

98145

Name North Unit Irrigation District
By
Address 2024 SW Beech Street
Madras, OR 97741

Application No. 64499
Permit No. 47284
Certificate No.
Stream Index, Page No. 5-10C

FEES PAID		
Date	Amount	Receipt No.
10-21-82	174.00	33340
FEES REFUNDED		
Date	Amount	Check No.

Date filed October 21, 1982
Priority OCTOBER 21, 1982
Action suspended until 2/23/83 FPD
B
Return to applicant
Date of approval FEB 23 1983

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

CONSTRUCTION

Date for beginning FEB 23 1984
Date for completion OCT 1 1984
Extended to
Date for application of water OCT 1 1985
Extended to

REMARKS

See T-10059, T-10297, & T-10765 - no proof on portions

PROSECUTION OF WORK

Form "A" filed
Form "B" filed
Form "C" filed COMPLETED

FINAL PROOF

Blank mailed
Proof received
Date certificate issued

ATTN: Timmie
Brandt

From: Ralph
Satterfield
S.C.R.

Abstract of Permit

This is to certify that I have examined APPLICATION **64499** and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to **North Unit Irrigation District of 2024 NW Beech Street, Madras, Oregon 97741, phone 475-3625**, for the use of the waters of **Crooked River**, a tributary of Deschutes River,

for the PURPOSE of **Irrigation, of 124⁰⁰ ac**

that the PRIORITY OF THE RIGHT dates from **October 21, 1982**,

and is limited to the amount of water which can be applied to beneficial use and shall not exceed **3.09 cubic feet per second**.

The POINT OF DIVERSION is to be LOCATED: **590 feet North and 2,790 feet East from the W 1/4 Corner of Section 13, being within the SW 1/4 NE 1/4 of Section 13, Township 14 South, Range 13 East, WM, in the County of Deschutes.**

WORK IN Jefferson

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

Township 9 South, Range 14 East, WM	Section 27	NW 1/4 NE 1/4	21.8 acres 5.4 AC *
		SW 1/4 NE 1/4	22.5 acres 12.2 AC *
	NW 1/4 SE 1/4	0.7 acre	
	Section 29	NE 1/4 SW 1/4	7.6 acres *
NW 1/4 SW 1/4		7.8 acres *	
Section 30	SE 1/4 SE 1/4	8.6 acres 4.1 ACES	
	Section 31	NE 1/4 NE 1/4	15.0 acres
Township 10 South, Range 14 East, WM	Section 4	SE 1/4 NE 1/4	19.2 acres
		SE 1/4 NE 1/4	12.5 acres *
	Section 31	NE 1/4 SE 1/4	0.7 acre *
		NE 1/4 SW 1/4	1.1 acres 0.7 AC *
Township 11 South, Range 13 East, WM	Section 14	SE 1/4 SW 1/4	0.8 acre 0.9 AC *
		NE 1/4 NE 1/4	1.6 acres 0.9 AC *
	Section 23	SE 1/4 NE 1/4	0.2 acre *
		NE 1/4 SE 1/4	1.4 acres 1.2 AC *
		NE 1/4 NW 1/4	1.5 acres *

55.7 AC
1.0
56.2 AC

SEE NEXT PAGE

Actual construction work shall begin on or before **February 23, 1984** , and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19 ⁸⁴ .

Complete application of the water to the proposed use shall be made on or before October 1, 19 ⁸⁵ .

Witness my hand this **23rd** day of **February** , 19 ⁸³ .

RECEIVED

MAY 29 1998

**WATER RESOURCES DEPT.
SALEM, OREGON**

WATER RESOURCES DIRECTOR

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Final Proof
2-10-98 RMS, F.I.

Township 11 South, Range 14 East, WM
Township 12 South, Range 12 East, WM

Section 6 ~~SW 1/4 NW 1/4~~ 6.3 acre
Section 13 SW 1/4 SW 1/4 1.0 acre *

Sub Tot
54.7
1.0
56.2

The AMOUNT OF WATER used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 1/40 of one cubic foot per second per acre, from direct flow and shall be further limited to a diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

APPLICATION 64499

PERMIT 47284

NORTH UNIT IRRIGATION DISTRICT

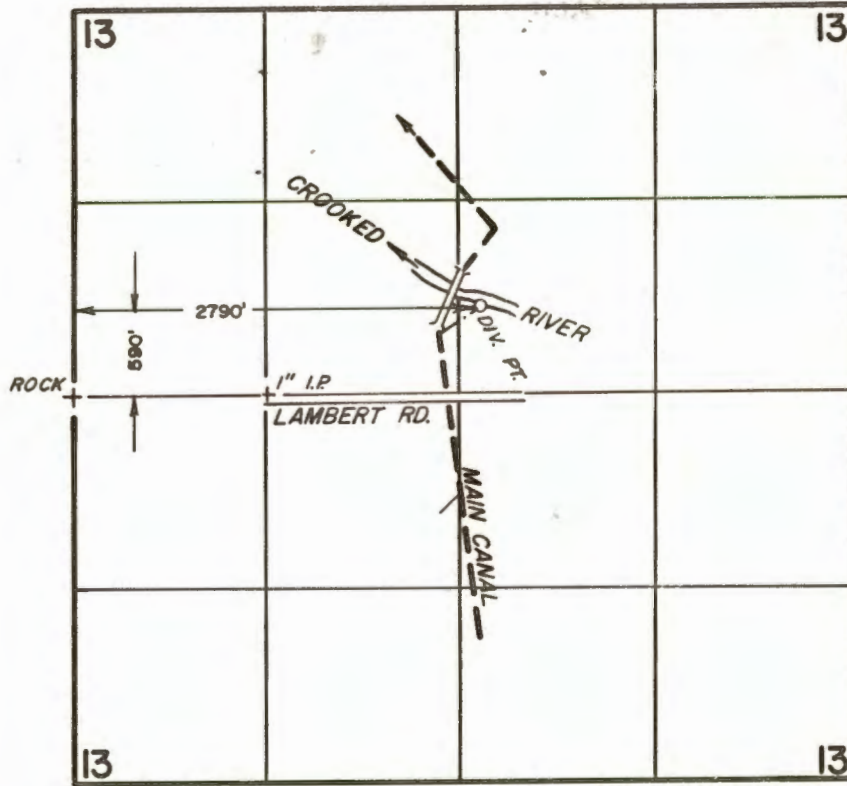
APPROVED BY C.E. Rhoads

RECEIVED

OCT 18 1982

WATER RESOURCES DEPT.
SALEM, OREGON

T.14S. R.13E. W.M.



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MAY 29 1998

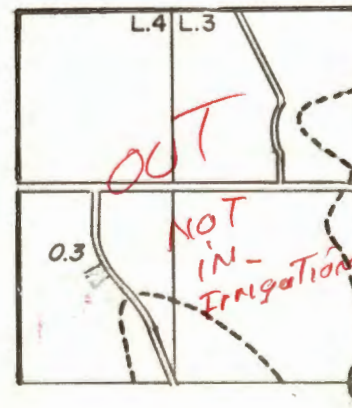
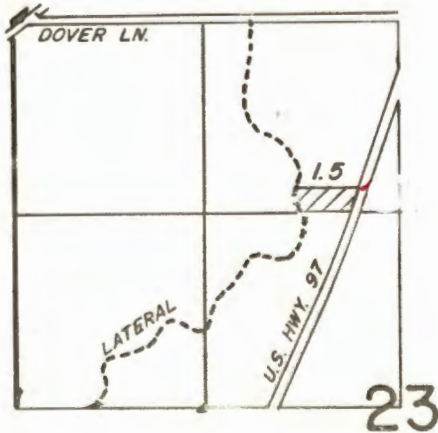
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 64499
Permit No. 47284



T.11S. R.13E. W.M.

T.11S. R.14E. W.M.



NORTH UNIT IRRIGATION DISTRICT

APPROVED BY *C. F. Plank*

RECEIVED

OCT 18 1982

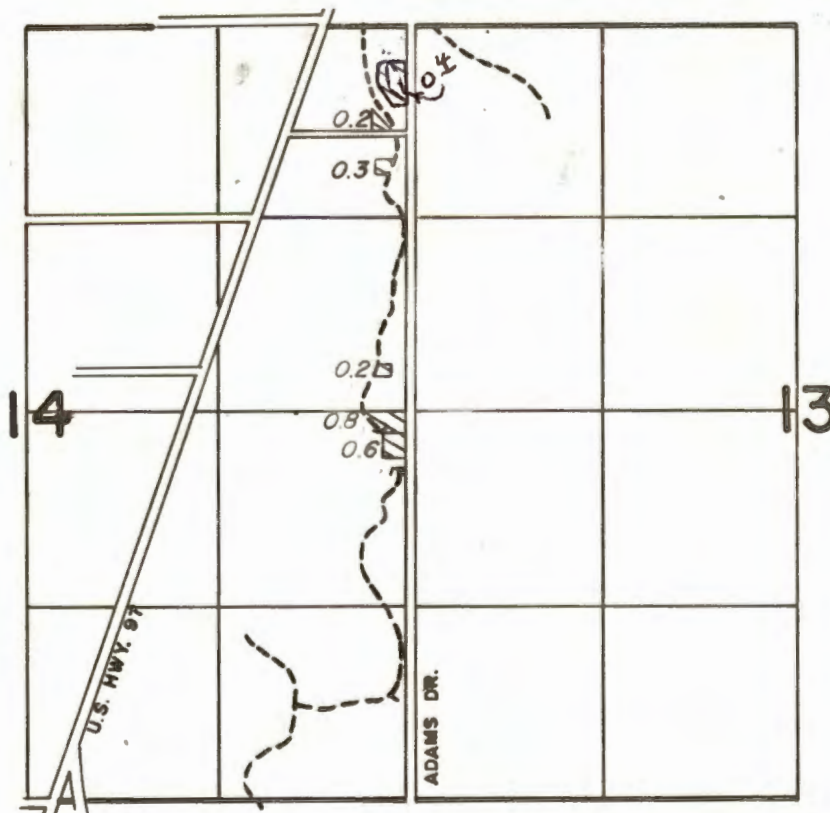
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T.11S. R.13E. W.M.

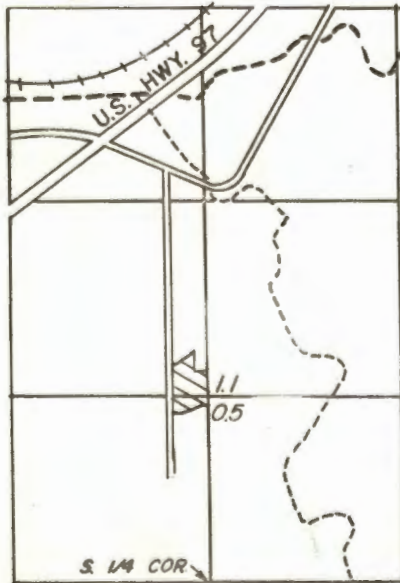
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MAY 29 1998

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SALEM, OREGON

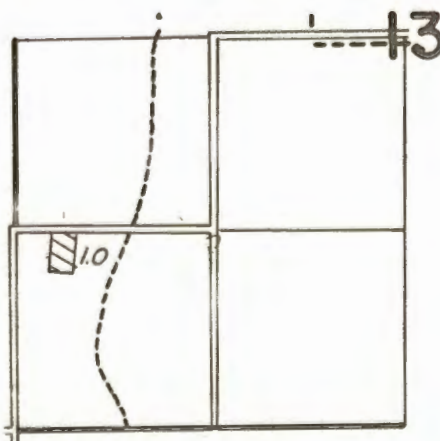


T.10S. R.14E. W.M.



SECTION 31

T.12S. R.12E. W.M.



Application No. 64499

Permit No. 42981

NORTH UNIT IRRIGATION DISTRICT

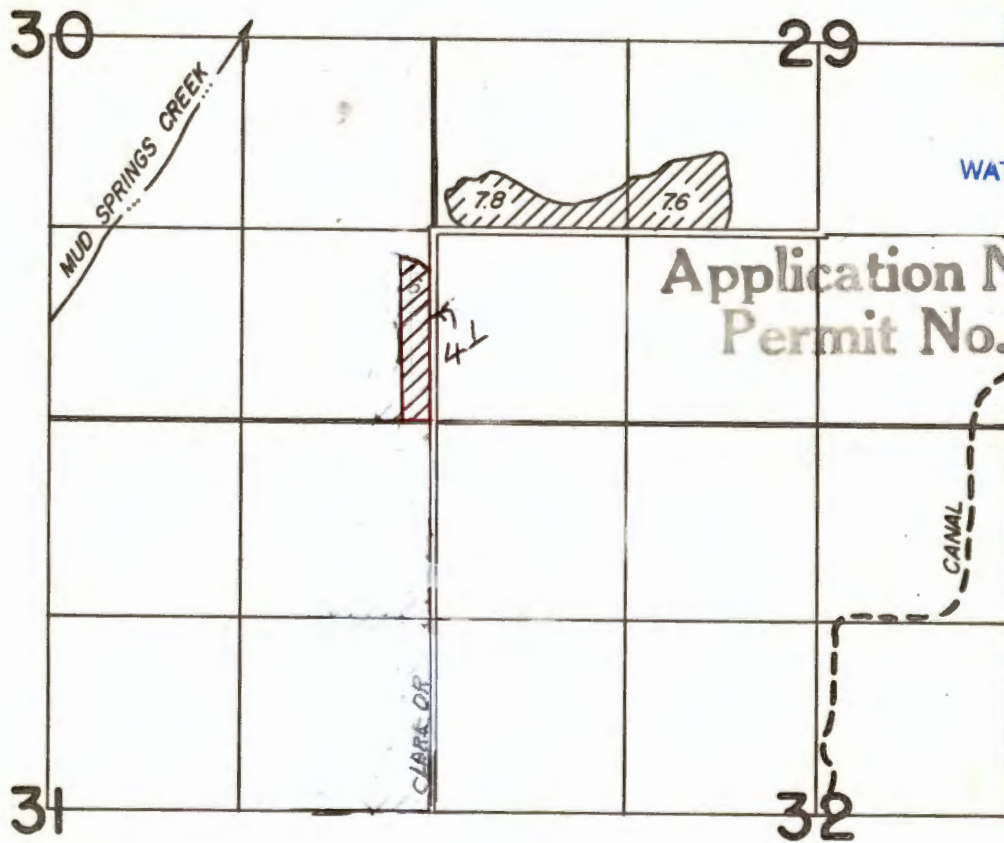
APPROVED BY *C. E. Roberts*

RECEIVED

OCT 18 1992

WATER RESOURCES DEPT.
SALEM, OREGON

T.9S. R.14E. W.M.



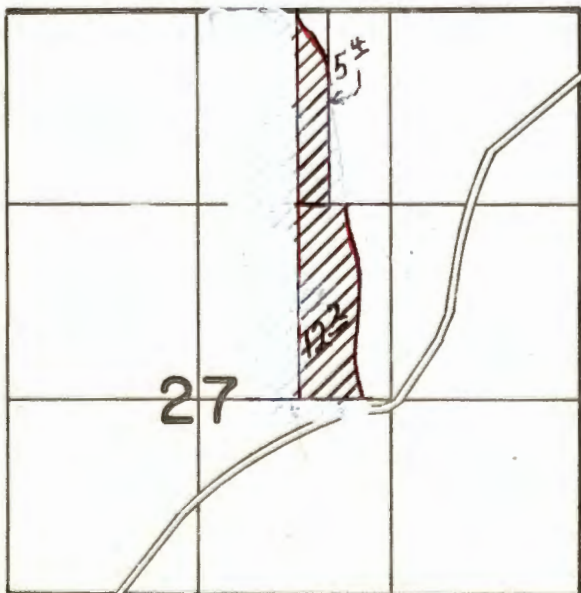
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MAY 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Application No. 64499
Permit No. 47234

T.9S. R.14E. W.M.



T.10S. R.14E. W.M.



Information; I went to The N.U.I.D. Office
And made Copies of The Area claimed to be
Irrigated From These Maps, AND WENT TO LOOK
AT The Areas said To be Irrigating, I Found
ALL The said Lands AND Did an walk over - Drive By,
or visual Inspection. Noting Lands with Irrigation
AND Land NOT being Irrigated. ON The FRONT page, the
Field Form I marked The Lands being Irrigated with
Red Ink.

NORTH UNIT IRRIGATION DISTRICT

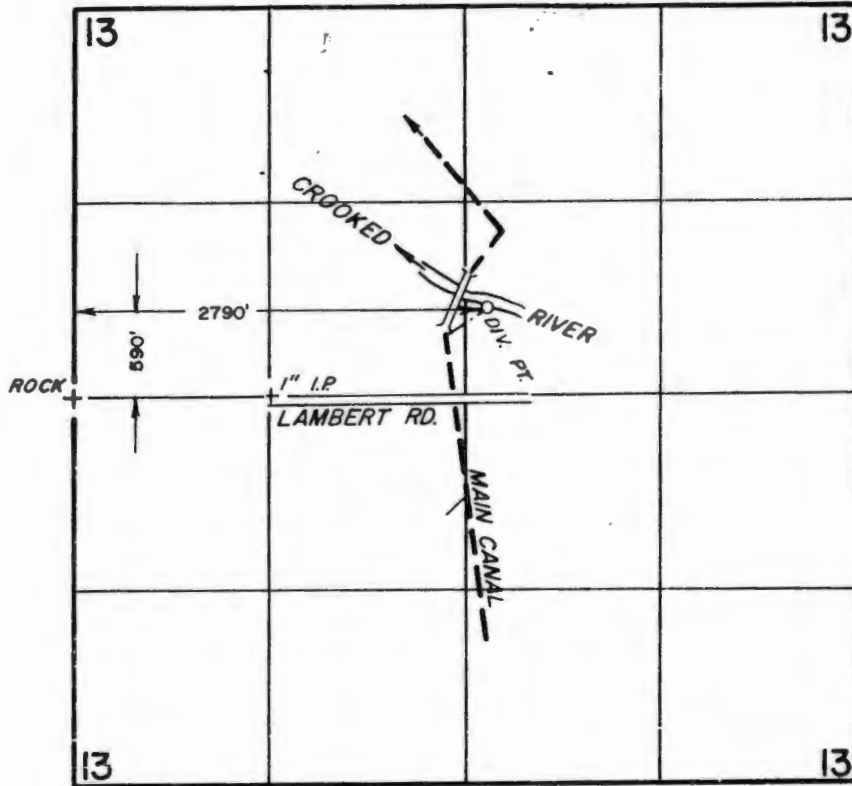
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T.14S. R.13E. W.M.

