER OF SECTION 32
6	178	12E	WM	32	SW¼ NW¼	HARMON PARK: 700 FEET SOUTH AND 680 FEET WEST FROM NE CORNER OF SECTION 32
7 :	178	12E	WM	32	NW¼ NE¼	PIONEER PARK SOUTH: 600 FEET SOUTH

Column A = Remaining Right Column B = Confirming Right Column C = Inchoate Right

			A.	UTHOF	RIZED POINT	IS OF DIVERSION
POD	TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
						AND 450 FEET WEST FROM NE CORNER OF SECTION 32
8	178	12Ė	WM	32	NW% NE%	PIONEER PARK NORTH: 560 FEET WEST FROM NE CORNER OF NW1/4 NE1/4 OF SECTION 32
9	17S	12E	WM	32	NMN NEN	T.I.D. BEND FEED CANAL: 2050 FEET WEST FROM NE CORNER OF SECTION 32.
10	178	12E	WM	29	SW¼ NE¼	RIVERS EDGE GOLF CLUB: 1980 FEET SOUTH AND 1160 FEET EAST FROM N¼ CORNER OF SECTION 29
11	178	12E	WM	29	SE¼ NE¼	C.O.I.D. NORTH CANAL: 850 FEET NORTH AND 630 FEET WEST FROM E½ CORNER OF SECTION 29
12	15S	12E	WM	14	NW¼ SE¼	CLINE FALLS STATE PARK: 425 FEET SOUTH AND 1475 FEET WEST FROM E¼ CORNER OF SECTION 14

	INCHOATE POINT OF DIVERSION										
POD	TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES					
13	185	12E	WM	5.	SE¼ NW¼	RIVER BEND LIMITED PARTNERSHIP: S 65° 46' 27" W, 3621.45 FEET FROM NE CORNER OF SECTION 5.					

Place of Use (POU)

A description of the place of use to which this right is appurtenant is as follows:

EXPLANATION OF WATER RIGHT STATUS

The water rights listed in column A are water rights that have not been modified by water right transfers and orders and remain unchanged (also texting femaining rights) since the issuance of the previous certificate, 76358.

The water rights listed in column B are water rights for which changes authorized by water right transfers and orders have been determined complete and are confirmed (also termed confirming rights) by the issuance of this certificate.

The water rights in Column C are water rights for which changes to the rights have been approved but not determined complete (also termed inchoate rights). Water rights described as incloate are not confirmed by the issuance of this certificate.

·I	RRIGATI	ON, POND I	MAINTENA	NCE, IND	USTRIAL, N	AINING and	DUST ABA	ATEMENT	USES
			LEGAL DE	SCRIPTIO	N	TOTAL ACRES (including inchoate)	WATER RIGHT STATUS ACRES/EQUIVALENT		
POD 1	USE	TWP	RNG	SEC	Q-Q		A	B	C
11	IR ·	13 S	13 B	32	SW SE	1.820	1.820	0.000	0.000
11	ΙR	13 S	13 E	32	SÉ SE	1.660	1.660	0.000	0.000
11	IR	13 S	13 E	33	SW NE	6.600	6.600	0.000	0.000
11	IR	13 S	13 E	33	SE NE	8.900	8.900	0.000	0.000

Temporary Transfer

IRRIGATION, POND MAINTENANCE, INDUSTRIAL, MINING and DUST ABATEMENT USES

		1	LEGAL DI	ESCRIPTIO)N	TOTAL ACRES		ER RIGHT S ES/EQUIVA	
			T	1	·	- (including		7	C .
POD	USE	TWP	RNG	SEC	Q-Q	inchoate)	A	B ·	0.000
. 1	IR -	16 S	14 E	20	NE SE	28.500	28.500	0.000	0.000
1	IR	16 S	14 E	20.	NW SE	27.200	27.200	0.000	
1	IR	16 S	14 E	20	SW SE	22.700	22.700	0.000	0.000
1	IR	16 S	14 E	21	NWNW	24.000	24.000	0.000	0.000
1	IR	16 S	14 E	21	SWNW	30.000	30.000	0.000	0.000
1	IR	16 S	14 E	21	NE SW	5.000	5.000	0.000	0.000
1	IR	16 S	14 E	21 .	NWSW	28.300	28.300	0.000	0.000
1	IR	16 S	14 E	21	SWSW	30.000	30.000	0.000	0.000
1	IR	16 S	14 E	21	SE SW	19.000	19.000	0.000	. 0.000
1	IR	16 S	14 E	21	NE SE	28.100	28.100	0.000 -	0.000
1	IR	16 S	14 E	21	NW SE	34.700	34.700	0.000	0.000
1	IR	16 S	14 E	21	SW SE	20.000	20.000	0.000	0:000
1	IR	16 S	14 E	21	SE SE	3.200	3.200	0.000	0.000
1	IR	16 S	14 E	27	SWSW	17.200	17.200	0.000	0.000
1	IR	16 S	14 E	28	SWNE	4.850	0.000	4.850	0.000
1	IR	16 S	14 E	28	NENW	29.000	29.000	0.000	0.000
1	IR	16 S	14 E	28	NWNW	37.000	37.000	0.000	0.000
1	IR ·	16 S	14 E	28	SENW	15.850	0.000	7.650	8.200
1	IR	16 S	14 E	28	NE-SW	2.020	. 0.000	0.000	2.020
1	IR	16 S	14 E	28	NE.SE	16.900	16.900	0.000	0.000
1	IR	16 S	14 E	28	NW SE	10.100	10.100	0.000	0.000
1 - -	IR	16 S	14 E	28	SWSE	4.100	4.100	0.000	0.000
1	IR	16 S	14 E	28	SESE	10.200	10.200	0.000	0.000
1	· IR	16 S	14 E /	29	NENE	17.000	17.000	0.000	0.000
1	IR	16 S	14 E	29	NW NE	20.000	20.000	0.000	0.000
1	IR	16 S	14/B	29	SWINE	4.100	4.100	0.000	0.000
1	IR	16 S	14 B	29	NENW	4,900	4.900	0.000	0.000
1	IR	16 S	14 E	34	NENW	91000	9.000	0.000	0.000
	IR	16 S	14 E	34	NW NW.	11.200	11.200	0.000	0.000
1	· IR	. 16 S	IA E	34	SENW	23,500	23.500	0.000	0.000
1	PM	16 S	14E /	* \340.	SBNW	1.500	1.500	0.000	0.000
)	IR	.17 S	11 B	24	NW NE	4,000	4.000	0.000	0.000
1	IR	17 S	12 E	2	NE NE	25.600	25.600	0.000	0.000
1	IR	17 S	12 E	2	NW NE	35.400	35.400	0.000	0.000 .
1	IR	17 S	·12 E	2 1	SWINE	31.000	28.000	3.000	0.000
1	IR	17 S	12 E		SENE	29.830	29.830	0.000	0.000
1	IR	17 S	12 E	2	NE SW	29.000	28.000	1.000	0.000
1	IR	17 S	12 E	2	SE SW	2.000	2.000	0.000	0.000
1	IR	17 S	12 E	2	NE SE	13.400	13.400	0.000	0.000
1	IR	17 S	12 E	2	NW SE	10.060	10.060	0.000	0.000.
1	IR :	17 S	12 E	2	SW SE	15.900	15.000	0.000	0.900
1	IR	17 S	12 E	3	SE SW	. 3.600	0.000	0.000	3.600
1	IR	17 S	12 E	11	NW NE	22.500	20,560	1.440	0.500

TRANSACTION FILE #	WATER RIGHT ACTION	ORDER DATE	SPECIAL ORDER VOLUME & PAGE	
T-9982 √,	Water Right Transfer	September 13, 2005	Volume 67, Page 127	144587
T-9983 √	Water Right Transfer	September 13, 2005	Volume 67, Page 124	,144588
T-9984 V	Water Right Transfer	September 13, 2005	Volume 67, Page 120	144592
T-9985 🗸	Water Right Transfer	September 13, 2005	Volume 67, Page 117	144594
T-10004	Water Right Transfer	January 30, 2006	Volume 67, Page 822 (145140
T-10018 🗸	Water Right Transfer	November 18, 2005	Volume 67, Page 435	145336
T-10035 🗸	Water Right Transfer	January 6, 2006	Volume 67, Page 671	145674
T-10036 🗸	Water Right Transfer	January 6, 2006	Volume 67, Page 674	145676

This certificate correctly describes the Points of Diversion for the following lands:

Township 14 South, Range 14 East, W.M., Sections 20 and 30, POD 1;

Township 13 South, Range 13 East, W.M., Section 32, POD 11;

Township 17 South, Range 12 East, W.M., Section 14, SW NE, 2.6 acres; POD 1

This certificate together with Water Right Certificates 80856, 81324, 81509, 81612, 82635, 82725, 82731, 83244, and 83293 supersedes Certificate 76358.

WITNESS the signature of the Water Resources Director, affixed SEP 2 6 2007

COID Certificate-c76358-cf-rr-inc.lhn

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Certificate 83571

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T-9299 AUSE/POLL Instream Leade
T-8692 Spo. USSP 941 N.569.2014
T-8693 Sp. V55p 411 N.56p.2017 p1203
                                                                 T-9313APON 115260, 261, 257, 259
                                                                                 258, 256, 266, 263,
                                                                 T-9314
T-8982 V.56 p. 124
                                                                 T-9315
                                                                                 262, 264, 265,271
                                     COUNTY OF DESCHUTES
T-8983 U.56 p. 127
                                                               (air15)1-9343 Ause/Aug
  8984 V.56 p. 130
                                 CERTIFICATE OF WATER RIGHT
                                              7-9555 WITHDRAWN 7-9499
T-8985 V.56 P.133
                                                               T-9423NHHDRAWN 457 P.1195
  -9214 A POU/PODVS7 DUGO (Withdrawn)
                                              -9553
THIS CERTIFICATE ISSUED TO
                                                                                     9113 V.56 p. 1030
                                              T-9557
      NTRAL OREGON IRRIGATION DISTRICT +,9597
                                                                               T-9150
                                                                               T-9156 V.56p. 1033
  2598 N HIGHWAY 97
                                                                               T-9195 V.568.2051
  REDMOND, OREGON 97756
  confirms the right to use the waters of THE DESCHUTES RIVER, a tributary of THE COLUMBIA
  RIVER, for IRRIGATION OF ACRES 43,746.93 ACRES, 781.957 ACRES/EQUIVALENT FOR
  MUNICIPAL USE, 158.01 ACRES/EQUIVALENT FOR POND MAINTENANCE, 87.10
                                                                                            T-9816
   ACRES/EQUIVALENT FOR INDUSTRIAL USE, 7.0 ACRES/EQUIVALENT FOR QUASI-
  MUNICIPAL USE, 2.80 ACRES/EQUIVALENT FOR DUST ABATEMENT, STOCK WATER, AND
  DOMESTIC USE.
  This right was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES
  County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES
  DIRECTOR, in Volume 12, at Page 282 and in Volume 16, at pages 1 and 390. The dates of priority are
   OCTOBER 31, 1900 FOR 985.0 CUBIC FEET PER SECOND, AND DECEMBER 2, 1907 FOR THE
  BALANCE ALLOWED BY DECREE.
  The amount of water used for irrigation, together with the amount secured under any other right existing
  for the same lands, is limited to a diversion of not to exceed the quantity determined by decree of the
  Circuit Court for Deschutes County, dated March 24, 1933, being:
   April 1 to May 1 and Oct. 1 to Nov. 1
                                                  1 cfs to 80.0 acres
                                                  1 cfs to 60.0 acres
  May 1 to May 15 and Sept. 15 to Oct. 1
                                                  1 cfs to 32.4 acres
  May 15 to Sept. 15
   for each acre irrigated by the Central Oregon Irrigation District main canal systems during the irrigation [M
   season of each year, not to exceed 9.91 acre-feet for each acre irrigated during the irrigation season as CM
   measured at the diversion from the source. The quantities reflect a 45% transmission loss as determined
  by decree of the Circuit Court for Deschutes County, dated March 24, 1933. Those lands not served from
   the district main canal systems but by direct pumping from the Deschutes River will not be allowed the
                                                           -579
   45% transmission loss.
                                                 -520
   The points of diversion are located as follows:
                                                                               L-538 L-544
            Central Oregon Canal: SW¼ NE¼, Section 13, T. 18 S., R. 11 E., W.M.; 1520 feet south
            and 1535 feet west from the NE Corner of Section 13.
           Smith Properties, Inc.: Lot 4 (NW1/4 NW1/4), Section 5, T. 18 S., R. 12 E., W.M.; 440 feet
            south and 970 feet east from the NW Corner of Section 5.
            Columbia Park: SE¼ SE¼, Section 31, T. 17 S., R. 12 E., W.M.; 740 feet north and 490 feet
            west from the SE Corner of Section 31.
           Drake Park South: NE¼ SE¼, Section 31, T. 17 S., R. 12 E., W.M.; 700 feet north and 120
                                                                                            4631
            feet west from the SE Corner of NE¼ SE¼, Section 31.
                                                                                           1.651
   379 5. Drake Park North: SW1/4 NW1/4, Section 32, T. 17 S., R. 12 E., W.M.; 2150 feet south
            and 750 feet east from the NW Corner of Section 32.
    381
  -382
    3,83 6. Harmon Park: SW1/4 NW1/4, Section 32, T. 17 S., R. 12 E., W.M.; 700 feet south and 680 feet
            west from the NE Corner of SW1/4 NW1/4, Section 32.
  2514 1.55 p. 1365 ext of time V. 61 p.525