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MAY 29 1998

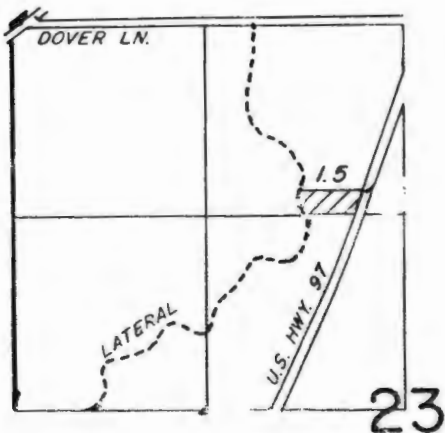
WATER RESOURCES DEPT.
SALEM, OREGON



Application No. 64499
Permit No. 47284



T.11S. R.13E. W.M.



SURVEYED FEB. 10, 1998, BY R.M. SUTTERFIELD

Drafted by R.M.S. 5-22-98

NORTH UNIT IRRIGATION DISTRICT

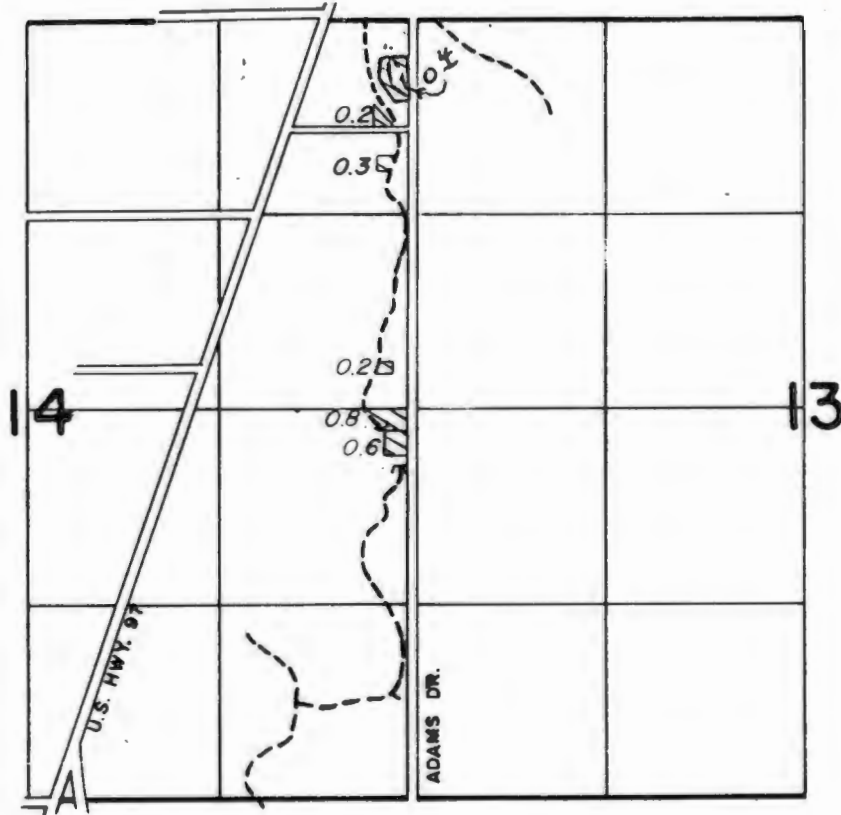
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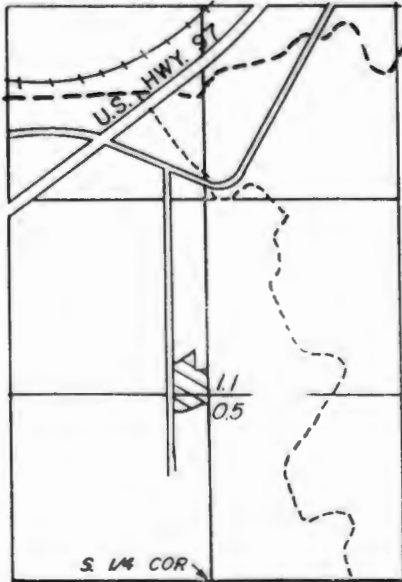
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WATER RESOURCES DEPT.
SALEM, OREGON

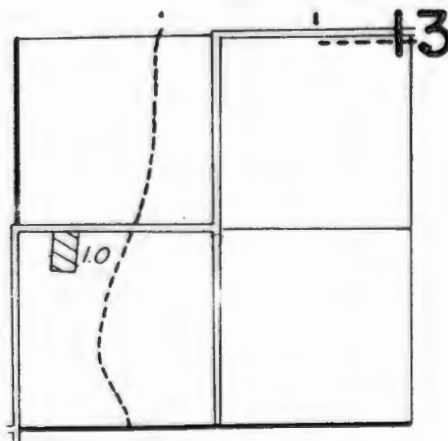


T.10S. R.14E. W.M.



SECTION 31

T.12S. R.12E. W.M.



Application No. 64499

Permit No. 47284

SURVEYED FEB. 10 1998., BY, R.M. SUTTERFIELD...

Drafted by R.M.S. 5-22-98

NORTH UNIT IRRIGATION DISTRICT

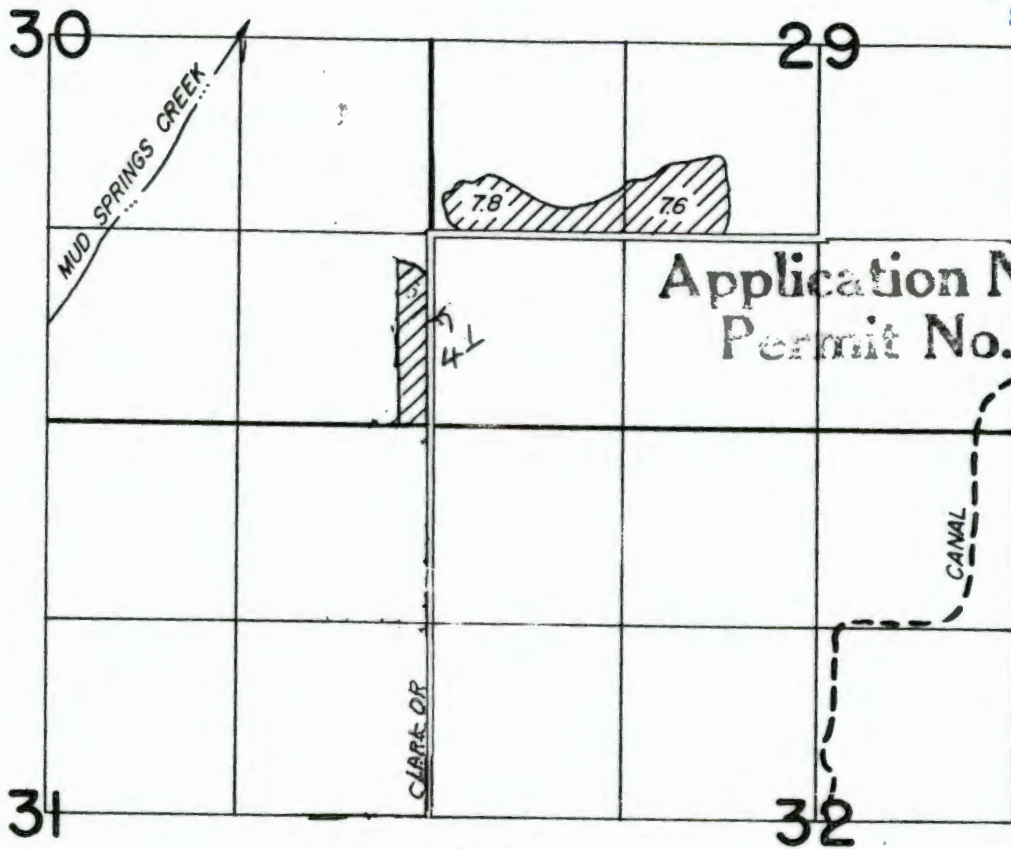
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T.9S. R.14E. W.M.

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MAY 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON

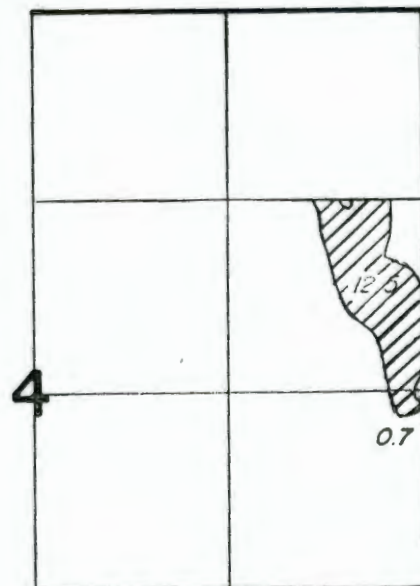
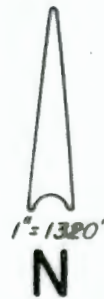
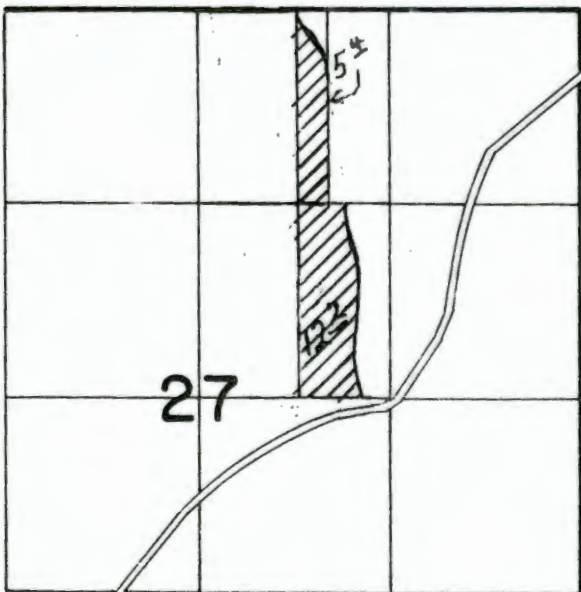


Application No. 64499
Permit No. 4728A

SURVEYED FEB 10 1998 BY R.M. SUTTERFIELD

T.9S. R.14E. W.M.

T.10S. R.14E. W.M.



Drafted by R.M.S. 5-22-98

NORTH UNIT IRRIGATION DISTRICT

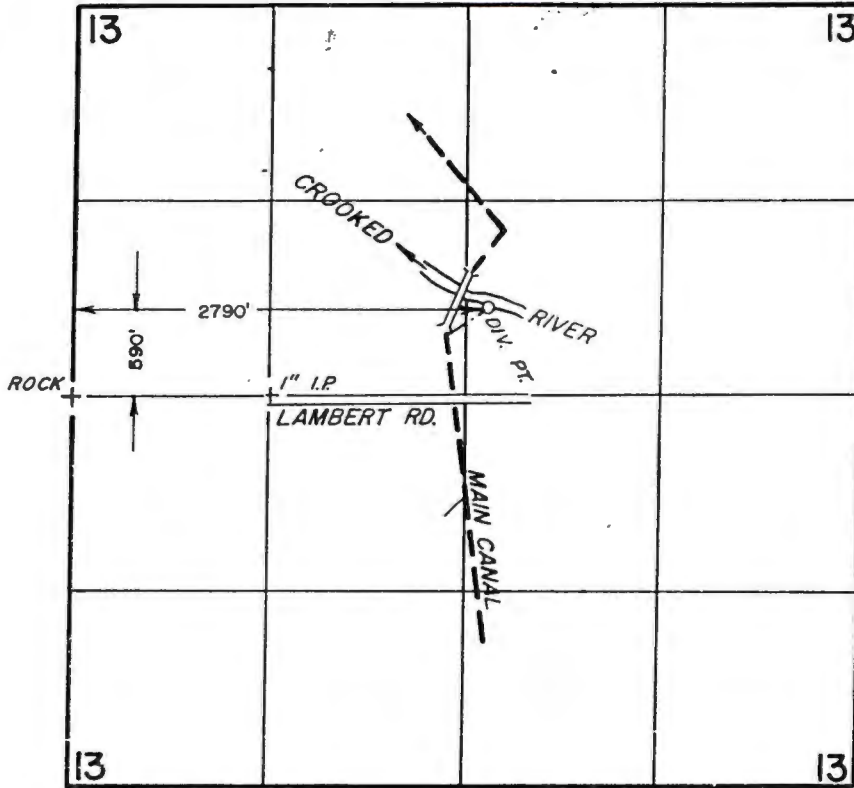
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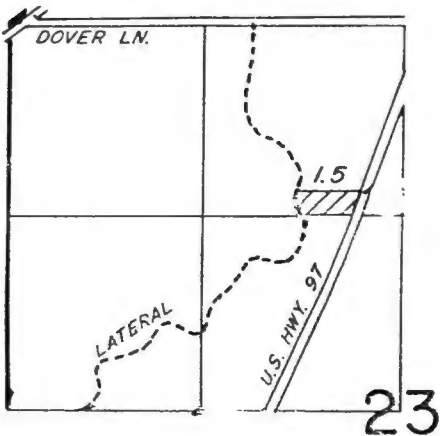
MAY 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON



Application No. 64499
Permit No. 47284

T.11S. R.13E. W.M.



SURVEYED FEB. 10, 1998, BY R.M. SUTTERFIELD

NORTH UNIT IRRIGATION DISTRICT

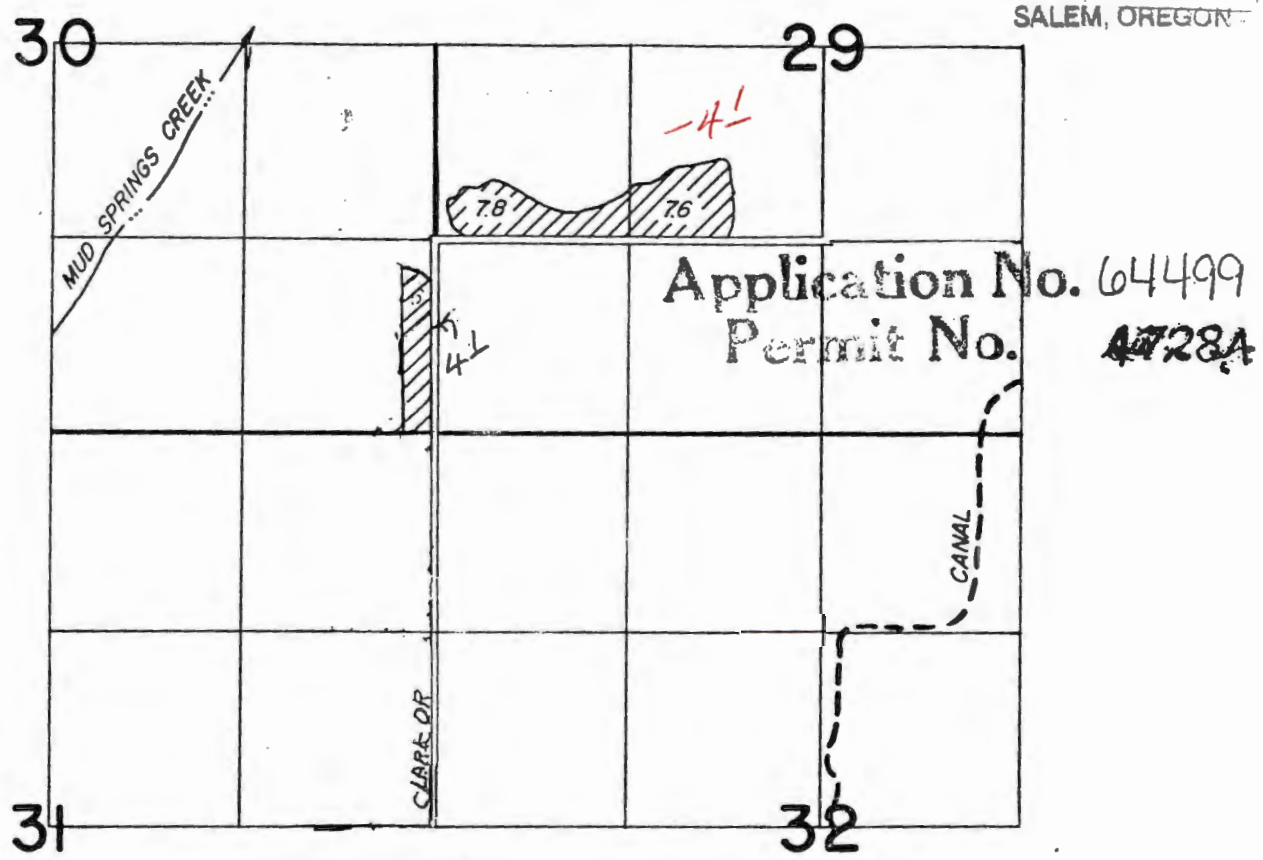
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T.9S. R.14E. W.M.

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MAY 29 1998

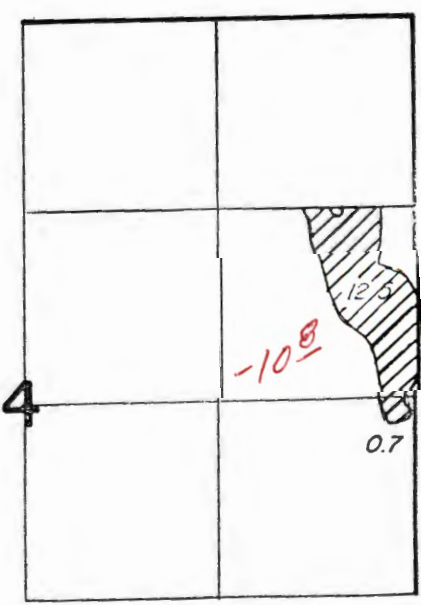
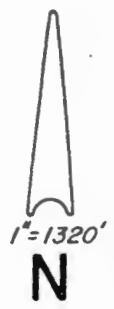
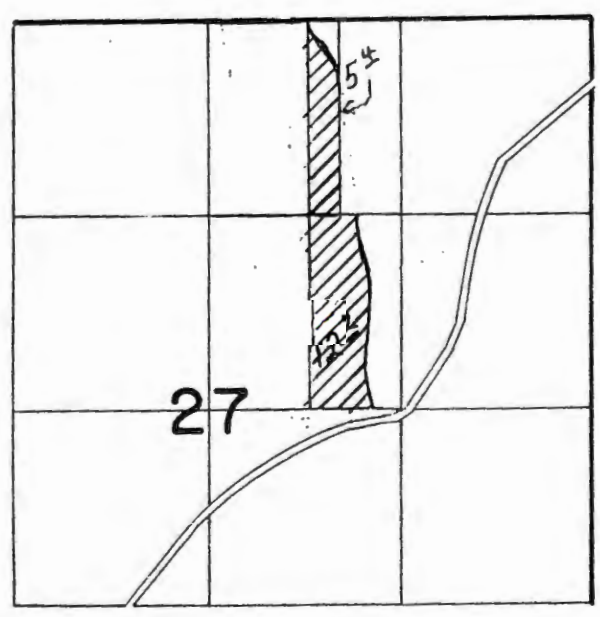
WATER RESOURCES DEPT.
SALEM, OREGON



SURVEYED FEB 10 1998, BY R.M. SUTTERFIELD

T.9S. R.14E. W.M.