HB3111.bwb , VS4p 566 y 54 p 560 Page 1 of 105
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Instrum lease # 234 9-19-01/9-30-01

1 92531

Instream Lease #187 5/2/2001-10/31/2007

- 7. Pioneer Park (South): NW¼ NE¼, Section 32, T. 17 S., R. 12 E., W.M.; 600 feet south and 450 feet west from the NE Corner of the NW¼ NE¼ of Section 32.
- 8. Pioneer Park (North): NW¼ NE¼, Section 32, T. 17 S., R. 12 E., W.M.; 560 feet west from the NE Corner of the NW¼ NE¼ of Section 32.
- 9. T.I.D. Bend Feed Canal: NW¼ NE¼, Section 32, T.17S., R. 12 E., W.M.; 2050 feet west from the NE Corner of Section 32.
- 10. Rivers Edge Golf Club: SW¼ NE¼, Section 29, T. 17 S., R. 12 E., W.M.; 1980 feet south and 1160 feet east from the N¼ Corner of Section 29.
- 11. C.O.I.D. North Canal: SE¼ NE¼, Section 29, T. 17 S., R. 12 E., W.M.; 850 feet north and 630 feet west from the E¼ Corner of Section 29.
- 12. Cline Falls State Park: NW¼ SE¼, Section 14, T. 15 S., R. 12 E., W.M.; 425 feet south and 1475 feet west from the E¼ Corner of Section 14.

A description of the place of use to which this right is appurtenant is as follows:

	QTR/QTR	TL	USE	ACRES	DIV. PT.	OWNER
	SW¼ SE¼	401	IR	1.820	12	OREGON STATE PARKS
	SE'4 SE'4	600	IR.	1.660	12	OREGON STATE PARKS
					Section 32	
	SW¼ NE¼	200	IR	6.600	11	THORNBURGH, EVERETT
	SE¼ NE¼	200	IR	8.900	11	THORNBURGH, EVERETT
	NE¼ SW¼	500	IR	13.250	11	BRADEN, SONDRA D
	NW¼ SW¼	500	IR	1.000	11	BRADEN, SONDRA D
	SW¼ SW¼	500	IR	19.200	11	BRADEN, SONDRA D
	SE¼ SW¼	600	IR	26.000	11	PRATT, DOROTHY LOU
	NE¼ SE¼	300	IR	36.650	11	THORNBURGH, EVERETT
	SW¼ SE¼	400	IR	0.100	11	THORNBURGH, EVERETT
	SE¼ SE¼	400	IR	32.350	11	THORNBURGH, EVERETT
					Section 33	The state of the s
	SW¼ NW¼	400	IR	7.700	11	THORNBURGH, EVERETT
	NE¼ SW¼	100	IR	4.000	îî	HARPER, VIRGIL
	NW¼ SW¼	400	IR	36.300	11	THORNBURGH, EVERETT
	SW¼ SW¼	400	IR	37.400	11	THORNBURGH, EVERETT
	SE¼ SW¼	100	IR	2.000	11	HARPER, VIRGIL
	SE¼ SW¼	103	IR	14.000	11	GREGERSON, GARY E
					Section 34	GIEGERGON, GART E
				Township	13 South, Range 1	3 East, W.M.
	NEW NEW	300	IR	12.000	11	CLARK, DAVID L
	SE¼ NE¼	300	IR	6.200	11	CLARK, DAVID L CLARK, DAVID L
				0.200	Section 12	CLARK, DAVID L
	SE¼ NE¼	4200	ID.			
	SE% NE%	4300	IR	14.000	11	BETTESWORTH, JAY
		4400	IR	5.000	11	GREGG, MARGARET
	NEW SEW	300	IR	1.000	11	BITTLER, SCOTT
	NE¼ SE¼	400	IR	1.400	11	SCHULTZ, RUTH A
					Section 36	
				Township	14 South, Range 1	2 East, W.M.
	SW4 NE4	600	IR	3.200	11	HUMPHREYS FAMILY TRUST
	SE¼ NE¼	600	IR	4.000	11	HUMPHREYS FAMILY TRUST
	NE¼ NW¼	700	IR	8.100	11	GARDNER, JAMES
HI	33111.bwb				Page 2 of 105	76.

76358

NE¼ NW¼	1800	IR	0.030	9	SHORT, WALTER JOHN
NE¼ NW¼	2200	IR	0.080	9	BARRIE, BETTY J. & COX, SUSAN
NE% NW%	2400	IR	0.140	9	BRAINERD, HAROLD G. ET UX
NE¼ NW¼	2500	IR	0.330	9	BIANUCCI, JOHN ET AL
NE¼ NW¼	2700	IR	0.190	9	CURL, ANITA G.
NE¼ NW¼	2900	IR	0.120	9	THOMSON, G.J. & OTTENFELD, D.
NE¼ NW¼	3000	IR	0.200	9	BOLLMAN, A.W., TRUSTEE
NE¼ NW¼	3101	IR	0.200	9	DE KAT, GARY H. & VIRGINIA A.
NE¼ NW¼	3300	IR	1.710	9	RIMROCK ASSOC. OF BEND, INC.
NE¼ NW¼	3800	IR	1.170	9	RIMROCK ASSOC. OF BEND, INC.
NW¼ NW¼	500	IR	0.350	9	LAMARCHE, H.J. ET UX
NW¼ NW¼	600	IR	0.520	9	NASH, DONAL B. & DEBORAH L.
NW¼ NW¼	700	IR	0.310	9	HEISTUMAN, T. & LAMBERT, S.
NWW NWW	2700	IR	0.180	9	CURL, ANITA G.
NW¼ NW¼	3200	IR	0.030	9	CREASEY, DOUGLAS K. & KAREN L.
				Section 20	,

Township 17 South, Range 12 East, W.M.

This certificate is issued to confirm changes in use and place of use approved by an order of the Water Resources Department Director entered __/2/6/99_____, approving the Central Oregon Irrigation District petition for water rights mapping under ORS 541.325 to 541.331 and confirms those changes in place of use and points of diversion approved by orders of the Water Resources Director entered May 9, 1980; January 19, 1981; January 19, 1990; and May 9, 1990, not eligible for inclusion in the district water rights mapping petition.