T.10S. R.14E. W.M.



Drafted by R.M.S. 5-22-98

NORTH UNIT IRRIGATION DISTRICT

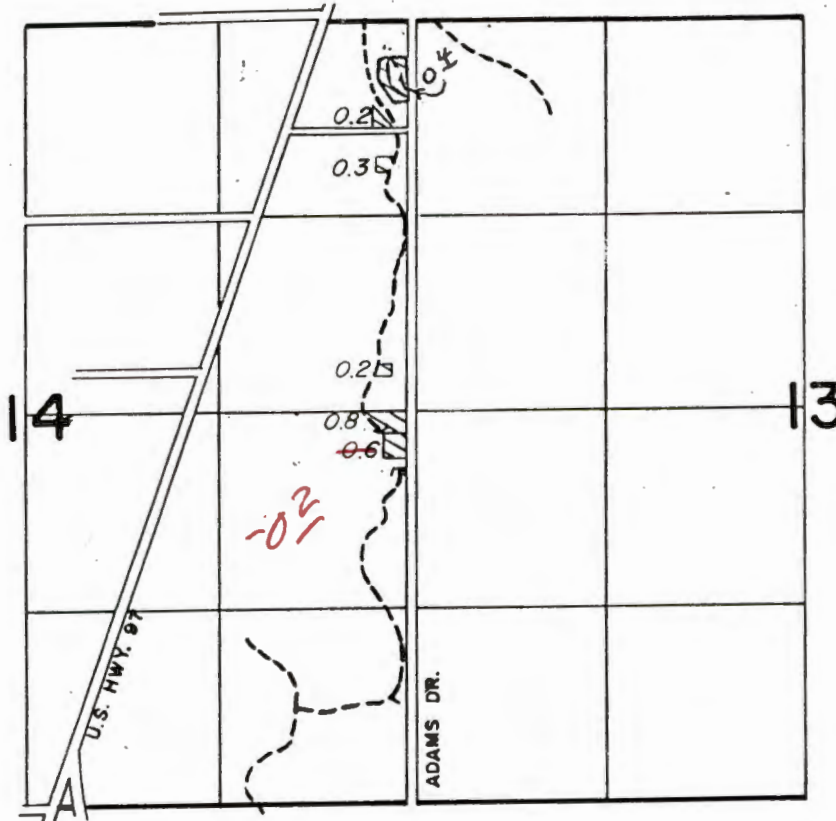
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T.11S. R.13E. W.M.

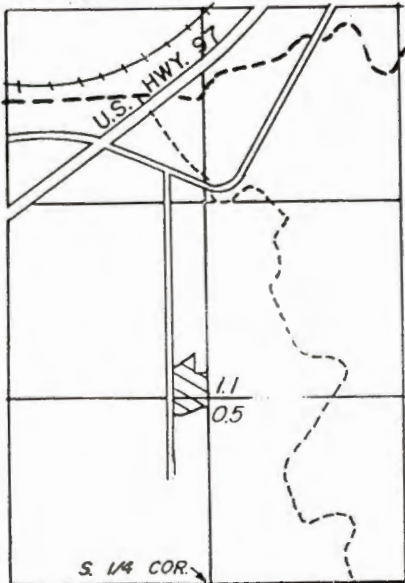
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MAY 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON

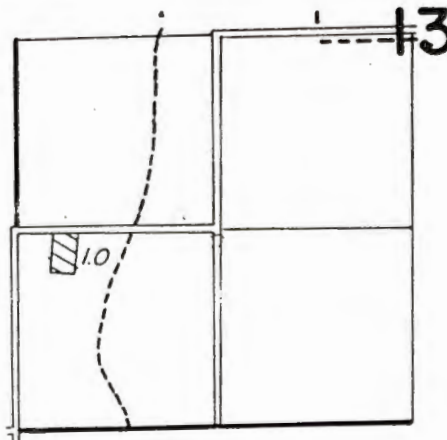


T.10S. R.14E. W.M.



SECTION 31

T.12S. R.12E. W.M.



Application No. 64499
Permit No. 47284

SURVEYED FEB. 10, 1998, BY R.M. SUTTERFIELD...

Drafted by R.M.S. 5-22-98

MEMO

May 7, 2009

TO: Dwight French

FROM: Larry Nunn

SUBJECT: File 64499, Permit 47284, North Unit ID

This permit allowed use of Crooked River for irrigation of 124.0 acres. It had a C-date of 1985.

Ralph did a final proof February 10, 1998. According to his report he reviewed NUID maps in their office, and then did drive by inspections. He found 56.2 acres irrigated.

Subsequently, district permanent transfers have eliminated 15.1 acres; leaving 41.1 acres. Note, there may be other district transfers eliminating more. The records may not be complete.

I suggest we contact NUID and offer them the opportunity to complete the final proof survey. They could use district maps, meeting our standards, for the final proof maps. And provide information necessary to make proof in a report. This would be similar to what they do now for district permanent transfers.

I also suggest the district search their records to insure that are not other district transfers which cancelled portions of this permit.

I would further suggest that they request an extension of time to the present. Then they could include whatever acres are needed, up to 108.9 acres (124.0 – 15.1). Irrigation districts typically have users that irrigate more land than is allowed by the rights and transfers. This would provide the district an opportunity to get a right for the over acreages. This is allowed by ORS 537.252.

This is a win/win. The Department gets a final proof survey completed and it gets taken out of our workload. The District gets a right for any over acreage (up to the limits of the permits) they may have.

Larry Nunn

From: Tyler Martin
Sent: Friday, May 08, 2009 9:59 AM
To: Larry Nunn; wriserror
Subject: RE: File 64499, Permit 47284

Larry-

All three transfers have been processed in WRIS. There do not appear to be any other transfers coming off this permit. I spoke with Sarah H. about where how we might find out if a transfer never got tied to the right in WRIS. She and I checked those areas and came up with nothing. Hope this helps. Let me know what Dwight says about final proof. Thanks for your commitment to accurate records!

Tyler

From: Larry Nunn
Sent: Thursday, May 07, 2009 9:41 AM
To: wriserror
Subject: File 64499, Permit 47284

I am reviewing this file. WRIS indicates only T-10765 acts on this permit. In fact, at least two other transfers also act on this file. Copies of orders for T-10059 and T-10297 are in the file. Each of these orders, in effect, cancels a portion of the permit. These transfers should be added to WRIS for this permit.

What I can't tell is if there are other transfers acting on this permit. Perhaps Transfer Section could help with that.

Larry Nunn

Larry Nunn

From: Larry Nunn
Sent: Tuesday, May 12, 2009 1:15 PM
To: Susan Douthit
Subject: NUID Permit

You remember I mentioned having NUID do the final proof survey for Permit 47284. This is the permit that has permanent district transfers, in effect, cancelling portions of the permit. Dwight gave the go ahead to approach NUID about doing the final proof survey.

Do know who I should contact at NUID, along with a phone number?

Thanks, Larry

Called Vicki

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

In the Matter of Transfer Application) **F I N A L O R D E R**
T-10765, Jefferson County) **APPROVING A DISTRICT**
) **PERMANENT TRANSFER**

ORS 540.570 to 540.580 establishes the process in which a district may submit a request to 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

NORTH UNIT IRRIGATION DISTRICT
2024 NW BEECH STREET
MADRAS, OREGON 97741

Findings of Fact

Background

1. On January 2, 2009, North Unit Irrigation District filed a district transfer application to change the place of use under Certificates 72279, 72281 and 72283. The Department assigned the application number T-10765.
2. Notice of the application for transfer was published pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. The portion of the first right to be transferred is as follows:
Certificate: 72279, issued in the name of North Unit Irrigation District
Use: Irrigation
Acres: 47.90
Priority Date: February 28, 1913
Rate & Duty: Maximum of 1/40 cfs per acre & 5.25 acre-feet per acre during the irrigation season of each year.
Source: Deschutes River, Wickiup and Haystack Reservoirs, tributary to Columbia River

This is a final order in other than 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 137-004-080 and OAR 690-01-005 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.

Authorized Points of Diversion:

TWP	RNG	MER	SEC	Q - Q	SURVEY COORDINATES
17 S	12 E	WM	29	SE NE	DESCHUTES RIVER: 1,700 FEET SOUTH AND 730 FEET WEST FROM NE CORNER OF SECTION 29
22 S	9 3	WM	7	SW NE	WICKIUP RESERVOIR
12 S	13 E	WM	27	SW NE	HAYSTACK RESERVOIR

Authorized Place of Use:

TWP	RNG	MER	SEC	Q - Q	ACRES	TL	USER	NOT#
10 S	13 E	W.M.	17	SW NE	9.30	200	CAMPBELL	08-06
10 S	13 E	W.M.	35	SW SE	0.10	1602	PATTERSON	08-16
10 S	13 E	W.M.	35	SW SE	0.20	1603	HIGH DESSERT PROPERTIES	08-13
10 S	13 E	W.M.	35	SW SE	2.00	100	NORTH UNIT IRRIGATION DISTRICT	08-02-B
10 S	13 E	W.M.	35	SE SE	0.10	1600	SELLIN	08-15
10 S	13 E	W.M.	35	SE SE	0.20	1601	YATES-HAGEDORN & ALGER	08-14
10 S	13 E	W.M.	35	SE SE	0.20	1604	HIGH DESSERT PROPERTIES	08-13
10 S	13 E	W.M.	35	SE SE	1.70	300	NORTH UNIT IRRIGATION DISTRICT	08-02-B
11 S	13 E	W.M.	2	NE NW	7.80	603	PETTY	08-20
11 S	13 E	W.M.	2	NW NW	7.60	603	PETTY	08-20
11 S	13 E	W.M.	2	SW NW	5.70	603	PETTY	08-20
11 S	13 E	W.M.	2	SE NW	4.20	603	PETTY	08-20
11 S	13 E	W.M.	4	SW NW	0.10	301	HOEFER	08-19
11 S	13 E	W.M.	5	NE NE	0.90	100	HOEFER	08-19
11 S	13 E	W.M.	5	SE NE	0.40	101	HOEFER	08-19
11 S	13 E	W.M.	26	SE NW	0.60	400	HOFFMAN SR	08-17
11 S	13 E	W.M.	26	NE SW	1.20	400	HOFFMAN SR	08-17
11 S	13 E	W.M.	26	NW SE	0.10	400	HOFFMAN SR	08-17
11 S	13 E	W.M.	26	SW SE	1.40	400	HOFFMAN SR	08-17
12 S	12 E	W.M.	25	NW NW	4.10	207	ROMANICK	08-04
TOTAL:					47.90			

4. Application T-10059 proposed to change the place of use to:

TWP	RNG	MER	SEC	Q - Q	ACRES	TL	USER	NOT#
10 S	13 E	W.M.	20	SW SW	9.00	501	POLAND	08-06
10 S	13 E	W.M.	20	SE SW	0.30	501	POLAND	08-06
10 S	14 E	W.M.	9	SE NE	3.70	103	FEIGNER	08-02-B
11 S	13 E	W.M.	2	NW NW	0.40	603	PETTY	08-20
11 S	13 E	W.M.	2	SW NW	0.70	603	PETTY	08-20
11 S	13 E	W.M.	2	SE NW	0.40	603	PETTY	08-20
11 S	13 E	W.M.	3	NW NE	2.90	300	PETTY	08-20
11 S	13 E	W.M.	3	NE NW	20.90	300	PETTY	08-20
11 S	13 E	W.M.	4	NW NW	1.40	200	HOEFER	08-19
11 S	13 E	W.M.	26	SW SW	0.40	800	HOFFMAN SR FAMILY TRUST	08-13

TWP	RNG	MER	SEC	Q-Q	ACRES	TL	USER	NOT#
11 S	13 E	W.M.	26	SW SW	0.20	800	HOFFMAN SR FAMILY TRUST	08-14
11 S	13 E	W.M.	26	SW SW	0.10	800	HOFFMAN SR FAMILY TRUST	08-15
11 S	13 E	W.M.	26	SW SW	0.10	800	HOFFMAN SR FAMILY TRUST	08-16
11 S	13 E	W.M.	26	SW SW	3.30	800	HOFFMAN SR FAMILY TRUST	08-17
12 S	12 E	W.M.	23	SE NE	4.10	200	A & A FARM TRUST	08-04
TOTAL:					47.90			

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

Certificate: 72283, issued in the name of North Unit Irrigation District

Use: Irrigation

Acres: 44.40

Priority Date: September 18, 1968

Rate & Duty: Maximum of 1/40 cfs per acre and 4.0 acre-feet per acre during the irrigation season of each year.

Source: Crooked River, tributary to Deschutes River.

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
14 S	13 E	WM	13	SW NE	590 FEET NORTH AND 2790 FEET EAST FROM THE W $\frac{1}{4}$ CORNER OF SECTION 13

Authorized Place of Use:

TWP	RNG	MER	SEC	Q-Q	ACRES	TL	USER	NOT#
9 S	14 E	W.M.	29	SE NW	6.40	401	MARSHALL	08-05
9 S	14 E	W.M.	29	NE SW	1.00	401	MARSHALL	08-05
10 S	13 E	W.M.	20	SE SW	0.90	400	SULLIVAN	08-07
10 S	13 E	W.M.	35	SW SE	3.00	100	NORTH UNIT IRRIGATION DISTRICT	08-02-B
10 S	14 E	W.M.	9	SE NE	3.30	103	FEIGNER	08-02-A
11 S	13 E	W.M.	3	NW NE	2.90	300	PETTY	08-20
11 S	13 E	W.M.	3	NE NW	20.70	300	PETTY	08-20
11 S	13 E	W.M.	26	SE NW	1.10	400	HOFFMAN SR FAMILY TRUST	08-17
11 S	13 E	W.M.	26	NW SW	1.20	400	HOFFMAN SR FAMILY TRUST	08-17
12 S	12 E	W.M.	23	SE NE	3.90	200	A & A FARM TRUST	08-03
TOTAL:					44.40			

6. Application T-10059 proposes to change the place of use to:

TWP	RNG	MER	SEC	Q-Q	ACRES	TL	USER	NOT#
9 S	14 E	W.M.	29	SW NW	6.40	401	MARSHALL	08-05
9 S	14 E	W.M.	29	SE NW	1.00	401	MARSHALL	08-05
10 S	13 E	W.M.	20	SE SW	0.90	501	POLAND	08-07
10 S	14 E	W.M.	9	SE NE	3.30	103	FEIGNER	08-02-A
10 S	14 E	W.M.	9	SE NE	3.00	103	FEIGNER	08-02-B
11 S	13 E	W.M.	2	NE NW	6.80	603	PETTY	08-20

TWP	RNG	MER	SEC	Q-Q	ACRES	TL	USER	NOT#
11 S	13 E	W.M.	2	NW NW	6.90	603	PETTY	08-20
11 S	13 E	W.M.	2	SW NW	5.70	603	PETTY	08-20
11 S	13 E	W.M.	2	SE NW	4.20	603	PETTY	08-20
11 S	13 E	W.M.	26	SW SW	2.30	800	HOFFMAN SR FAMILY TRUST	08-17
12 S	12 E	W.M.	25	NW NW	3.90	207	ROMANICK	08-03
TOTAL:					44.40			

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

Certificate: 72281, issued in the name of North Unit Irrigation District

Use: Supplemental Irrigation

Acres: 47.90

Priority Date: June 23, 1955

Rate & Duty: Maximum of 1/40 cfs per acre, and 4.0 acre-feet per acre during the irrigation season of each year.

Source: Crooked River, tributary to Deschutes River.

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
14 S	13 E	WM	13	SW NE	590 FEET NORTH AND 2790 FEET EAST FROM THE W $\frac{1}{4}$ CORNER OF SECTION 13

Authorized Place of Use:

TWP	RNG	MER	SEC	Q-Q	ACRES	TL	USER	NOT#
10 S	13 E	W.M.	17	SW NE	9.30	200	CAMPBELL	08-06
10 S	13 E	W.M.	35	SW SE	0.10	1602	PATTERSON	08-16
10 S	13 E	W.M.	35	SW SE	0.20	1603	HIGH DESSERT PROPERTIES	08-13
10 S	13 E	W.M.	35	SW SE	2.00	100	NORTH UNIT IRRIGATION DISTRICT	08-02-B
10 S	13 E	W.M.	35	SE SE	0.10	1600	SELLIN	08-15
10 S	13 E	W.M.	35	SE SE	0.20	1601	YATES-HAGEDORN & ALGER	08-14
10 S	13 E	W.M.	35	SE SE	0.20	1604	HIGH DESSERT PROPERTIES	08-13
10 S	13 E	W.M.	35	SE SE	1.70	300	NORTH UNIT IRRIGATION DISTRICT	08-02-B
11 S	13 E	W.M.	2	NE NW	7.80	603	PETTY	08-20
11 S	13 E	W.M.	2	NW NW	7.60	603	PETTY	08-20
11 S	13 E	W.M.	2	SW NW	5.70	603	PETTY	08-20
11 S	13 E	W.M.	2	SE NW	4.20	603	PETTY	08-20
11 S	13 E	W.M.	4	SW NW	0.10	301	HOEFER	08-19
11 S	13 E	W.M.	5	NE NE	0.90	100	HOEFER	08-19
11 S	13 E	W.M.	5	SE NE	0.40	101	HOEFER	08-19
11 S	13 E	W.M.	26	SE NW	0.60	400	HOFFMAN SR	08-17
11 S	13 E	W.M.	26	NE SW	1.20	400	HOFFMAN SR	08-17
11 S	13 E	W.M.	26	NW SE	0.10	400	HOFFMAN SR	08-17
11 S	13 E	W.M.	26	SW SE	1.40	400	HOFFMAN SR	08-17
12 S	12 E	W.M.	25	NW NW	4.10	207	ROMANICK	08-04
TOTAL:					47.90			

8. Application T-10059 proposes to change the place of use to:

TWP	RNG	MER	SEC	Q-Q	ACRES	TL	USER	NOT#
10 S	13 E	W.M.	20	SW SW	9.00	501	POLAND	08-06
10 S	13 E	W.M.	20	SE SW	0.30	501	POLAND	08-06
10 S	14 E	W.M.	9	SE NE	3.70	103	FEIGNER	08-02-B
11 S	13 E	W.M.	2	NW NW	0.40	603	PETTY	08-20
11 S	13 E	W.M.	2	SW NW	0.70	603	PETTY	08-20
11 S	13 E	W.M.	2	SE NW	0.40	603	PETTY	08-20
11 S	13 E	W.M.	3	NW NE	2.90	300	PETTY	08-20
11 S	13 E	W.M.	3	NE NW	20.90	300	PETTY	08-20
11 S	13 E	W.M.	4	NW NW	1.40	200	HOEFER	08-19
11 S	13 E	W.M.	26	SW SW	0.40	800	HOFFMAN SR FAMILY TRUST	08-13
11 S	13 E	W.M.	26	SW SW	0.20	800	HOFFMAN SR FAMILY TRUST	08-14
11 S	13 E	W.M.	26	SW SW	0.10	800	HOFFMAN SR FAMILY TRUST	08-15
11 S	13 E	W.M.	26	SW SW	0.10	800	HOFFMAN SR FAMILY TRUST	08-16
11 S	13 E	W.M.	26	SW SW	3.30	800	HOFFMAN SR FAMILY TRUST	08-17
12 S	12 E	W.M.	23	SE NE	4.10	200	A & A FARM TRUST	08-04
TOTAL:					47.90			

Portion of Water Use Permit Not to be Perfected

9. North Unit Irrigation District identified that the owner of lands to which a portion of Water Use Permit S-47284 is appurtenant will not perfect the following described portion of the water use permit:

Permit: S-47284, issued in the name of North Unit Irrigation District

Use: Irrigation

Acres: 4.10

Priority Date: October 21, 1982

Rate & Duty: Maximum of 1/40 cfs per acre & 4.0 acre-feet per acre per year.