This certificate supersedes certificate of water right numbered 29052.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decrees.

WITNESS the signature of the Water Resources Director, affixed $\frac{2}{6}$ /99

Martha O. Pagel, Director

Instrum (2006 #306 17.02/10-02 #307 7.02/10-02 #297 7-02/10-02 #325 8-02/10-02 #326 8-02/10-02 #327 8-02/10-02 #259 7-02/10-02 #298 7-02/10-02 #262 6-02/10-02 #261 6-02/10-02

TRANSFER FOR CERTIFICATE #76358

Transfer #	Туре	Volume	Page	Change
8485	DIST	54	549	
8486	REG	55	167	
8514	DIST	54	560	
8532	DIST	54	566	
8534	REG	55	1365	
8692	DIST	55	941	
8693	DIST	55	617	
8982	DIST	56	124	
8983	DIST	56	127	
8984	DIST	56	130	
8985	DIST	56	133	
9017	DIST	56	488	
9018	DIST	56	2042	
9020	DIST	56	485	
9021	DIST	56	849	
9022	DIST	56	482	
9023	DIST	56	475	
9024	DIST	56	1027	
9027	DIST	56	478	
9035	DIST	56	2048	
9036	DIST	56	470	
9040	DIST	56	457	
9113	DIST	56	1030	
9150	REG			
9156	DIST	56	1033	

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF DESCRITES

IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS TO THE USE OF THE WATERS OF THE DESCHUTES RIVER AND ITS TRIBUTARIES, A TRIBUTARY OF THE COLUMBIA RIVER.

MODIFICATION OF SUPPLEMENTAL DECREE OF FEBRUARY 14th, 1933.

#2588

This matter coming on regularly and it appearing that the Central Oregon Irrigation
District, Crook County Improvement District Number One, and Deschutes Reclamation and Irrigation
Company heretofore filed objections to the Supplemental Decree made and entered herein on February 14th, 1933; said Motion and application requesting a different rate of diversion of
water than that allowed in said Supplemental Decree, and the Court having considered said Motion
in open Court and having listened to the statements of counsel for the various parties, it is,
hereby

ORDERED and DECREED that the former Decree of February 10th, 1928, as modified by the Decree of the Supreme Court and as modified by the Supplemental Decree of February 14th, 1933, shall remain in full force and effect except as herein amended in the following particulars:

CUBIC FEET PER SECOND OF TIME PER ACRE AT DIVERSION.

Name of Project	Trans- mission Losses	April 1 to May 1	May 1 to May 15 .	May 15 to Sept.15	Sept.15 to . Oct. 1	Oct.1 to Nov.1	Total Acres Feet at River During Season
Arnold Irr. Co.	65%	1 ft.to 51 ac.:1	ft.to 39 ac.:]	ft.to 20.8	: : 1 ft.to 39 ac.:	1 ft.to 51 ac.	15.42
Cent.Ore. Irr. Co.	45%	1 ft.to 80 ac.:]	ft.to 60 ac.:1	ft.to 32.4 ac.	1 ft.to 60 ac.	1 ft. to 80 ac.	9,91
Des.Mun. Imp.Dist.#1	45%	1 ft.to 80 ac.:1	ft.to 60 ac.:1	ft.to 32.4 ac.	: 1 ft.to 60 ac.:	1 ft.to 80 ac.	9.91 🤄
Des.Rec.& Irr.Co.	43%	1 ft.to 83 ac.:1	ft.to 62 ac.:1	ft.to 33.45 ac.	1 ft.to 62 ac.:	1 ft.to 85 ac.	9.58
Odin Falls Land Co.	0	1 ft.to 150 :1	ft.to 109 :1	ft.to 58.7 ac.	1 ft.to 109 :	1 ft.to 150 ac.	5,44
Cline Falls Power Co.	0	1 ft.to 150 :1 ac. :	ft.to 109 :1 ac.	ft.to 58.7	1 ft.to 109 ac.	1 ft.to 150 ac.	5.44
Crook Cty.Imp Dist.#1 at Lor Pine Weir		1 ft. to 157 ac.	ft.to 109 :1 ac. :	ft.to 86.6 ac.	1 ft.to 109 :	1 ft.to 137 ac.	4.20 At Lone Pine Weir.

It is further ORDERED and DECREED that the quantity of water appropriated by the Crook County Improvement District No. 1, is insufficient to properly reclaim and irrigate the

entire project, 2520 acres, and that the water may be applied to a less area; provided that the total quantity diverted from the Deschutes River at the north canal dam shall be equal to but not exceed a sufficient amount to deliver at its weir during the irriga — tion season the quantities measured in second feet set forth in the above tabulation. The foregoing provision shall not be construed as affecting any contract or contracts now or hereafter existing between the Central Oregon Irrigation District and Crook County Improvement District Number One.

Dated and signed in open Court this 24th day of March, 1933.

T.E.J. Duffy Circuit Judge.

Filed March 25th, 1953. Circuit Court Journal No. 10, Page 51.

STATE OF OREGON) ss County of Deschutes)

I, P. B. JOHNSON, County Clerk and Clerk of the Circuit and County Courts in and for said County and State, do hereby certify that I have carefully compared the foregoing copy of Modification of Supplemental Decree of February 14th, 1933, in case No.2588, with the original thereof as the same appears on file and of record in my office and in my custody, and the same is a full, true, and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Bend, in said County and State, this 5th day of April, 1938.

(SEAL)

P. B. JOHNSON

County Clerk

By Mary Hensen

Deputy



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1271 (503) 986-0900 www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Tran	nsfer Applica	ition:	T- <u>10372</u>		Revie	ew Due Date:	5/22/07	
App	licant Name	: <u>CC</u>	<u>)ID</u>					
Prop	osed Chang	es:	⊠ POU	☐ POD	☐ POA	USE	OTHE	ΞR
Revi	iewer(s): G	iffin			Date	of Review:	Apr. 27, 20	07
	☐ Yes □	☑ No affida	If "Yes", de	scribe the info	rmation and in	y be subject to adicate if you in nine if a cancel	ntend to file	
	has involved	the r	ight and down	stream water r	ights? 🗌 Yes	ight proposed f s ⊠ No G regulation has r	enerally	
	from the cur	rent u	se of the right	? 🔲 If you cl	neck the box, g	t from return flo generally chara er rights that be	cterize the	g
		No	If "Yes", de			e proposed char be affected and		its
	old and new	POD	s or within the		eam reach?	are channel los If you check		the
	other water			t have occurred		hange result in existing right w		
				ginal place of N/A If "Ye		o receive water	from the sar	me
		more	water than car			"full face value thout waste?		he No
	Are there otl "Yes", expla			fied through the	e above questi	ons? Yes	⊠ No	If
10.	What alterna	itives	may be availal	ble for address	ing any issues	identified above	/e:	
							DECEN	

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MAY 02 2007

Watermaster Review Form

11. Have headgate notices been issued for the source that serves the right?

Yes

No

Transfer Application: T-10372

12.	What water control and measurement	nt conditions should be	e included in	the transfer:
2011-1011	CONTROL BURNING STREET, THE MEAN CONTROL BROWN STREET			

Measurement Devices	Present and should be maintained.	Should be required prior to diverting water.	May be required in the future.
Headgates	Present and should be maintained.	Should be required prior to diverting water.	May be required in the future.