Source: Crooked River, tributary to Deschutes River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
14 S	13 E	WM	13	SW NE	590 FEET NORTH AND 2,790 FEET EAST FROM THE W¼ CORNER OF SECTION 13

Authorized Place of Use:

TWP	RNG	MER	SEC	Q-Q	ACRES	TL	USER	NOT#
9 S	14 E	W.M.	29	NE SW	4.10	401	MARSHALL	08-05

Transfer Review Criteria (OAR 690-385-5000)

10. The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.

11. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
12. The proposed change in place of use would not result in enlargement of the rights.
13. The proposed change in place of use would not result in injury to other water rights.
14. The application was not filed prior to the end of the calendar year in which the changes occur as required under ORS 540.580(2). However, the District had notified the Department of the proposed changes in accordance with ORS 540.580(3). The Department's review of the noticed changes found they caused no injury. Having found no injury, the Department was not required to order the District to cease delivery of water or mitigate injury as authorized by ORS 540.580(5). Although the filing date of the application represents a failure to comply with statutory criteria, the late filing does not warrant issuance of notice of violation nor does it produce measurable or irreparable harm to the use of the state's water resources and the public interest.

Conclusions of Law

The proposed changes in place of use in Transfer Application T-10765 satisfy the requirements of ORS 540.574(3) and 540.580, with the exception that the application was not received prior to the end of the calendar year in which a change in place of use occurs as required under ORS 540.580(2). See *Finding of Fact #14*.

Now, therefore, it is ORDERED:

1. The proposed changes to the water rights evidenced by Certificates 72279, 72281 and 72283 are approved.
2. 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 72279, 72281 and 72283 and any related decree.
3. The former place of use shall no longer be irrigated as part of this water right.
4. The proposed change shall be completed on or before October 1, 2010.
5. The portion of Water Use Permit S-47284 described in *Finding of Fact #9* shall not be perfected under the terms and conditions of the water use permit.
6. A Claim of Beneficial Use shall be submitted by the applicant to the Department by October 1, 2011.
7. Certificates 72279, 72281 and 72283 are modified. The Department will issue a superseding certificate on a determination that it is necessary for recordkeeping.

Dated at Salem, Oregon this 17th day of February, 2009.

William S. Foster
for Phillip C. Ward, Director

Mailing Date: FEB 24 2009

Authorized Points of Diversion:

TWP	RNG	MER	SEC	Q - Q	SURVEY COORDINATES
17 S	12 E	WM	29	SE NE	DESCHUTES RIVER: 1,700 FEET SOUTH AND 730 FEET WEST FROM NE CORNER OF SECTION 29
22 S	9 3	WM	7	SW NE	WICKIUP RESERVOIR
12 S	13 E	WM	27	SW NE	HAYSTACK RESERVOIR

Authorized Place of Use:

AUTHORIZED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT #
10 S	13 E	WM	35	SW SE	400	0.10	VICTORIN	05-15
10 S	13 E	WM	35	SW SE	1300	0.20	GOICOA	05-08
10 S	13 E	WM	35	SW SE	1700	0.30	O'MEARA	05-12
10 S	13 E	WM	35	SE SE	1700	0.20	O'MEARA	05-12
11 S	13 E	WM	12	NE SW	1000	0.63	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	1100	0.12	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	1200	0.15	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	1300	0.15	REYNOLDS	05-09-3
11 S	13 E	WM	12	NE SW	1400	0.13	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	1500	0.18	WRIGHT	05-09-7
11 S	13 E	WM	12	NE SW	1600	0.19	LEACH	05-09-2
11 S	13 E	WM	12	NE SW	1700	0.11	SWAGGERTY	05-09-6
11 S	13 E	WM	12	NE SW	1800	0.06	PEREZ	05-09-4
11 S	13 E	WM	12	NE SW	1900	0.01	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2000	0.08	BROOKS	05-09-5
11 S	13 E	WM	12	NE SW	2100	0.16	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2200	0.14	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2300	0.24	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2400	0.18	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2500	0.09	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2700	0.03	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2800	0.15	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2900	0.15	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	3000	0.15	WRIGHT	05-09-8
11 S	13 E	WM	12	NE SE	206	9.1	VIKING BUILDERS	05-23

AUTHORIZED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT #
11 S	13 E	WM	12	NW SE	201	4.40	VIKING BUILDERS	05-23
11 S	13 E	WM	15	SW SW	500	6.80	MOORHEAD	05-21
11 S	13 E	WM	15	SE SW	500	13.20	MOORHEAD	05-21
11 S	13 E	WM	15	NE SE	101	5.40	HAMILTON	05-13
11 S	13 E	WM	23	SW SW	1500	0.80	PALUCK	05-05
11 S	13 E	WM	23	SW SE	3300	1.10	CAMPBELL	05-17
12 S	13 E	WM	9	NW NW	600	1.80	DINKEL	05-07
12 S	13 E	WM	17	NE SW		0.50	FIELDCREST INVESTMENTS LLC	05-19
12 S	13 E	WM	17	NE SW		1.20	FIELDCREST INVESTMENTS LLC	05-20
12 S	13 E	WM	17	NW SW		0.90	FIELDCREST INVESTMENTS LLC	05-19
13 S	13 E	WM	29	NE SE	700	0.50	DAVISON	05-10
TOTAL:						49.60		

4. Application T-10059 proposed to change the place of use to:

PROPOSED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT #
9 S	13 E	WM	16	SW SE	500	0.70	KOWALESKI	05-23
9 S	13 E	WM	16	SE SE	500	1.90	KOWALESKI	05-23
9 S	13 E	WM	21	NE NE	100	10.90	KOWALESKI	05-23
11 S	13 E	WM	14	SE NW	1900	0.80	KB MANAGEMENT	05-05
11 S	13 E	WM	14	SE NW	1900	0.50	KB MANAGEMENT	05-12
11 S	13 E	WM	15	NE NE	100	0.20	HAMILTON	05-08
11 S	13 E	WM	15	NE NE	100	2.18	HAMILTON	05-09-1
11 S	13 E	WM	15	NE NE	100	0.19	HAMILTON	05-09-2
11 S	13 E	WM	15	NE NE	100	0.15	HAMILTON	05-09-3
11 S	13 E	WM	15	NE NE	100	0.06	HAMILTON	05-09-4
11 S	13 E	WM	15	NE NE	100	0.08	HAMILTON	05-09-5
11 S	13 E	WM	15	NE NE	100	0.11	HAMILTON	05-09-6
11 S	13 E	WM	15	NE NE	100	0.18	HAMILTON	05-09-7
11 S	13 E	WM	15	NE NE	100	0.15	HAMILTON	05-09-8
11 S	13 E	WM	15	NE NE	100	5.40	HAMILTON	05-13
11 S	13 E	WM	15	NE NE	100	0.10	HAMILTON	05-15
11 S	13 E	WM	15	NE NE	100	1.10	HAMILTON	05-17
11 S	13 E	WM	15	NE SW	400	5.50	MOORHEAD	05-21
11 S	13 E	WM	15	NW SW	400	14.50	MOORHEAD	05-21
12 S	13 E	WM	6	NW NW	200	1.40	MILLER TRUST	05-19
12 S	13 E	WM	6	NW NW	202	1.20	MILLER	05-20
12 S	13 E	WM	9	SE NW	600	1.80	DINKEL	05-07
13 S	13 E	WM	29	NE SE	700	0.50	DAVISON	05-10
TOTAL:						49.60		

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

Certificate: 72283, issued in the name of North Unit Irrigation District

Use: Irrigation

Acres: 52.30

Priority Date: September 18, 1968

Rate & Duty: Maximum of 1/40 cfs per acre and 4.0 acre-feet per acre per year.

Source: Crooked River, tributary to Deschutes River.

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q - Q	SURVEY COORDINATES
14 S	13 E	WM	13	SW NE	590 FEET NORTH AND 2790 FEET EAST FROM THE W¼ CORNER OF SECTION 13

Authorized Place of Use:

AUTHORIZED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT#
9 S	13 E	WM	16	SW SE	500	0.70	KOWALESKI	05-22
9 S	13 E	WM	16	SE SE	500	0.20	KOWALESKI	05-22
10 S	13 E	WM	35	SW SE	1700	0.30	O'MEARA	05-12
10 S	13 E	WM	35	SW SE	1800	0.30	O'MEARA	05-12
11 S	13 E	WM	12	NE SE	206	0.40	VIKING BUILDERS	05-23
11 S	13 E	WM	12	NW SE	201	4.80	VIKING BUILDERS	05-23
11 S	13 E	WM	15	NE NE	100	8.70	HAMILTON	05-13
11 S	13 E	WM	15	NE SW	400	5.50	MOORHEAD	05-21
11 S	13 E	WM	15	NW SW	400	14.50	MOORHEAD	05-21
11 S	13 E	WM	36	NE SE	200	1.00	CROOKED RIVER NAT'L GRASSLANDS	05-16
11 S	13 E	WM	36	NW SE	200	0.20	CROOKED RIVER NAT'L GRASSLANDS	05-16
11 S	14 E	WM	31	NE SW	200	5.80	CROOKED RIVER NAT'L GRASSLANDS	05-16
11 S	14 E	WM	31	NW SW	200	3.80	CROOKED RIVER NAT'L GRASSLANDS	05-16
12 S	13 E	WM	9	SE NW	600	6.10	DINKEL	05-06
TOTAL:						52.30		

6. Application T-10059 proposes to change the place of use to:

PROPOSED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT#
9 S	13 E	WM	16	SE SE	500	0.90	KOWALESKI	05-22
9 S	13 E	WM	16	SW SE	500	3.60	KOWALESKI	05-23
9 S	13 E	WM	16	SE SE	500	1.60	KOWALESKI	05-23
10 S	14 E	WM	4	SE NE	300	10.80	FESSLER	05-16
11 S	13 E	WM	14	SE NW	1900	0.60	KB MANAGEMENT	05-12
11 S	13 E	WM	15	NE NE	100	8.70	HAMILTON	05-13
11 S	13 E	WM	15	SW SW	500	6.80	MOORHEAD	05-21

PROPOSED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT#
11 S	13 E	WM	15	SE SW	500	13.20	MOORHEAD	05-21
12 S	13 E	WM	9	NE SW	801	6.10	FOSTER	05-06
TOTAL:						52.30		

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

Certificate: 72281, issued in the name of North Unit Irrigation District

Use: Supplemental Irrigation

Acres: 49.60

Priority Date: June 23, 1955

Rate & Duty: Maximum of 1/40 cfs per acre, and 4.0 acre-feet per acre per year.

Source: Crooked River, tributary to Deschutes River.

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q - Q	SURVEY COORDINATES
14 S	13 E	WM	13	SW NE	590 FEET NORTH AND 2790 FEET EAST FROM THE W¼ CORNER OF SECTION 13

Authorized Place of Use:

AUTHORIZED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT#
10 S	13 E	WM	35	SW SE	400	0.10	VICTORIN	05-15
10 S	13 E	WM	35	SW SE	1300	0.20	GOICOA	05-08
10 S	13 E	WM	35	SW SE	1700	0.30	O'MEARA	05-12
10 S	13 E	WM	35	SE SE	1700	0.20	O'MEARA	05-12
11 S	13 E	WM	12	NE SW	1000	0.63	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	1100	0.12	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	1200	0.15	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	1300	0.15	REYNOLDS	05-09-3
11 S	13 E	WM	12	NE SW	1400	0.13	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	1500	0.18	WRIGHT	05-09-7
11 S	13 E	WM	12	NE SW	1600	0.19	LEACH	05-09-2
11 S	13 E	WM	12	NE SW	1700	0.11	SWAGGERTY	05-09-6
11 S	13 E	WM	12	NE SW	1800	0.06	PEREZ	05-09-4
11 S	13 E	WM	12	NE SW	1900	0.01	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2000	0.08	BROOKS	05-09-5
11 S	13 E	WM	12	NE SW	2100	0.16	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2200	0.14	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2300	0.24	PLYMOUTH ENTERPRISES LLC	05-09-1

AUTHORIZED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT#
11 S	13 E	WM	12	NE SW	2400	0.18	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2500	0.09	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2700	0.03	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2800	0.15	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	2900	0.15	PLYMOUTH ENTERPRISES LLC	05-09-1
11 S	13 E	WM	12	NE SW	3000	0.15	WRIGHT	05-09-8
11 S	13 E	WM	12	NE SE	206	9.1	VIKING BUILDERS	05-23
11 S	13 E	WM	12	NW SE	201	4.40	VIKING BUILDERS	05-23
11 S	13 E	WM	15	SW SW	500	6.80	MOORHEAD	05-21
11 S	13 E	WM	15	SE SW	500	13.20	MOORHEAD	05-21
11 S	13 E	WM	15	NE SE	101	5.40	HAMILTON	05-13
11 S	13 E	WM	23	SW SW	1500	0.80	PALUCK	05-05
11 S	13 E	WM	23	SW SE	3300	1.10	CAMPBELL	05-17
12 S	13 E	WM	9	NW NW	600	1.80	DINKEL	05-07
12 S	13 E	WM	17	NE SW		0.50	FIELDCREST INVESTMENTS LLC	05-19
12 S	13 E	WM	17	NE SW		1.20	FIELDCREST INVESTMENTS LLC	05-20
12 S	13 E	WM	17	NW SW		0.90	FIELDCREST INVESTMENTS LLC	05-19
13 S	13 E	WM	29	NE SE	700	0.50	DAVISON	05-10
TOTAL:						49.60		

8. Application T-10059 proposes to change the place of use to:

PROPOSED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT #
9 S	13 E	WM	16	SW SE	500	0.70	KOWALESKI	05-23
9 S	13 E	WM	16	SE SE	500	1.90	KOWALESKI	05-23
9 S	13 E	WM	21	NE NE	100	10.90	KOWALESKI	05-23
11 S	13 E	WM	14	SE NW	1900	0.80	KB MANAGEMENT	05-05
11 S	13 E	WM	14	SE NW	1900	0.50	KB MANAGEMENT	05-12
11 S	13 E	WM	15	NE NE	100	0.20	HAMILTON	05-08
11 S	13 E	WM	15	NE NE	100	2.18	HAMILTON	05-09-1
11 S	13 E	WM	15	NE NE	100	0.19	HAMILTON	05-09-2
11 S	13 E	WM	15	NE NE	100	0.15	HAMILTON	05-09-3
11 S	13 E	WM	15	NE NE	100	0.06	HAMILTON	05-09-4
11 S	13 E	WM	15	NE NE	100	0.08	HAMILTON	05-09-5
11 S	13 E	WM	15	NE NE	100	0.11	HAMILTON	05-09-6
11 S	13 E	WM	15	NE NE	100	0.18	HAMILTON	05-09-7
11 S	13 E	WM	15	NE NE	100	0.15	HAMILTON	05-09-8
11 S	13 E	WM	15	NE NE	100	5.40	HAMILTON	05-13

PROPOSED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT #
11 S	13 E	WM	15	NE NE	100	0.10	HAMILTON	05-15
11 S	13 E	WM	15	NE NE	100	1.10	HAMILTON	05-17
11 S	13 E	WM	15	NE SW	400	5.50	MOORHEAD	05-21
11 S	13 E	WM	15	NW SW	400	14.50	MOORHEAD	05-21
12 S	13 E	WM	6	NW NW	200	1.40	MILLER TRUST	05-19
12 S	13 E	WM	6	NW NW	202	1.20	MILLER	05-20
12 S	13 E	WM	9	SE NW	600	1.80	DINKEL	05-07
13 S	13 E	WM	29	NE SE	700	0.50	DAVISON	05-10
TOTAL:						49.60		

Portion of Water Use Permit Not to be Perfected

9. North Unit Irrigation District identified that the owner of lands to which a portion of Water Use Permit S-47284 is appurtenant will not perfect the following described portion of the water use permit due to the proposed place of use for Certificate 82283 under Notice of District Permanent Transfer (NOT #) 05-16 .

Permit: S-47284, issued in the name of North Unit Irrigation District

Use: Irrigation

Acres: 10.80

Priority Date: October 21, 1982

Rate & Duty: Maximum of 1/40 cfs per acre & 4.0 acre-feet per acre per year.

Source: Crooked River, tributary to Deschutes River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
14 S	13 E	WM	13	SW NE	590 FEET NORTH AND 2,790 FEET EAST FROM THE W¼ CORNER OF SECTION 13

Authorized Place of Use:

PLACE OF USE NOT TO BE PERFECTED – WATER USE PERMIT 47284								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	
10 S	14 E	WM	4	SE NE	300	10.80	FESSLER	

Transfer Review Criteria (OAR 690-385-5000)

10. The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.
11. The water rights are subject to transfer as defined in OAR 690-385-0100(17).
12. The proposed change in place of use would not result in enlargement of the rights.
13. The proposed change in place of use would not result in injury to other water rights
14. The application was not filed prior to the end of the calendar year in which the changes occur as required under ORS 540.580(2). However, the District had notified the

Department of the proposed changes in accordance with ORS 540.580(3). The Department's review of the noticed changes found they caused no injury. Having found no injury, the Department was not required to order the District to cease delivery of water or mitigate injury as authorized by ORS 540.580(5). Although the filing date of the application represents a failure to comply with statutory criteria, the late filing does not warrant issuance of notice of violation nor does it produce measurable or irreparable harm to the use of the state's water resources and the public interest.


Conclusions of Law

The proposed changes in place of use in Transfer Application T-10059 satisfy the requirements of ORS 540.574(3) and 540.580, with the exception that the application was not received prior to the end of the calendar year in which a change in place of use occurs as required under ORS 540.580(2). See *Finding of Fact #13*.

Now, therefore, it is ORDERED:

1. The proposed changes to the water rights evidenced by Certificates 72279, 72281 and 72283 are approved.
2. 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 72279, 72281 and 72283 and any related decree.
3. The former place of use shall no longer be irrigated as part of this water right.
4. The proposed change shall be completed on or before October 1, 2009.
5. The portion of Water Use Permit S-47284 described in *Finding of Fact #9* shall not be perfected under the terms and conditions of the water use permit.
6. A Claim of Beneficial Use shall be submitted by the applicant to the Department by October 1, 2010.
7. Certificates 72279, 72281 and 72283 are modified. The Department will issue a superseding certificate on a determination that it is necessary to produce a certificate describing the right.

Dated at Salem, Oregon this 13th day of November, 2008.


Phillip C. Ward, Director *PCW*

Mailing Date: NOV 18 2008

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application) F I N A L O R D E R
T-10297, Jefferson County) APPROVING A DISTRICT
) PERMANENT TRANSFER

ORS 540.570 to 540.580 establishes the process in which a district may submit a request to 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

NORTH UNIT IRRIGATION DISTRICT
2024 NW BEECH STREET
MADRAS, OREGON 97741

Findings of Fact

Background

1. On January 12, 2007, North Unit Irrigation District filed a district transfer application to change the place of use under Certificates 72279, 72281 and 72283. The Department assigned the application number T-10297.
2. Notice of the application for transfer was published pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. The portion of the first right to be transferred is as follows:
Certificate: 72279, issued in the name of North Unit Irrigation District
Use: Irrigation
Acres: 87.90
Priority Date: February 28, 1913
Rate & Duty: Maximum of 1/40 cfs per acre & 5.25 acre-feet per acre per year.
Source: Deschutes River, Wickiup and Haystack Reservoirs, tributary to Columbia River

This is a final order in other than 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 137-004-080 and OAR 690-01-005 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.

Authorized Points of Diversion:

TWP	RNG	MER	SEC	Q - Q	SURVEY COORDINATES
17 S	12 E	WM	29	SE NE	DESCHUTES RIVER: 1,700 FEET SOUTH AND 730 FEET WEST FROM NE CORNER OF SECTION 29
22 S	9 3	WM	7	SW NE	WICKIUP RESERVOIR
12 S	13 E	WM	27	SW NE	HAYSTACK RESERVOIR

Authorized Place of Use:

AUTHORIZED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT #
10 S	13 E	WM	18	NE NE	100	4.00	CAMPBELL	06-18
10 S	13 E	WM	24	NW NE	200	4.00	SIEGENHAGEN REV TRUST	06-17
10 S	14 E	WM	20	SW SW	400	1.80	YOUNG LIVE ESTATE	06-07
11 S	13 E	WM	1	SE NE	500	9.40	CARPENTER	06-11
11 S	13 E	WM	1	SE NE	1000	7.90	CASCADE NW ESTATES	06-21
11 S	13 E	WM	1	NE SE	1400	34.90	CASCADE NW ESTATES	06-21
11 S	13 E	WM	1	NW SE	300	1.40	NUID	06-09
11 S	13 E	WM	1	NW SE	400	0.60	NUID	06-09
11 S	13 E	WM	23	NW NE		4.10	ODOT	06-02
11 S	14 E	WM	6	SW NW	100	0.90	CASCADE NW ESTATES	06-16
12 S	12 E	WM	35	NE SE	400	0.70	ALLEY	06-19
12 S	13 E	WM	15	NE SE	700	0.80	BARRY	06-20
12 S	13 E	WM	17	NE SW	1800	17.40	FIELDCREST INVESTMENTS	06-06
TOTAL:						87.90		

4. Application T-10059 proposed to change the place of use to:

PROPOSED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT #
10 S	13 E	WM	24	NW NE	200	4.00	SIEGENHAGEN REV TRUST	06-18
10 S	13 E	WM	33	NE NE	100	22.60	CITY OF MADRAS	06-21
10 S	13 E	WM	33	NW NE	100	20.20	CITY OF MADRAS	06-21
10 S	13 E	WM	35	NE SW	100	4.00	CITY OF MADRAS	06-17
10 S	14 E	WM	20	NW NW	300	1.80	PIZZA & YOUNG	06-07
10 S	14 E	WM	29	SE SE	1000	0.90	KING	06-16
11 S	13 E	WM	23	NE NE	100	1.70	MILLER	06-02
11 S	13 E	WM	23	NW NE	100	2.40	MILLER	06-02
12 S	12 E	WM	2	NE SE	800	2.00	CLOUD	06-09
12 S	12 E	WM	35	NE SE	400	0.70	ALLEY	06-19
12 S	13 E	WM	2	SE SW	500	9.40	CARPENTER	06-11
12 S	13 E	WM	15	NE SW	700	0.80	BARRY	06-20

PROPOSED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT #
13 S	13 E	WM	32	SE NE	102	17.40	BAIN	06-06
TOTAL:						87.90		

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

Certificate: 72283, issued in the name of North Unit Irrigation District

Use: Irrigation

Acres: 83.90

Priority Date: September 18, 1968

Rate & Duty: Maximum of 1/40 cfs per acre and 4.0 acre-feet per acre per year.

Source: Crooked River, tributary to Deschutes River.

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q - Q	SURVEY COORDINATES
14 S	13 E	WM	13	SW NE	590 FEET NORTH AND 2790 FEET EAST FROM THE W $\frac{1}{4}$ CORNER OF SECTION 13

Authorized Place of Use:

AUTHORIZED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT#
10 S	14 E	WM	20	NE SW	400	3.20	YOUNG LIFE ESTATE	06-07
11 S	13 E	WM	1	SE NE	500	0.30	CARPENTER	06-11
11 S	13 E	WM	1	SE NE	1000	0.50	CASCADE NW ESTATES	06-21
11 S	13 E	WM	1	NE SE	1400	4.40	CASCADE NW ESTATES	06-21
11 S	14 E	WM	6	SW NW	201	0.20	SCHMIDT	06-22
12 S	12 E	WM	2	NE SE	800	0.60	CLOUD	06-08
12 S	13 E	WM	2	SE SW	500	6.70	CARPENTER	06-10
12 S	13 E	WM	2	SE SW	500	2.70	CARPENTER	06-12
13 S	13 E	WM	32	SE NE	102	5.00	BAIN	06-03
13 S	13 E	WM	32	SE NE	102	7.00	BAIN	06-04
13 S	13 E	WM	32	SE NE	102	5.40	BAIN	06-05
TOTAL:						36.00		

6. Application T-10059 proposes to change the place of use to:

PROPOSED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT#
10 S	13 E	WM	35	NE SW	100	0.50	CITY OF MADRAS	06-21
10 S	13 E	WM	35	NW SW	100	3.90	CITY OF MADRAS	06-21
10 S	13 E	WM	35	SE SW	100	0.50	CITY OF MADRAS	06-21
10 S	14 E	WM	20	SW NW	300	3.20	PIZZA & YOUNG	06-07
10 S	14 E	WM	21	SW NW	500	6.70	SMITH	06-10
11 S	13 E	WM	1	SE NE	500	0.30	CARPENTER	06-11
11 S	13 E	WM	1	SE NE	500	2.70	CARPENTER	06-12

PROPOSED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT#
11 S	13 E	WM	13	SE NW	402	5.40	BEEBEE	06-05
11 S	13 E	WM	14	NE SE	101	0.20	KELLER	06-22
12 S	13 E	WM	6	SE NW	201	0.60	MILLER	06-08
12 S	13 E	WM	31	NW NW	900	5.00	GUNNELL	06-03
13 S	13 E	WM	28	SW NW	400	7.00	CAMPBELL	06-04
TOTAL:						36.00		

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

Certificate: 72281, issued in the name of North Unit Irrigation District

Use: Supplemental Irrigation

Acres: 87.90

Priority Date: June 23, 1955

Rate & Duty: Maximum of 1/40 cfs per acre, and 4.0 acre-feet per acre per year.

Source: Crooked River, tributary to Deschutes River.

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q - Q	SURVEY COORDINATES
14 S	13 E	WM	13	SW NE	590 FEET NORTH AND 2790 FEET EAST FROM THE W¼ CORNER OF SECTION 13

Authorized Place of Use:

AUTHORIZED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT#
10 S	13 E	WM	18	NE NE	100	4.00	CAMPBELL	06-18
10 S	14 E	WM	20	SW SW	400	1.80	YOUNG LIVE ESTATE	06-07
11 S	13 E	WM	1	SE NE	500	9.40	CARPENTER	06-11
11 S	13 E	WM	1	SE NE	1000	7.90	CASCADE NW ESTATES	06-21
11 S	13 E	WM	1	NE SE	1400	34.90	CASCADE NW ESTATES	06-21
11 S	13 E	WM	1	NW SE	300	1.40	NUID	06-09
11 S	13 E	WM	1	NW SE	400	0.60	NUID	06-09
11 S	13 E	WM	23	NW NE		4.10	ODOT	06-02
11 S	14 E	WM	6	SW NW	100	0.90	CASCADE NW ESTATES	06-16
12 S	12 E	WM	35	NE SE	400	0.70	ALLEY	06-19
12 S	13 E	WM	15	NE SE	700	0.80	BARRY	06-20
12 S	13 E	WM	17	NE SW	1800	17.40	FIELDCREST INVESTMENTS	06-06
TOTAL:						83.90		

8. Application T-10059 proposes to change the place of use to:

PROPOSED PLACE OF USE								
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER	NOT #
10 S	13 E	WM	24	NW NE	200	4.00	SIEGENHAGEN REV TRUST	06-18
10 S	13 E	WM	33	NE NE	100	22.60	CITY OF MADRAS	06-21
10 S	13 E	WM	33	NW NE	100	20.20	CITY OF MADRAS	06-21
10 S	14 E	WM	20	NW NW	300	1.80	PIZZA & YOUNG	06-07
10 S	14 E	WM	29	SE SE	1000	0.90	KING	06-16
11 S	13 E	WM	23	NE NE	100	1.70	MILLER	06-02
11 S	13 E	WM	23	NW NE	100	2.40	MILLER	06-02
12 S	12 E	WM	2	NE SE	800	2.00	CLOUD	06-09
12 S	12 E	WM	35	NE SE	400	0.70	ALLEY	06-19
12 S	13 E	WM	2	SE SW	500	9.40	CARPENTER	06-11
12 S	13 E	WM	15	NE SW	700	0.80	BARRY	06-20
13 S	13 E	WM	32	SE NE	102	17.40	BAIN	06-06
TOTAL:						83.90		

Portion of Water Use Permit Not to be Perfected

9. North Unit Irrigation District identified that the owner of lands to which a portion of Water Use Permit S-47284 is appurtenant will not perfect the following described portion of the water use permit due to the proposed place of use for Certificate 82283 under Notice of District Permanent Transfer (NOT #) 06-22:

Permit: S-47284, issued in the name of North Unit Irrigation District

Use: Irrigation

Acres: 0.20

Priority Date: October 21, 1982

Rate & Duty: Maximum of 1/40 cfs per acre & 4.0 acre-feet per acre per year.

Source: Crooked River, tributary to Deschutes River

Authorized Point of Diversion:

TWP	RNG	MER	SEC	Q-Q	SURVEY COORDINATES
14 S	13 E	WM	13	SW NE	590 FEET NORTH AND 2,790 FEET EAST FROM THE W¼ CORNER OF SECTION 13

Authorized Place of Use:

PLACE OF USE NOT TO BE PERFECTED – WATER USE PERMIT 47284							
TWP	RNG	MER	SEC	Q - Q	TL	ACRES	USER
11 S	13 E	WM	14	NE SE	101	0.20	KELLER

Transfer Review Criteria (OAR 690-385-5000)

10. The district permanent transfer application satisfies the criteria of OAR 690-385-4000, contains the information required under OAR 690-385-2000, and includes maps meeting the requirements of OAR 690-385-2200.

11. The water rights are subject to transfer as defined in OAR 690-385-0100(17).

12. The proposed change in place of use would not result in enlargement of the rights.
13. The proposed change in place of use would not result in injury to other water rights
14. The application was not filed prior to the end of the calendar year in which the changes occur as required under ORS 540.580(2). However, the District had notified the Department of the proposed changes in accordance with ORS 540.580(3). The Department's review of the noticed changes found they caused no injury. Having found no injury, the Department was not required to order the District to cease delivery of water or mitigate injury as authorized by ORS 540.580(5). Although the filing date of the application represents a failure to comply with statutory criteria, the late filing does not warrant issuance of notice of violation nor does it produce measurable or irreparable harm to the use of the state's water resources and the public interest.


Conclusions of Law

The proposed changes in place of use in Transfer Application T-10059 satisfy the requirements of ORS 540.574(3) and 540.580, with the exception that the application was not received prior to the end of the calendar year in which a change in place of use occurs as required under ORS 540.580(2). See *Finding of Fact #13*.

Now, therefore, it is ORDERED:

1. The proposed changes to the water rights evidenced by Certificates 72279, 72281 and 72283 are approved.
2. 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 72279, 72281 and 72283 and any related decree.
3. The former place of use shall no longer be irrigated as part of this water right.
4. The proposed change shall be completed on or before October 1, 2009.
5. The portion of Water Use Permit S-47284 described in *Finding of Fact #9* shall not be perfected under the terms and conditions of the water use permit.
6. A Claim of Beneficial Use shall be submitted by the applicant to the Department by October 1, 2010.
7. Certificates 72279, 72281 and 72283 are modified. The Department will issue a superseding certificate on a determination that it is necessary to produce a certificate describing the right.

Dated at Salem, Oregon this 13th day of November, 2008.


Phillip C. Ward, Director *PCW*

Mailing Date: NOV 18 2008

MEMORANDUM

To: Dwight French, Bob Main, Ralph Sutterfield, Ben Bishop

Date: June 27, 2000

From: Steve Brown

Reference: File No. G-8539, Permit No. G-7957 - LeRoy Fessler
File No. G-9199, Permit No. G-8568
File No. G-8768, Permit No. G-8179
File No. 64499, Permit No. 47284 - NUID

not sent

I have reviewed the above referenced files, field forms and maps for the above referenced permits.

My major concern in regards to complete proposed certificates is a letter in File G-8539, which states Permit G-7957 would be supplemental to File 64499, Permit 47284. If this is the case, the map prepared is in error as to the overlap in Section 4 of Permit G-7957. The permittee should be contacted to determine the extent of use of the underlying right and map adjusted accordingly. Please note the map submitted by NUID described the number of acres within the two quarter-quarter section are 20 to 30 percent different in area and should be rechecked to determine which are correct. Ben advises me the use under Permit No. 47284 may change due to a ORS 540.580 transfer pending by the district.

Since this is being revisited, I would like clarification of the dates of completion of the irrigated lands to determine if all the land was irrigated within the terms of the permits. The reason for my concerns is a survey done by Ben in 1990 did not include land that Ralph included in his survey in 1995, both surveys completed after the completion dates of the permits. There is no definitive statement in the report why more lands were found irrigated in our second visit. Any land not irrigated within the terms of the permits may be mapped, but should not be shown or included in any proposed certificate. I would like clarification as to the dates of completion of construction and use of water under all permits.

Nothing in the reports indicates that the permit holder was ever contacted to verify any information obtained. This causes a great concern about the accuracy of any claim because the permittee should be asked to point out the boundaries of the areas irrigated, describe how the land is irrigated and verify if the permit conditions were met. All of this information should be included in the reports.

In the case of Permit No. 47284, the names and address of each land owner should be obtained and interviews with each owner should occur to verify the use. The report does not describe the source, inspection of any diversions, calculations, etc.

I am returning the field forms for each permit for correction and completion. I have not specifically described all the deficiencies, but would suggest a review of the standards for completion of surveys be made and if any questions remain to contact me.

Ben Bishop, NUID - Brown

To: Ben Bishop
From: Steve Brown <Stephen.C.BROWN@wrd.state.or.us>
Subject: NUID - Brown
Cc:
Bcc:
Attached:

Ben,

The underlying right for the land involved with G-9075, G-13145, 58230 and 64499 are involved with ORS 540.580 transfers under consideration. Certificates 72279, 72281 and 72283 have been modified by 3111 petitions. Permits 43932, 47284, G-8467 and G-12509 (proof to be received by 10/1/2000) may not be considered until underlying primary is determined by the ORS 540.580 transfers. Withhold action until February 1, 2001.

Please let me know when the petitions are signed.

Thanks.

Steve

Application No. 64499

Permit No.

STATE OF OREGON WATER RESOURCES DEPARTMENT RECEIVED

Application for Permit to Appropriate Surface Water OCT 18 1982

WATER RESOURCES DEPT. SALEM, OREGON

I, North Unit Irrigation District (Name of Applicant)

of 2024 S.W. Beech Street (Mailing Address), Madras (City)

State of Oregon, 97741 (Zip Code) Phone No. 503-475-3625 do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Crooked River, a tributary of Deschutes River

2. The point of diversion is to be located 590 ft. North and 2790 ft. East from the West 1/4 corner of Section 13 (Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the SW 1/4 of the NE 1/4 of Sec. 13 Tp. 14S R. 13E, W. M., in the county of Deschutes

3. Location of area to be irrigated, or place of use if other than irrigation.

Table with 5 columns: Township, Range, Section, List 1/4 1/4 of Section, List use and/or number of acres to be irrigated. Content includes 'SEE ATTACHED LIST'.

Handwritten note: rec'd 8/17/82 10-18-82

4. The amount of water which the applicant intends to apply to beneficial use is 3.09
cubic feet per second.....
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Irrigation.....

6.

DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

Pump from river with the same system as under Permits # 25921 and # 33954.....

If for domestic use state number of families to be supplied.....

7. Construction work will begin on or before..... Completed.....

8. Construction work will be completed on or before..... Completed.....

9. The water will be completely applied to the proposed use on or before..... Completed.....

Application No. 64499

Permit No.