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WATER RESOURCES DEPT SALEM, OREGON



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

April 19, 2007

Central Oregon Irrigation District 1055 SW LAKE COURT REDMOND OR 97756

Reference: District Temporary Transfer-10372

On April 16, 2007 we received your district transfer application requesting for use of water from DESCHUTES RIVER, tributary to COLUMBIA RIVER. The application was accompanied by \$292.00. Our receipt 87143 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

The district may begin delivering water to the proposed place of use immediately provided that water has not been delivered to the existing, authorized place of use during this season. Pursuant to OAR 690-385-3000(4), the district and water user may be subject to civil penalties and the loss of use of the water if deliveries are made to both the existing and proposed places of use during any one season.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Jeremy Giffin, Watermaster #11 Steve Marx, ODFW

enclosure



Water Resources Department

725 Summer Street NE, Suite A Salem. OR 97301-1271 503-986-0900 FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 4/24/2007

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County:

CROOK

Transfer:

10372

Water Right:

CERT 76358, 76714

Priority Date:

1900

Name:

CENTRAL OREGON IRRIGATION DISTRICT

Address:

1055 SW LAKE COURT, REDMOND OR 97756

Change:

POU

Source:

DESCHUTES RIVER/CRANE PRAIRIE

Authorized POU: T16s R14e sec 21,27,34 Proposed POU:

T16S R14E SEC 22,27,28

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.



CENTRAL OREGON IRRIGATION DISTRICT

1055 SW Lake Court, Redmond, OR 97756 Phone: 541.548.6047 Fax: 541.548.0243 www.coid.org

A MUNICIPAL CORPORATION OF THE STATE OF OREGON

April 13, 2007

Greg Nelson Oregon Water Resources Dept 725 Summer St N.E. Suite A Salem, OR 97301-1271

RE: Temporary 385 transfer T-2007-007

Dear Greg,

Enclosed is the hard copy of the temporary District transfer # T-2007-007 I emailed to you earlier this week. Also enclosed is our check #3379 in the amount of \$292.00.

Please let me know if you have any questions or concerns.

Sincerely,

Leslie Clark

Water Transfer Specialist

ish Clark

Encl.

C: Tom Walker, WH Pacific for Brasada Ranch

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APR 16 2007

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT #87143

725 Summer St. N.E. Ste. A SALEM, OR 97301-4172 (503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

ECEIVED EDON	: Centra	In	alina	APPLICATION	ナルコン
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	OTHER: (ID	ENTIEV			\$
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		4270 V	VRD OPERATING	ACCI	
	MISCELLANEOUS				S
0407	COPY & TAPE FEES	5			S
0410	RESEARCH FEES				\$
0408	MISC REVENUE: (i i i i i i i i i i i i i i i i i i i	-		S
TC162	DEPOSIT LIAB. (ID	ENTIFY)	R 		\$
0240	EXTENSION OF TIM	ME.			
	WATER RIGHTS:		EXAM FEE		RECORD FEE
0201	SURFACE WATER		\$	0202	\$
0203	GROUND WATER		\$	0204	\$
0205	TRANSFER		\$ 292 0	0	
	WELL CONSTRUCT	TION	EXAM FEE		LICENSE FEE
0218	WELL DRILL CONS		\$	0219	\$
0210	LANDOWNER'S PE			0220	\$
	OTHER	(IDENTIFY			
0536	TREASURY	0437 V	VELL CONST. STA	RT FEE	
0211	WELL CONST STAF	T FEE	\$	CARD#	
0210	MONITORING WELL	S	\$	CARD#	
	OTHER	(IDENTIFY)		
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	HYDRO APPLICATION	N			3
	TREASURY	C	THER / RDX		
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OBJ. CODE	611	VENDOR #			\$
DESCRIPTION	ONN				

RECEIPT:

87143 DATED: 4/16/01 BY: Koul 1 (Say)
Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



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

OAR Chapter 690, Division 385 District Temporary Transfer Application Duration: One Irrigation Season

District: CENTRAL OREGON IRRIGATION DISTRICT

Contact Person: LESLIE CLARK Phone: (541) 548-6047

Mailing Address: 1055 SW LAKE COURT REDMOND, OR 97756

Transfer Number: T-2007-007

I. Pursuant to ORS 540.570 and OAR Chapter 690, Division 385, the district proposes to change the place of use for the following water rights:

	WATER RIGHT								
PERMIT	CERTIFICATE	DECREE	PRIMARY (P)						
NUMBER	NUMBER	(name, volume, and page)	or SUPP (S)						
	76358	October 31, 1900 and December 2, 1907	P						
	76714	February 28, 1913	S						

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

		POIN	T(S) OF DIVERS	SION / APPROPRIATION
0	DECREE or			**
PERMIT	CERTIFICATE	POD#	SOURCE	LOCATION - LEGAL DESCRIPTION
	76358	1	Deschutes River	SW ¼ NE ¼ SEC. 13, T. 18 S., R. 11 E., W.M.; 1520' S. & 1535' W. FROM THE NE CORNER OF SEC. 13
	76714	1	Crane Prairie	

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

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WATER RESOURCES DEPT SALEM, OREGON

WATER RIGHT		Primary	Primary	Primary	Primary	Primary	POTATA ACCUMENTATION OF THE PARTY OF THE PAR	2-25-2-7-01-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-			LEGAL DESCRIPTION					
Cert/Decree PRIMARY	Cert/Perm SUPP	PRIORITY DATE	USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES	USER NAME			
76358	76714	10/31/1900	IRRIG	1	SEE ATTACHED EXHIBIT								BRASADA RANCH, INC			