RECEIVED
OCT 18 1982
WATER RESOURCES DEPT.
SALEM, OREGON

Township	Range	Section	List $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
9S	14E	27	NWNE	21.8
9S	14E	27	SWNE	22.5
9S	14E	27	NWSE	0.7
9S	14E	29	NESW	7.6
9S	14E	29	NWSW	7.8
9S	14E	30	SESE	8.6
9S	14E	31	NENE	15.0
9S	14E	31	SENE	19.2
10S	14E	31	NESW	1.1
10S	14E	31	SESW	0.5
10S	14E	4	SENE	12.5
10S	14E	4	NESE	0.7
11S	13E	14	NENE	1.6
11S	13E	14	SENE	0.2
11S	13E	14	NESE	1.4
11S	13E	23	NENW	1.5
12S	12E	13	SWSW	1.0
11S	14E	6	SWNW	0.3

10
Application No. 64499
Permit No.

1240

Remarks: This permit is to cover lands found being irrigated during final proof survey of permit # 33954. This permit will be primary. Other permits on this land will be supplemental.

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Signature of Applicant *C.E. Rhoads*
C.E. Rhoads

Chairman of the Board
North Unit Irrigation District

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before, 19.....

WITNESS my hand this day of, 19.....

Water Resources Director

By

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 21st day of October, 1982, at 11:15 o'clock A.M.

Application No. 64499

Permit No.....

Application No. 64499

Permit No.

PC

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 3.09 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Crooked River

The use to which this water is to be applied is irrigation

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second or its equivalent for each acre irrigated 4

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is October 21, 1982

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of....., 19.....

PHS

STATE OF OREGON

COUNTY OF JEFFERSON

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORTH UNIT IRRIGATION DISTRICT
2024 NW BEECH STREET
MADRAS, OREGON 97741

confirms the right to use the waters of CROOKED RIVER, a tributary of
DESCHUTES RIVER, for IRRIGATION OF 56.2 ACRES.

This right was perfected under Permit 47284. The date of priority is
OCTOBER 21, 1982. The amount of water to which this right is entitled
is limited to an amount actually beneficially used and shall not exceed
1.40 CUBIC FEET PER SECOND, or its equivalent in case of rotation,
measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 NW 1/4, SECTION 13, T 14 S, R 13 E, W.M., 590 FEET
NORTH AND 2790 FEET EAST FROM THE W 1/4 CORNER OF SECTION 13.

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-FORTIETH of one cubic foot per second per acre, or its equivalent
for each acre irrigated and shall be further limited to a diversion of
not to exceed 4.0 acre-feet per acre for each acre irrigated during the
irrigation season of each year.

The use shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

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

NW 1/4 NE 1/4 5.4 ACRES
SW 1/4 NE 1/4 12.2 ACRES
SECTION 27

NE 1/4 SW 1/4 7.6 ACRES
NW 1/4 SW 1/4 7.8 ACRES
SECTION 29

NE 1/4 NE 1/4 4.1 ACRES
SECTION 30
TOWNSHIP 9 SOUTH, RANGE 14 EAST, W.M.

SE 1/4 NE 1/4 12.5 ACRES
NE 1/4 SE 1/4 0.7 ACRES
SECTION 4

NE 1/4 SW 1/4 0.7 ACRES
NW 1/4 SE 1/4 0.9 ACRES
SECTION 31
TOWNSHIP 10 SOUTH, RANGE 14 EAST, W.M.

NE 1/4 NE 1/4 0.9 ACRES
SE 1/4 NE 1/4 0.2 ACRES
NE 1/4 SE 1/4 1.2 ACRES
SECTION 14
TOWNSHIP 13 SOUTH, RANGE 13 EAST, W.M.

SEE NEXT PAGE

NE 1/4 NW 1/4 1.5 ACRES
SECTION 23
TOWNSHIP 13 SOUTH, RANGE 13 EAST, W.M.

SW 1/4 SW 1/4 1.0 ACRES
SECTION 13
TOWNSHIP 12 SOUTH, RANGE 12 EAST, W.M.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Original

NE 1/4 NW 1/4 1.5 ACRES
SECTION 23
TOWNSHIP 13 SOUTH, RANGE 13 EAST, W.M.

SW 1/4 SW 1/4 1.0 ACRES
SECTION 13
TOWNSHIP 12 SOUTH, RANGE 12 EAST, W.M.

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STATE OF OREGON
COUNTY OF JEFFERSON
PROPOSED CERTIFICATE OF WATER RIGHT

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NORTH UNIT IRRIGATION DISTRICT
2024 NW BEECH STREET
MADRAS, OREGON 97741

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SW 1/4 NE 1/4	12.2 ACRES
SECTION 27	
NE 1/4 SW 1/4	7.6 ACRES
NW 1/4 SW 1/4	7.8 ACRES
SECTION 29	
NE 1/4 NE 1/4	4.1 ACRES
SECTION 30	
TOWNSHIP 9 SOUTH, RANGE 14 EAST, W.M.	
SE 1/4 NE 1/4	12.5 ACRES
NE 1/4 SE 1/4	0.7 ACRES
SECTION 4	
NE 1/4 SW 1/4	0.7 ACRES
NW 1/4 SE 1/4	0.9 ACRES
SECTION 31	
TOWNSHIP 10 SOUTH, RANGE 14 EAST, W.M.	
NE 1/4 NE 1/4	0.9 ACRES
SE 1/4 NE 1/4	0.2 ACRES
NE 1/4 SE 1/4	1.2 ACRES
SECTION 14	
TOWNSHIP 13 SOUTH, RANGE 13 EAST, W.M.	

SEE NEXT PAGE

NORTH UNIT IRRIGATION DISTRICT

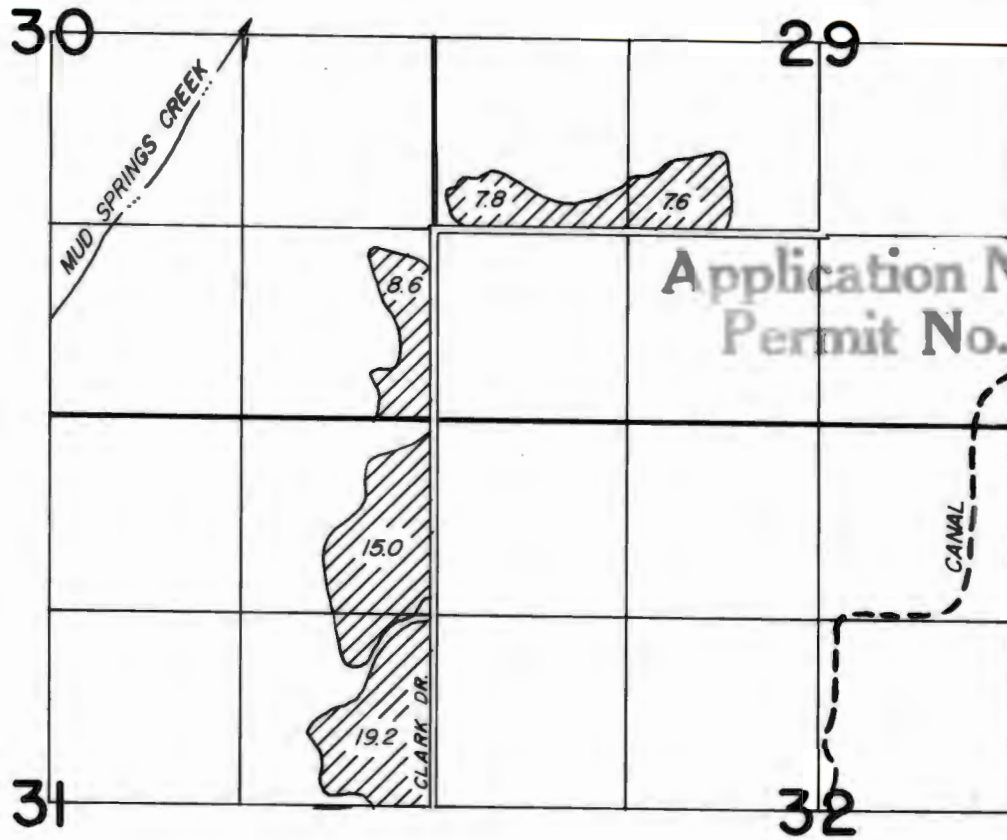
APPROVED BY *C. E. Rhoads*

RECEIVED

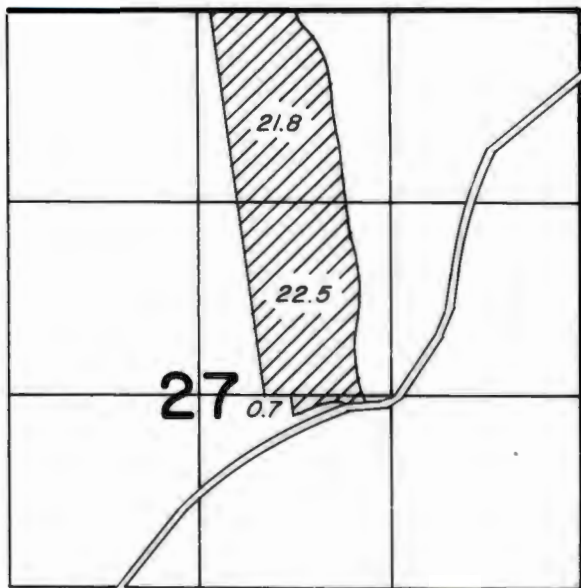
OCT 12 1962

WATER RESOURCES DEPT.
EMLEK, OREGON

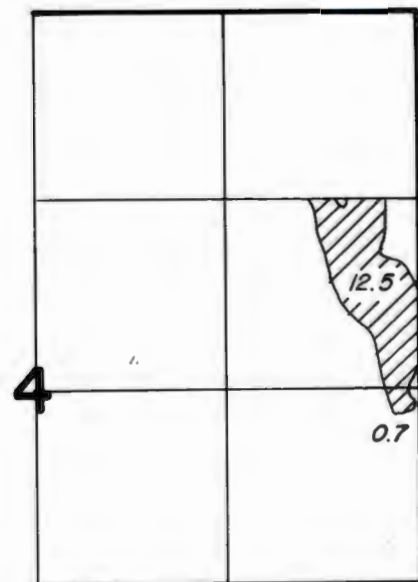
T.9S. R.14E. W.M.



T.9S. R.14E. W.M.



T.10S. R.14E. W.M.



NORTH UNIT IRRIGATION DISTRICT

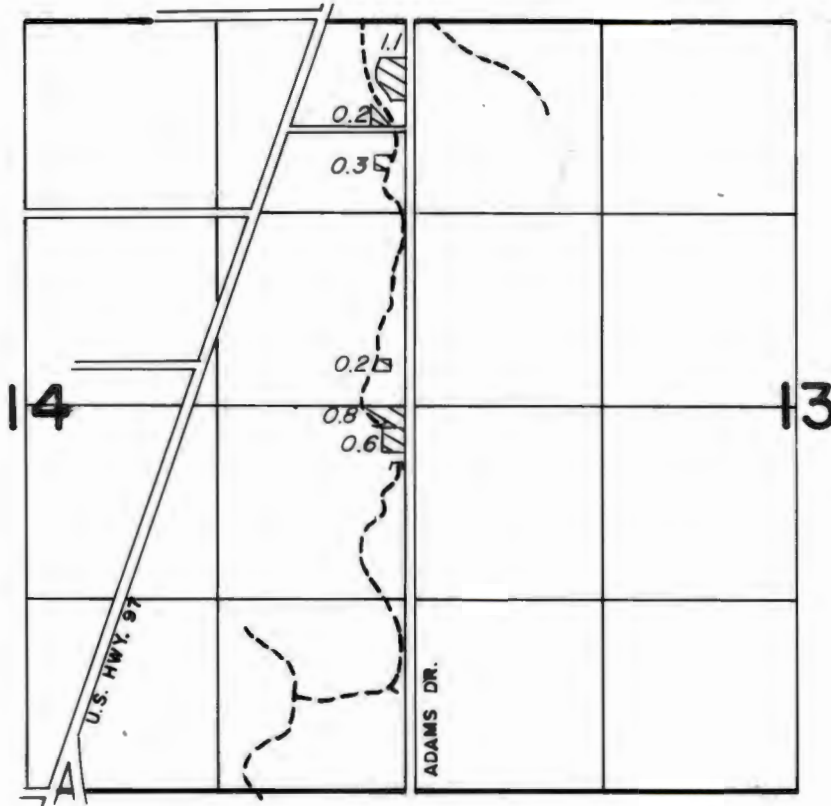
APPROVED BY C. F. Plank

RECEIVED

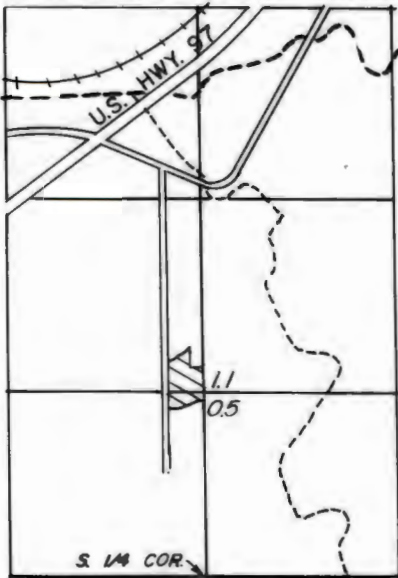
OCT 18 1982

WATER RESOURCES DEPT.
SALEM, OREGON

T.11S. R.13E. W.M.

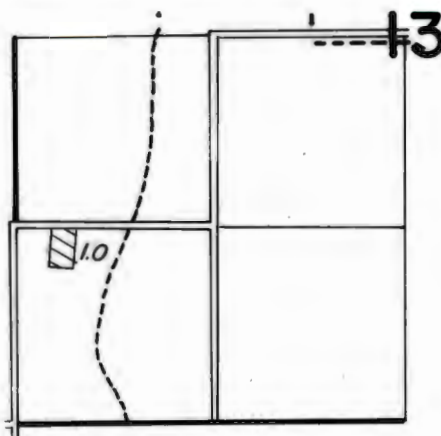


T.10S. R.14E. W.M.



SECTION 31

T.12S. R.12E. W.M.



Application No. 64499

Permit No. 47284

NORTH UNIT IRRIGATION DISTRICT

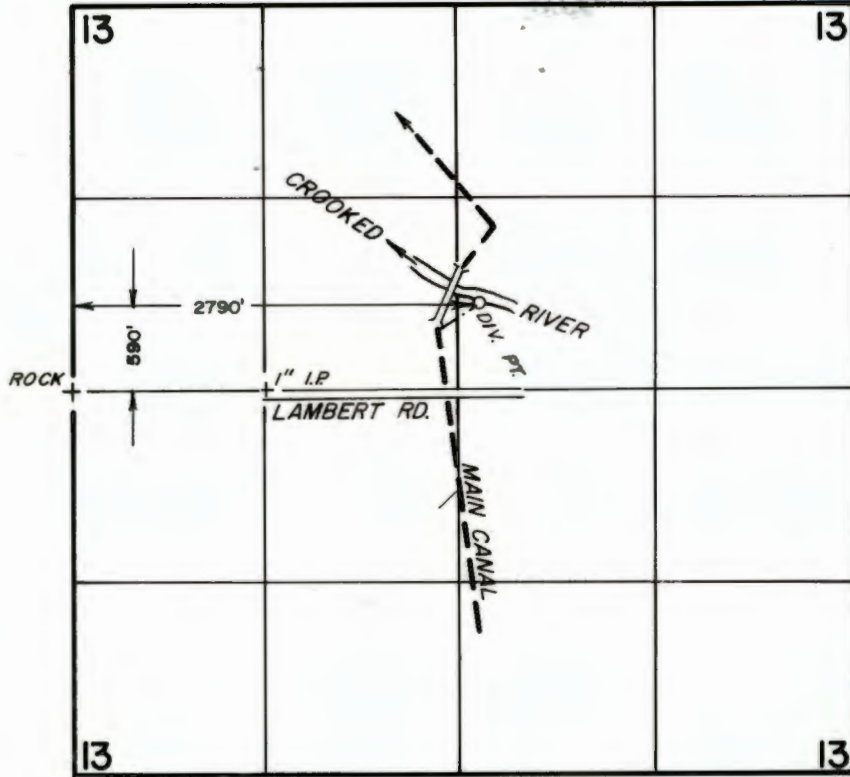
APPROVED BY C. E. [Signature]

RECEIVED

OCT 18 1982

WATER RESOURCES DEPT.
SALEM, OREGON

T.14S. R.13E. W.M.

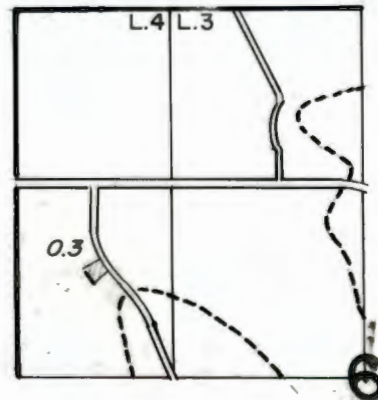
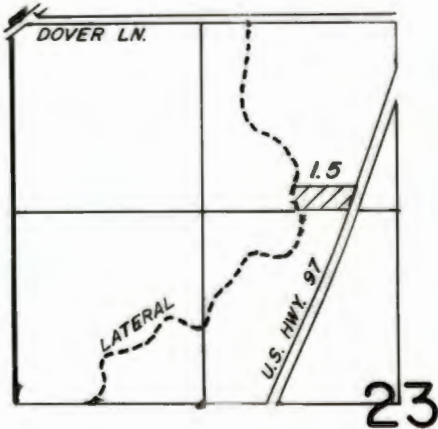


Application No. 64499
Permit No. 47284

T.11S. R.13E. W.M.



T.11S. R.14E. W.M.



2 1.8 0
2 2.5 0
7 0
7.6 0
7.8 0
8.6 0
1 5.0 0
1 9.2 0
1.1 0
5 0
1 2.5 0
7 0
1.6 0
2 0
1.4 0
1.5 0
1.0 0
3 0
1 2 4.0 0 T

March 8, 1983

North Unit Irrigation District
2024 SW Beech Street
Madras, OR 97741

64499

47284

378-3066
or
1-800-452-7813
(message line)

January 25, 1983

Robert E. Wagner
North Unit Irrigation District
2024 Southwest Beech Street
Madras, OR 97741

Dear Mr. Wagner:

REFERENCE: File 64499

This is to acknowledge the signed statements by LeRoy C. Fessler, Donald Francis Knechtges and John A. McConaghy, President Sagebrush Spring Farms, Incorporated, requesting that we list the North Unit Irrigation District Crooked River Permit as the Primary Right and their Permits G-7957, G-7960, G-7384, G-8467 and 43932 as the secondary rights.