TABLE 2. - PROPOSED PLACE OF USE

WATER	RIGHT	Primary	0					LEGA	L DES	CRIPTIC	ON		T	and the second s
Cert/Decree PRIMARY	Cert/Perm SUPP	PRIORIT DATE	0.000	USE	POD #	TWP	RNG	SEC	00	DLC	GOV'T LOT	TAX LOT	ACRES	USER NAME
76358	76714	10/31/19	00	IRRIG	1	SEE ATTACHED EXHIBIT								BRASADA RANCH, INC
1														
		ESOURCES I	APR 1 6 2007	RECEIVED	т 1	0372								
rai	ry Transfer n 2004	DEPT	7		Î	0372		P	age 3 c	of 4				

District Temporary Transfer Application Form 2004

- **IV.** Enclosed is a map for each proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- V. The water right proposed for transfer is a water right subject to transfer and has not been forfeited for nonuse under ORS 540.610.
- VI. Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- VII. The district has notified each affected user that the Department may condition or reject the transfer at any time to the extent necessary to avoid injury to an existing water right, and that the use of water on lands from which the water right is transferred (authorized place of use) and at the proposed place of use during the same irrigation season or calendar year may subject both the user and district to civil penalties.

VIII. Enclosed is the application fee in the amount of: \$292.00 (\$175.00 + \$117.00)

I certify that the information contained in this district temporary transfer application is true and accurate.

Steven C. Johnson

Secretary – Manager

Central Oregon Irrigation District

BApril 2007
Date

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APR 16 2007

WATER RESOURCES DEPT SALEM, OREGON

BRASADA RANCH,	, INC				
TEMPORARY 580 DISTRICT TRANSF		07		2	
DISTRICT TRANSP	EK#. 1-2007-0	0 <i>1</i>			
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	CEC/M	2500	4.4		
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	NWSE	2801	9.95		
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WATER RESOURCES DEPT SALEM, OREGON

1 10372

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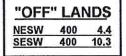
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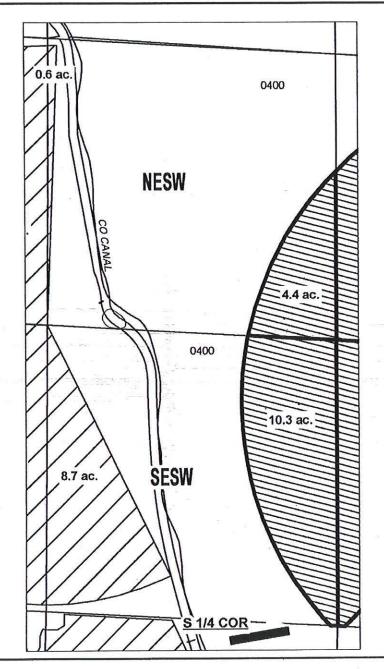
WATER RESOURCES DEPT SALEM, OREGON

SCALE - 1" = 400'

DISTRICT INTERNAL NOTICE #: T-2007-007

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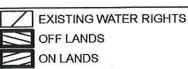
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WATER RESOURCES DEP SALEM, OREGON



APPLICATION FOR TEMPORARY WATER RIGHTS TRANSFER BRASADA RANCH

DATE: 04-10-07

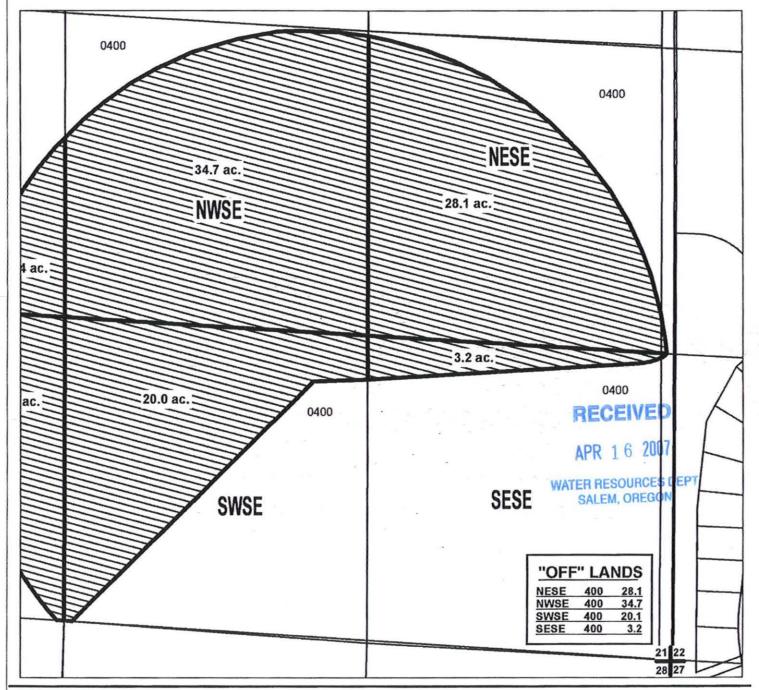


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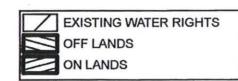
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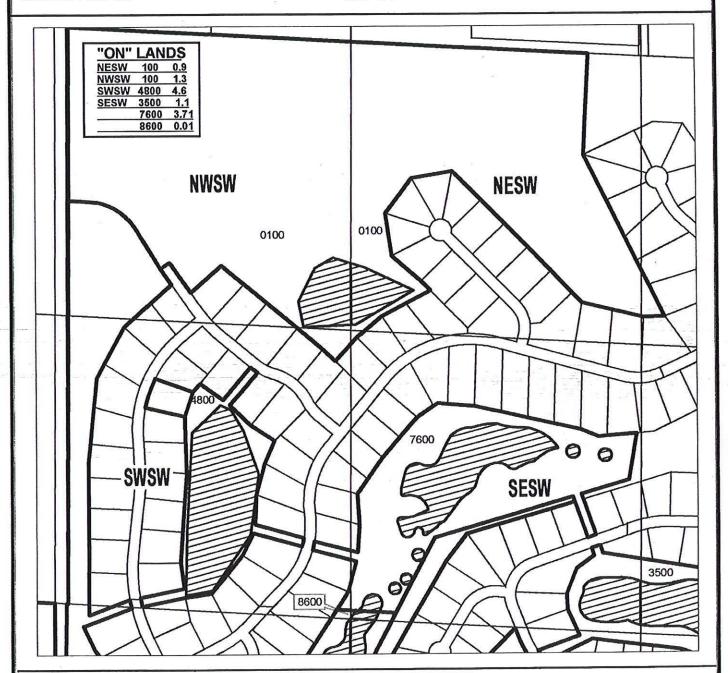
APPLICATION FOR TEMPORARY WATER RIGHTS TRANSFER BRASADA RANCH



SCALE - 1" = 400'