The North Unit Irrigation District's Application 64499 now appears to be in satisfactory form and will be placed with the group to be considered for approval.

Sincerely,

WAYNE J. OVERCASH
Senior Water Rights Examiner

WJO:wpc
4593B

NORTH UNIT IRRIGATION DISTRICT

2024 N.W. Beech Street • Madras, Oregon 97741 • (503) 475-3625
DESCHUTES PROJECT

January 4, 1983

RECEIVED

JAN 5 1983

WATER RESOURCES DEPT.
SALEM, OREGON

State of Oregon
Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

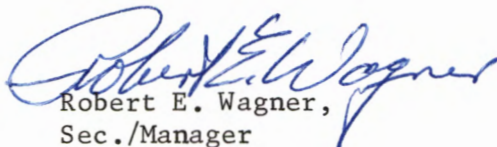
ATTN: Wayne J. Overcash

RE: File #64499

FROM: North Unit Irrigation District

Enclosed are the signed statements that you requested from the holders of existing permit G-7957, LeRoy C. Fessler, Permits G-7960 and G 7384, Donald Francis Knechtges, and Permits G-8467 and 43932, Sagebrush Farms Inc.

Sincerely,


Robert E. Wagner,
Sec./Manager

see files:

G- 8535

G- 8676

G- 7874

G- 9075

58230

REW:hc

Encl: (3)

378-3066
or
1-800-452-7813
(message line)

December 15, 1982

C. E. Rhoads, Chairman
North Unit Irrigation District
2024 Southwest Beech Street
Madras, OR 97741

Dear Mr. Rhoads:

REFERENCE: File 64499

Your Application 64499 describing the proposed use of 3.09 cubic feet per second of water from Crooked River for the irrigation of 124.0 acres, together with the three maps, has been reviewed.

If it is intended to use water from Crooked River as the primary supply of water and make up any deficiency in supply by the use of water from other sources allowed under existing permits presently providing for the use of water for primary irrigation of some of the same acreage as described in your application, we will need statements from the holders of the other permits requesting that their use of water from the other sources be changed from primary to supplemental for any acreage listed in your application. According to our records, the existing permits involved are Permit G-7957 in the name of LeRoy C. Fessler, Permits G-7960 and G-7384 in the name of Donald Francis Knechtges and Permits G-8467 and 43932 in the name of Sagebrush Farms, Incorporated.

Further action on your application will be withheld for a reasonable length of time pending receipt of the necessary statements from the holders of the other permits involved or your reply.

Sincerely,

WAYNE J. OVERCASH
Senior Water Rights Examiner

WJO:wpc

4032B



Water Resources Department
MILL CREEK OFFICE PARK
555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066
or
1-800-452-7813
(message line)

October 27, 1982

North Unit Irrigation District
2024 Southwest Beech Street
Madras, OR 97741

REFERENCE: File 64499

We have received your application for use of water for irrigation purposes along with the supporting data and fees. Our Receipt 33340 is enclosed. Your application has been filed and assigned number 64499.

Applications which are received in proper form for a permit, including maps, supporting data and fees, will be considered for approval shortly after the mandatory 30-day waiting period. Applications which are defective, conflict with existing rights or require additional information will be reviewed in detail and will be returned for completion or correction within 45 days.

If your application is approved, the project described in the application will be subject to the Water Policy Review Board's Basin Program statements, existing minimum flows and demands of prior rights during periods of low water.

Sincerely,

RALPH H. JACKSON, Supervisor
Application/Permit Section

.RHJwpc

enclosure

21348/1
3266B

COPY

Sur

B

10/21/82

Application No.

64499

Permit No.

47284

Name North Unit Irrigation District

Address 2024 SW Beech St.; Madras, OR 97741

Assigned

Address

Beginning construction

FEB 23 1984

Completion of construction

OCT 1 1984

Extended to

Complete application of water

OCT 1 1985

Extended to

REFERENCE		AMOUNT	
1982 CROOKED			
RIVER			
PERMIT			
10411			
CHECK NO.	DISCOUNT	GROSS	

THIS CHECK IS PAYMENT FOR ITEMS LISTED ABOVE.

PLEASE DETACH BEFORE DEPOSITING.

NORTH UNIT IRRIGATION DISTRICT

2024 N.W. BEECH ST. - MADRAS, OREGON 97741

T-7876
RECEIVED

DEC 30 1996

APPLICATION MAP

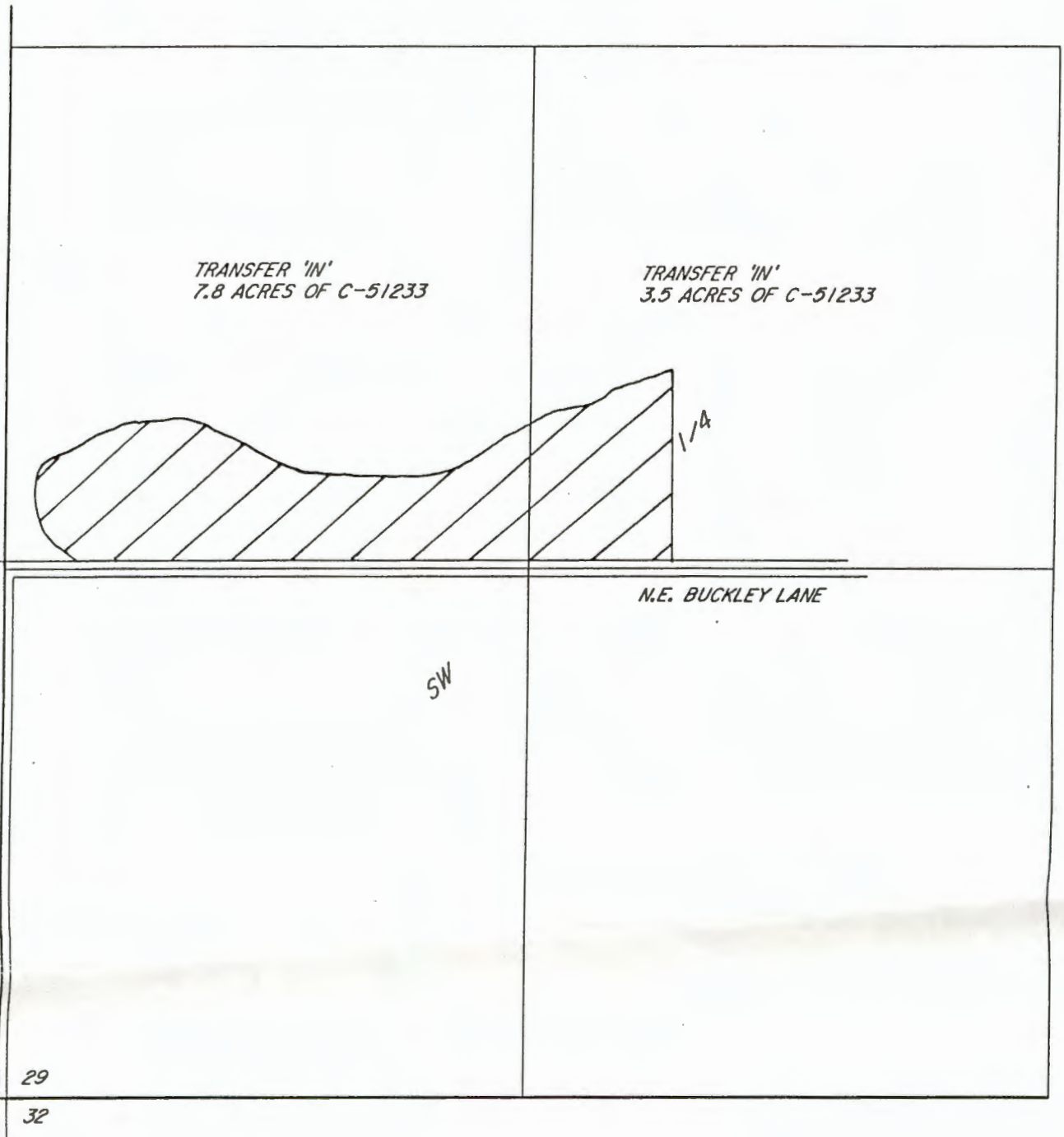
FOR WATER RIGHT TRANSFER 'IN'

LOCATED IN THE NW 1/4 OF THE SW 1/4 SALEM, OREGON
AND THE NE 1/4 OF THE SW 1/4
OF SEC. 29, T. 9 S., R. 14 E., W.M.,
JEFFERSON COUNTY, OREGON.

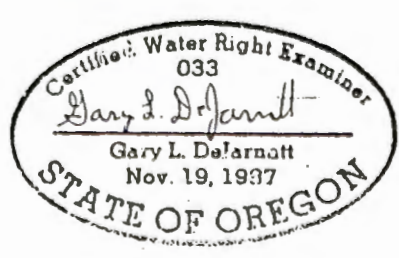
WATER RESOURCES DEPT.
SALEM, OREGON



SCALE 1" = 400'



TOTAL TRANSFER 'IN' THIS MAP = 11.3 ACRES.



Renewal Date:
12-31-97

NO REPRESENTATION IS INTENDED TO
PROVIDE DIMENSIONS OR LOCATION
OF PROPERTY OWNERSHIP LINES.

PREPARED BY:
DEJARNATT LAND SURVEYS, INC.

63885 NORTH HWY 97 DATE: FEBRUARY 14, 1996
BEND, OREGON 97701 SHEET 1 OF 1 'IN'
PHONE: 541-382-4192 JOB # 96008
LAYER 2 AND 10

NORTH UNIT IRRIGATION DISTRICT

Section 4 T.10S. R.14E. W. M

JEFFERSON COUNTY

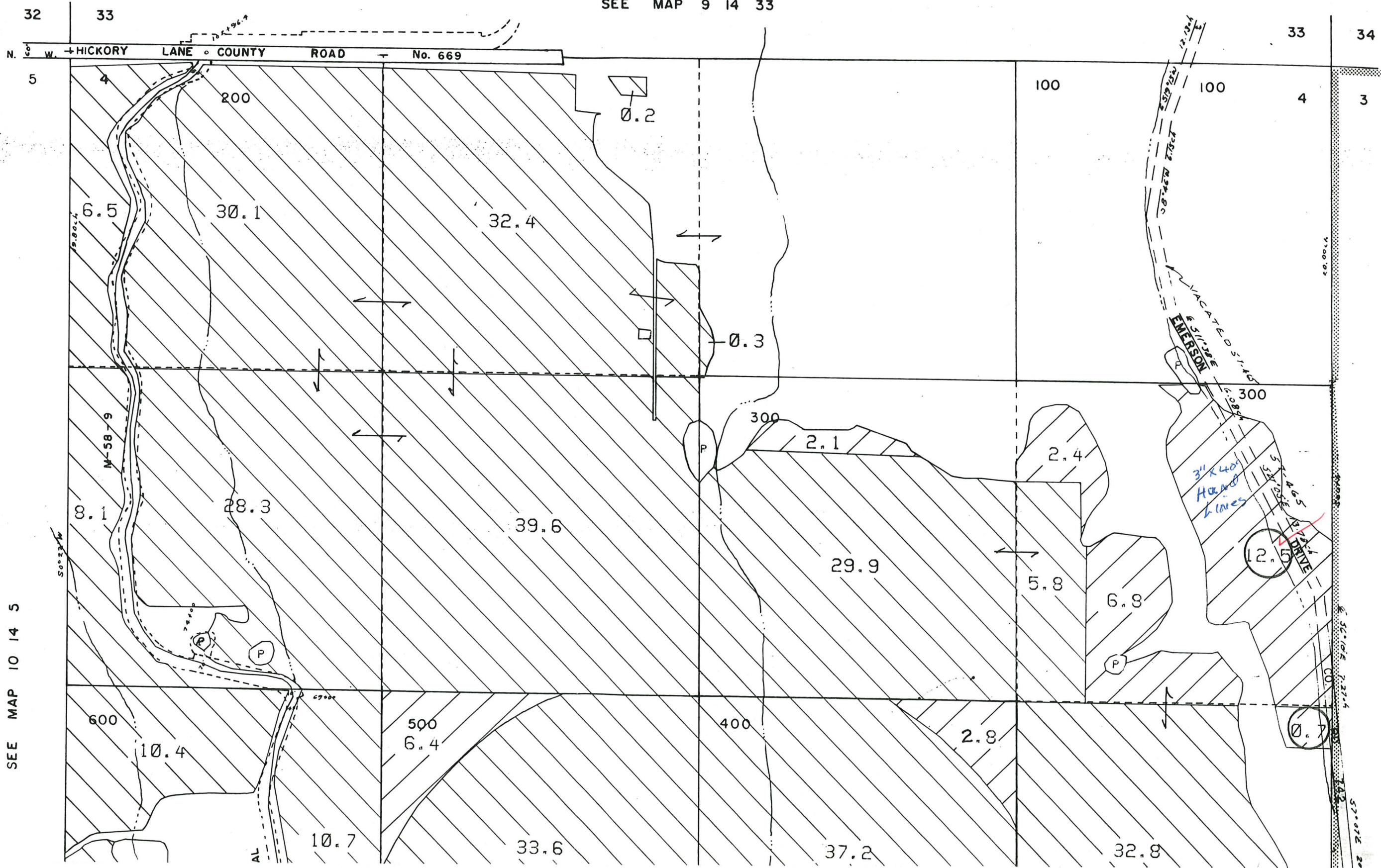
1" = 400'

RECEIVED

MAY 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP 9 14 33



SEE MAP 10 14 5

57-012 20

NORTH UNIT IRRIGATION DISTRICT

Section 27 T.9S. R.14E. W.M.

JEFFERSON COUNTY

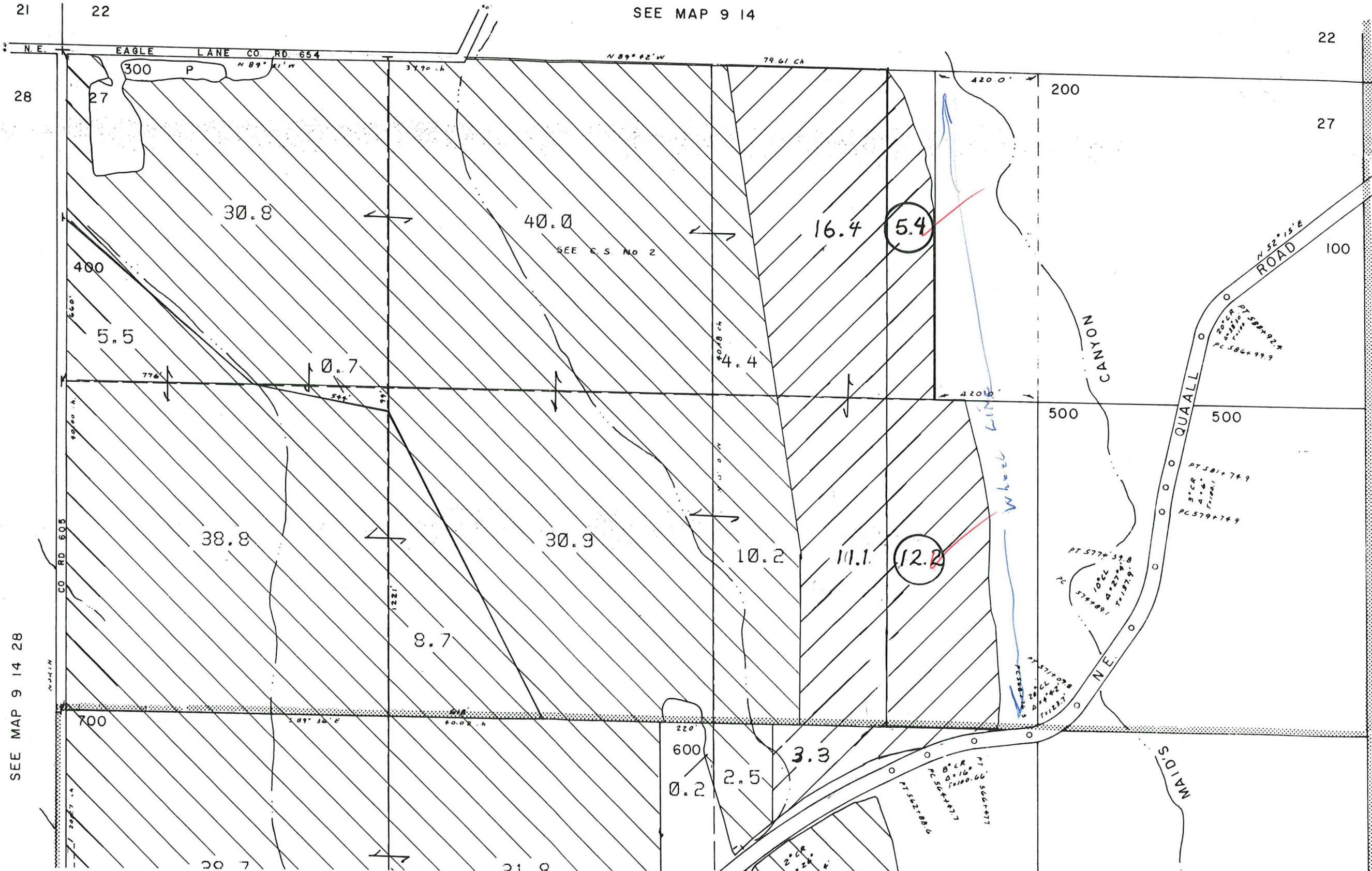
1" = 400'