DISTRICT INTERNAL NOTICE #: T-2007-007

SW 1/4





APPLICATION FOR TEMPORARY WATER RIGHTS TRANSFER BRASADA RANCH

DATE: 04-10-07



EXISTING WATER RIGHTS

OFF LANDS

ON LANDS

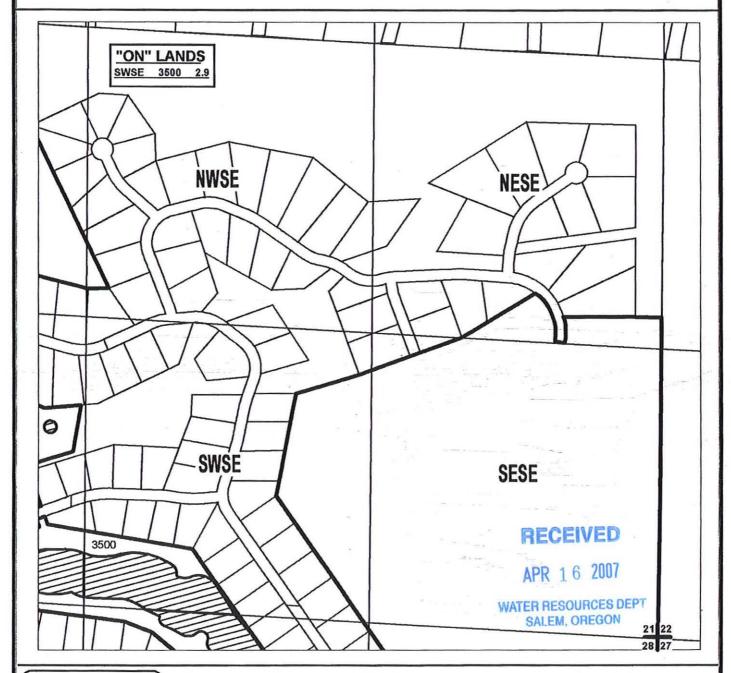
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APR 16 2007

SCALE - 1" = 400'

DISTRICT INTERNAL NOTICE #: T-2007-007

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APPLICATION FOR TEMPORARY WATER RIGHTS TRANSFER BRASADA RANCH

DATE: 04-10-07



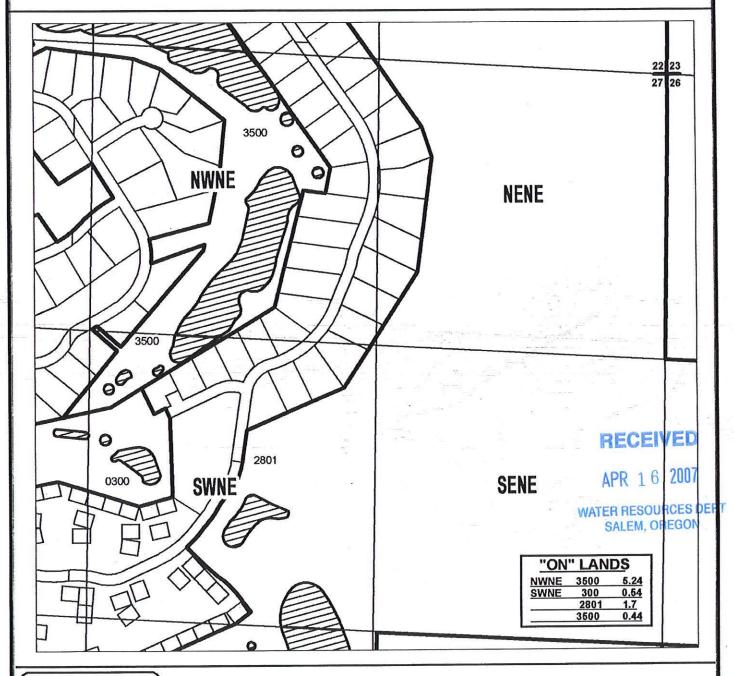
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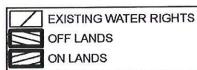
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APPLICATION FOR TEMPORARY WATER RIGHTS TRANSFER BRASADA RANCH

DATE: 04-10-07



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DISTRICT INTERNAL NOTICE #: T-2007-007

NW 1/4





APPLICATION FOR TEMPORARY WATER RIGHTS TRANSFER BRASADA RANCH

DATE: 04-10-07



EXISTING WATER RIGHTS
OFF LANDS

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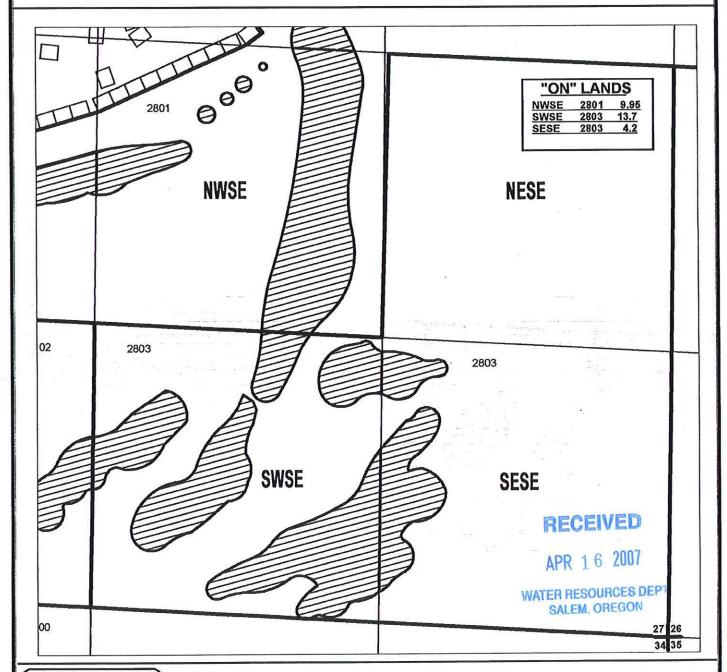
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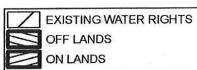
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APPLICATION FOR TEMPORARY WATER RIGHTS TRANSFER BRASADA RANCH

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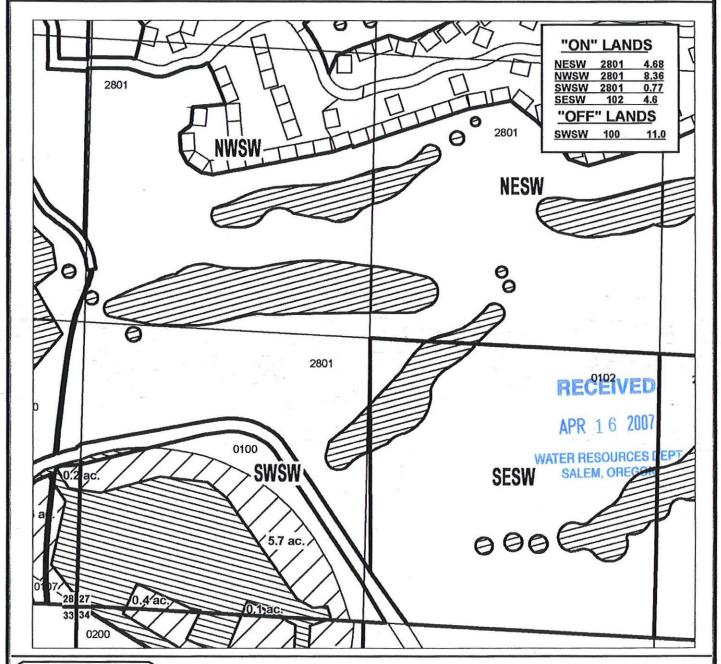


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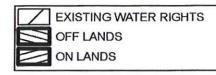
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APPLICATION FOR TEMPORARY WATER RIGHTS TRANSFER BRASADA RANCH

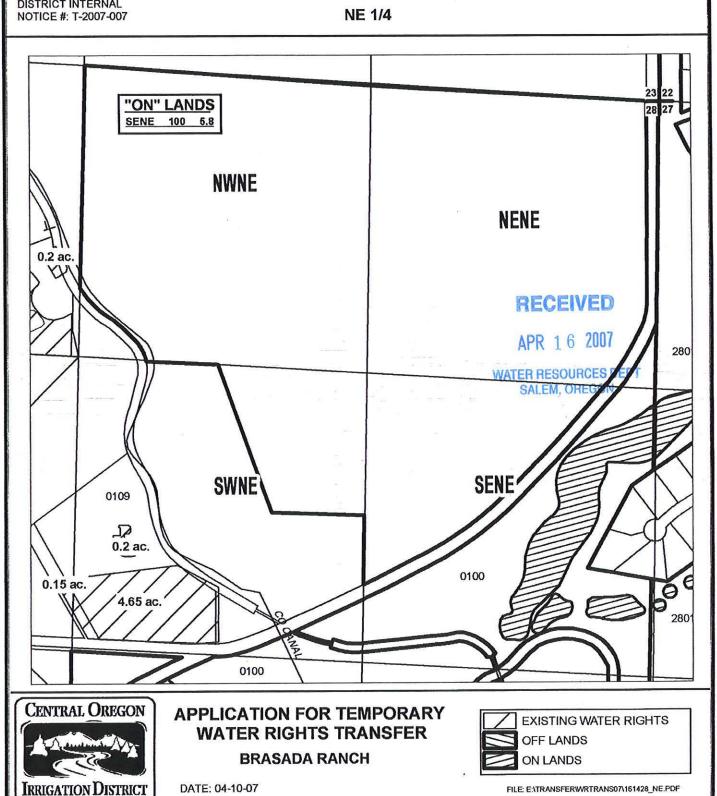
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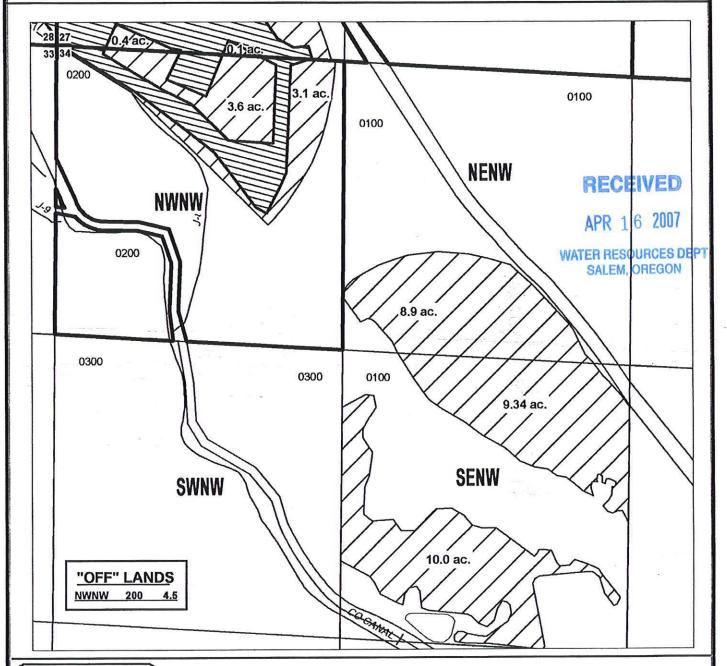
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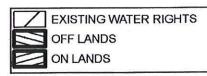
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APPLICATION FOR TEMPORARY WATER RIGHTS TRANSFER BRASADA RANCH

DATE: 04-10-07

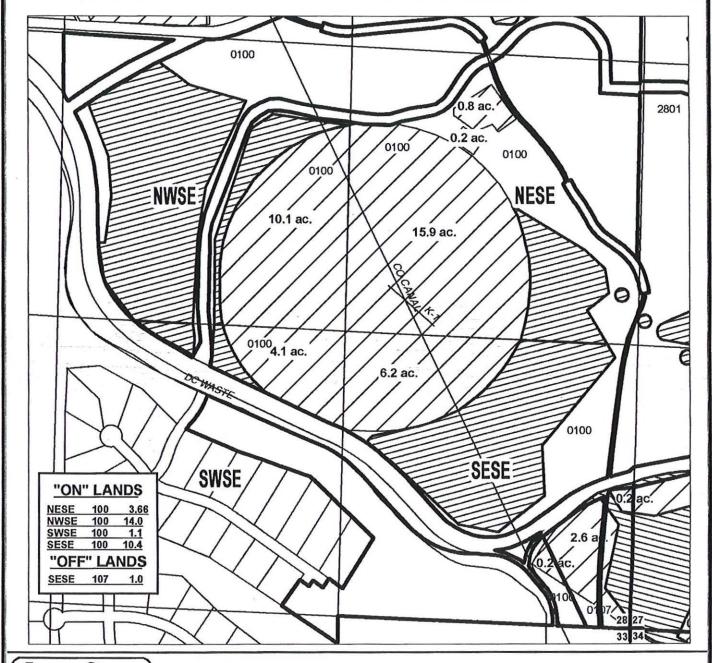


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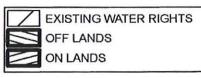
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APPLICATION FOR TEMPORARY WATER RIGHTS TRANSFER BRASADA RANCH

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