RECEIVED

MAY 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP 9 14



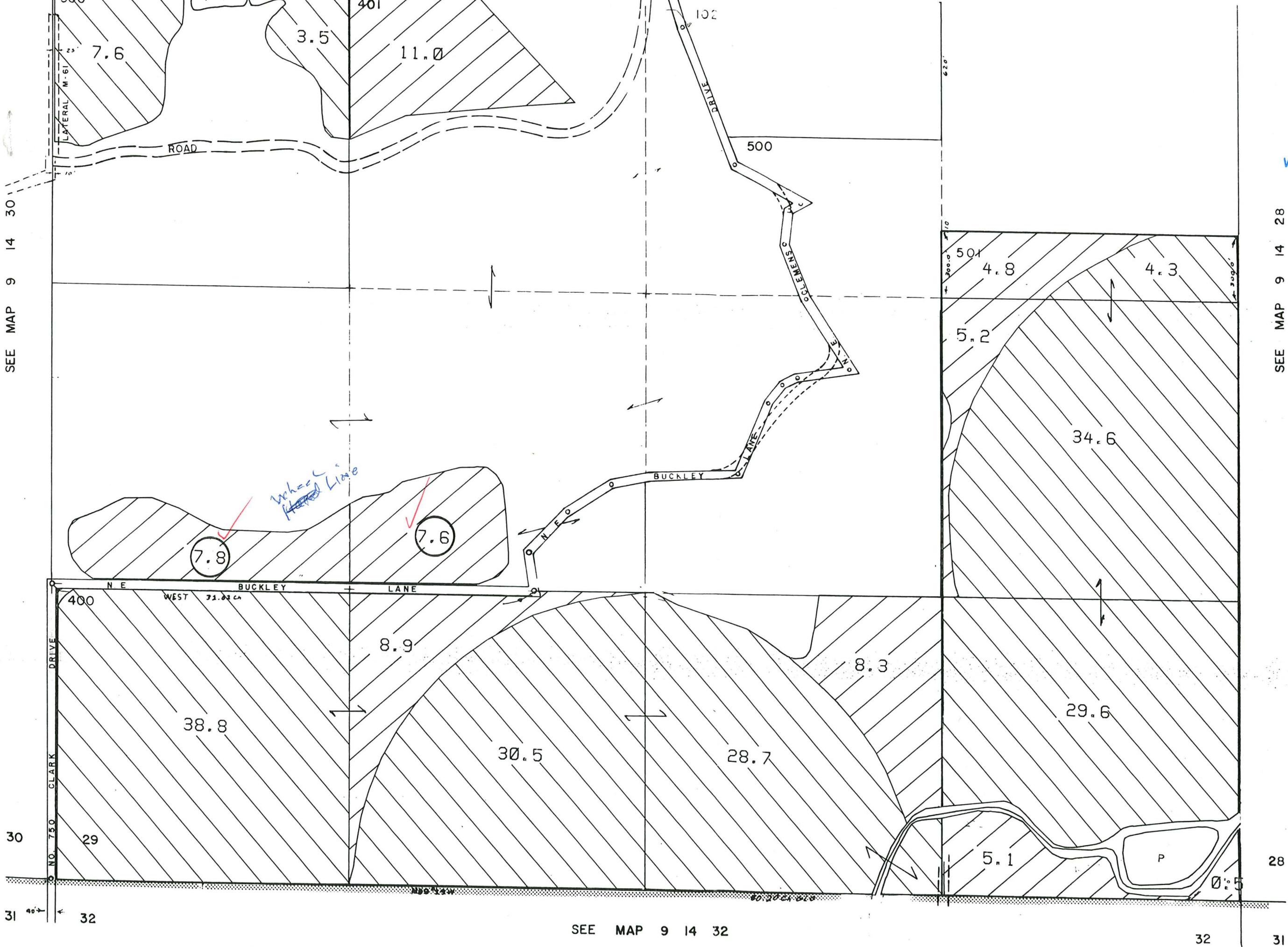
SEE MAP 9 14 28



RECEIVED

MAY 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON



SEE MAP 9 14 30

SEE MAP 9 14 28

SEE MAP 9 14 32

32

31

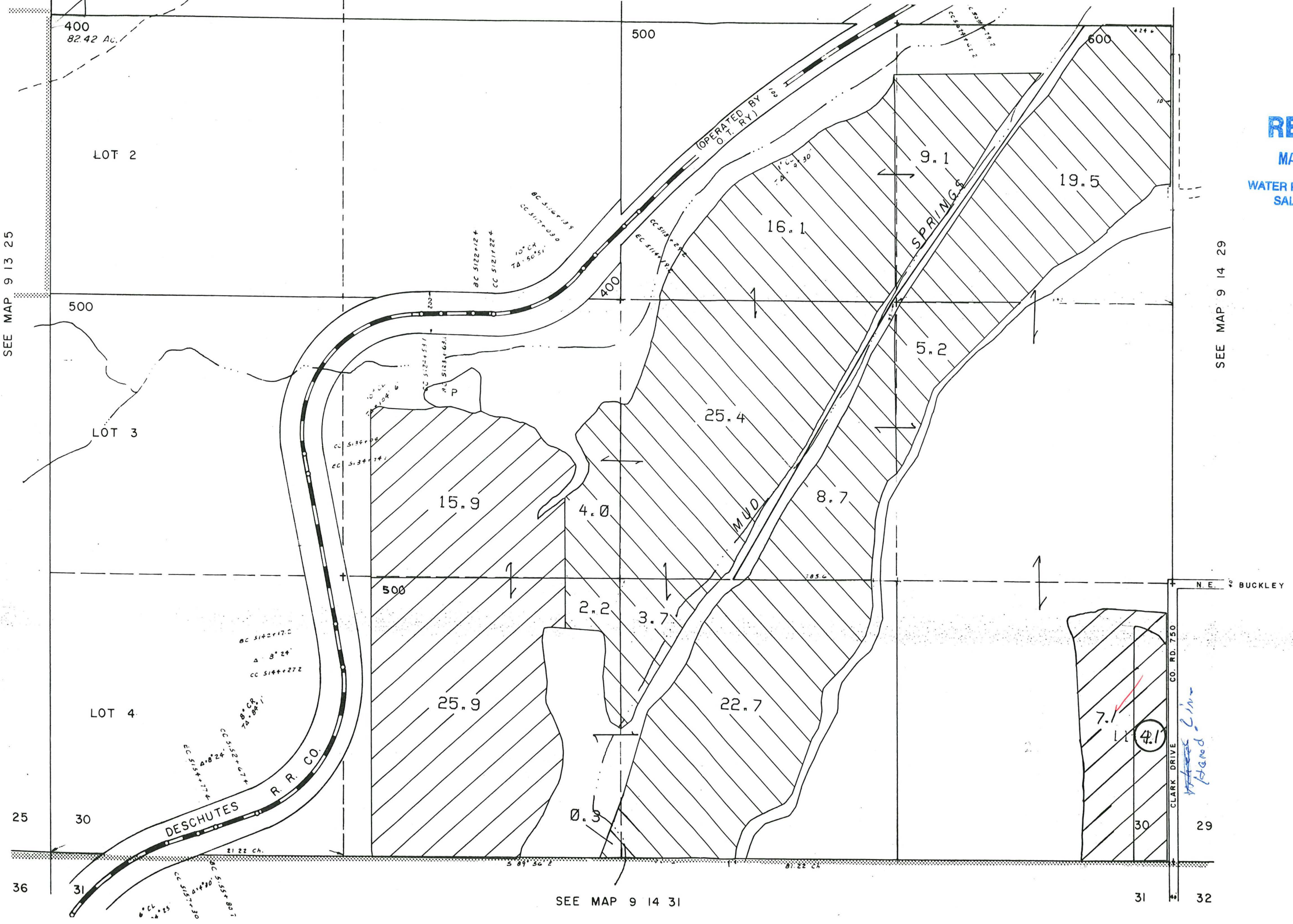
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WATER RESOURCES DEPT.
SALEM, OREGON

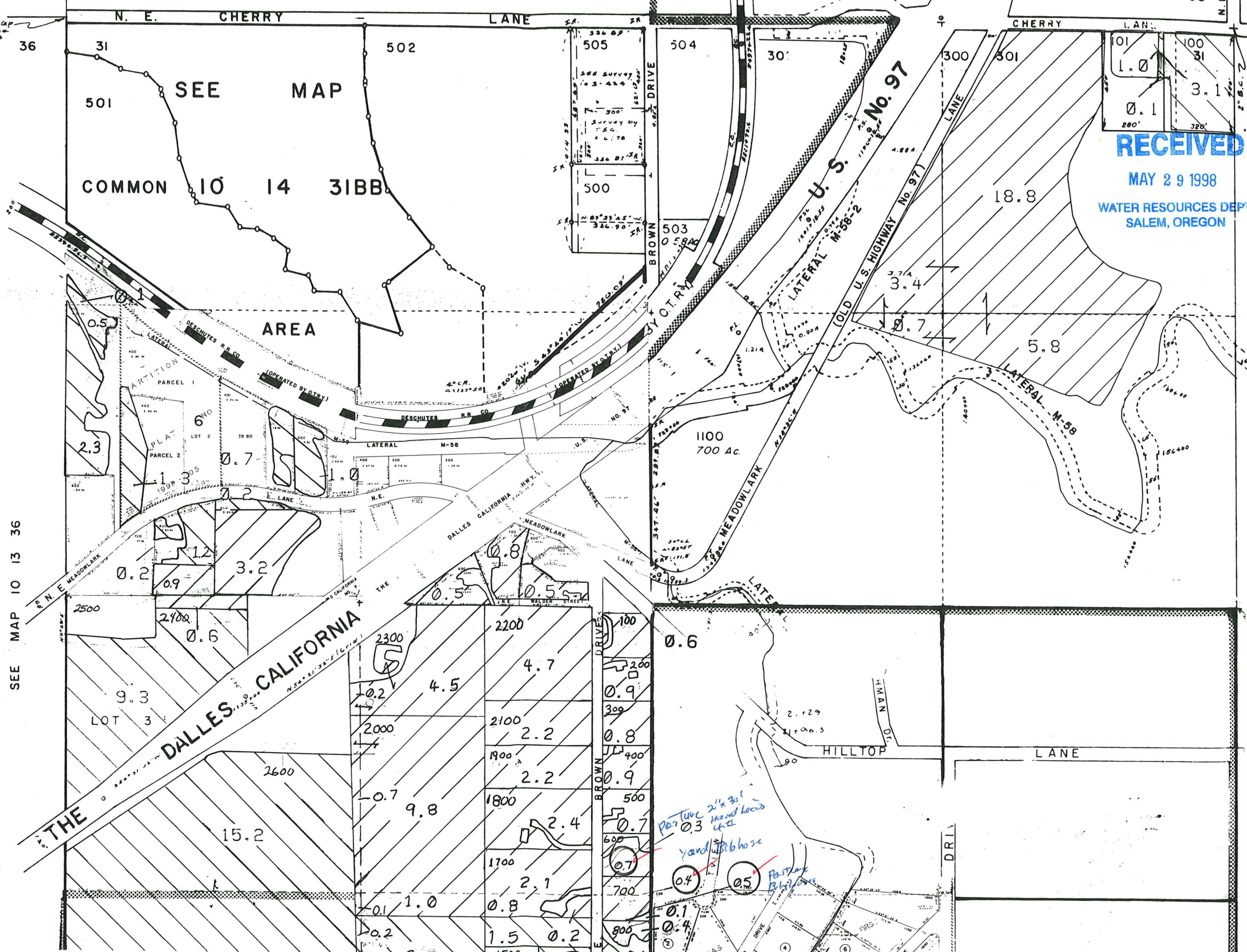
SEE MAP 9 13 25

SEE MAP 9 14 29





set Alum AP on 8" Pipe M 900648



SEE MAP 10 13 36

RECEIVED
MAY 29 1998
WATER RESOURCES DEPT.
SALEM, OREGON

Part of 2 1/2 x 30' Meadow house lot
yard Bibb hose

Part of Bibb hose

RECEIVED

MAY 29 1998

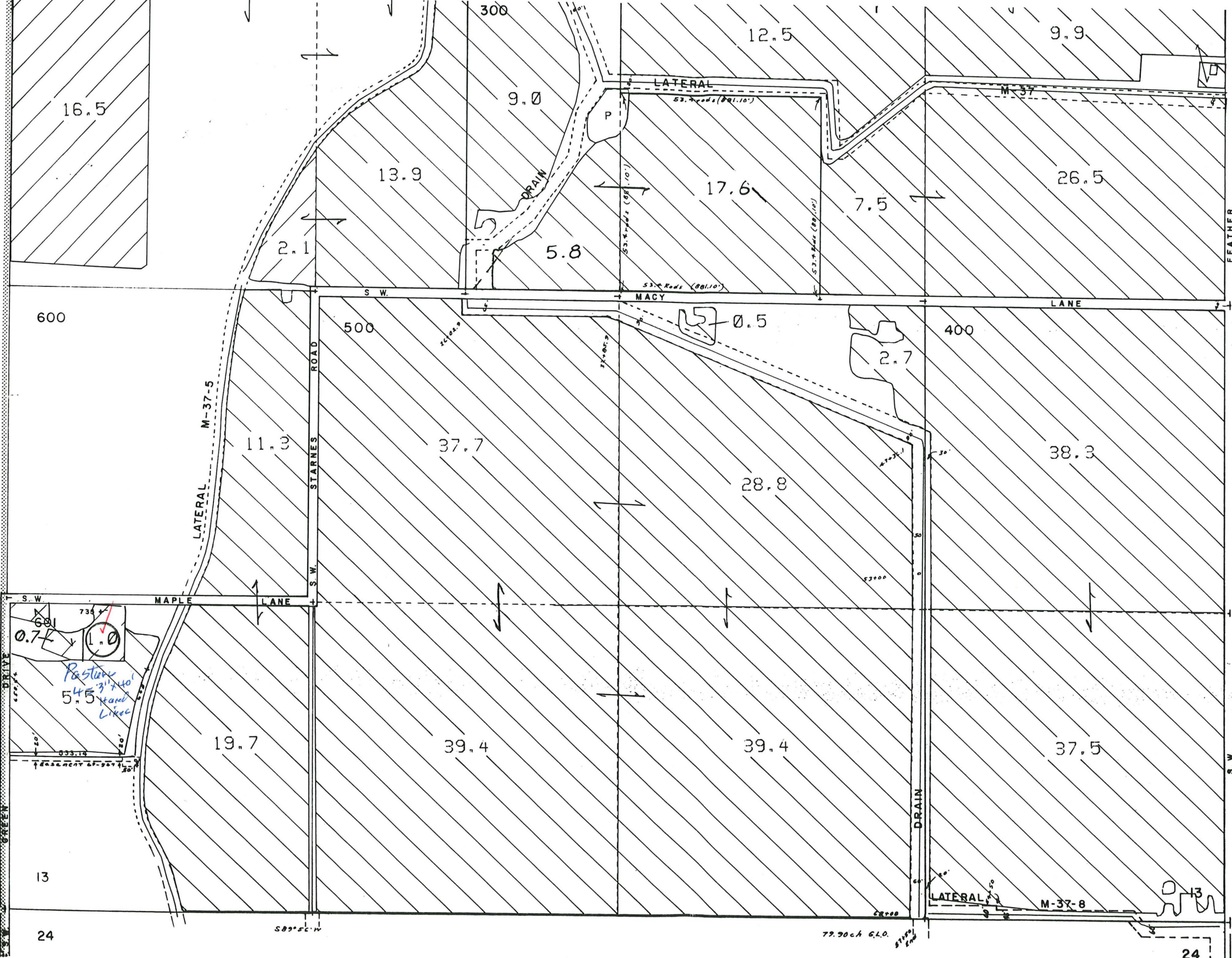
WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP 12 12 14

SEE MAP 12 13 18

IT
R

14
23
24



SEE MAP 12 12 24

18

RECEIVED

MAY 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON

NORTH UNIT IRRIGATION DISTRICT

Section 14 T.11S. R.13E. W. M.

JEFFERSON COUNTY

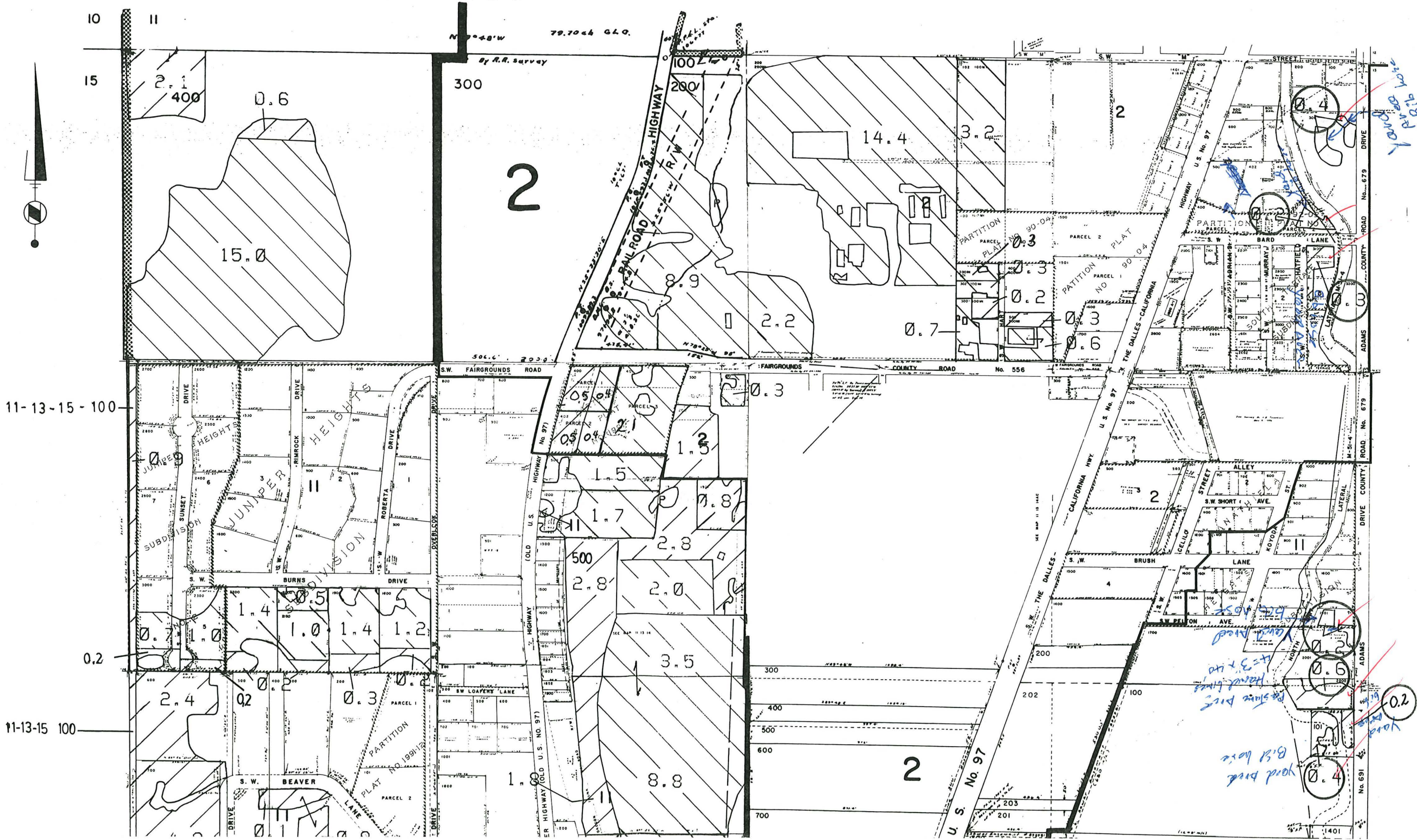
1" = 400'

RECEIVED

MAY 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON

SEE MAP 11 13 11



RECEIVED

MAY 29 1998

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SALEM, OREGON

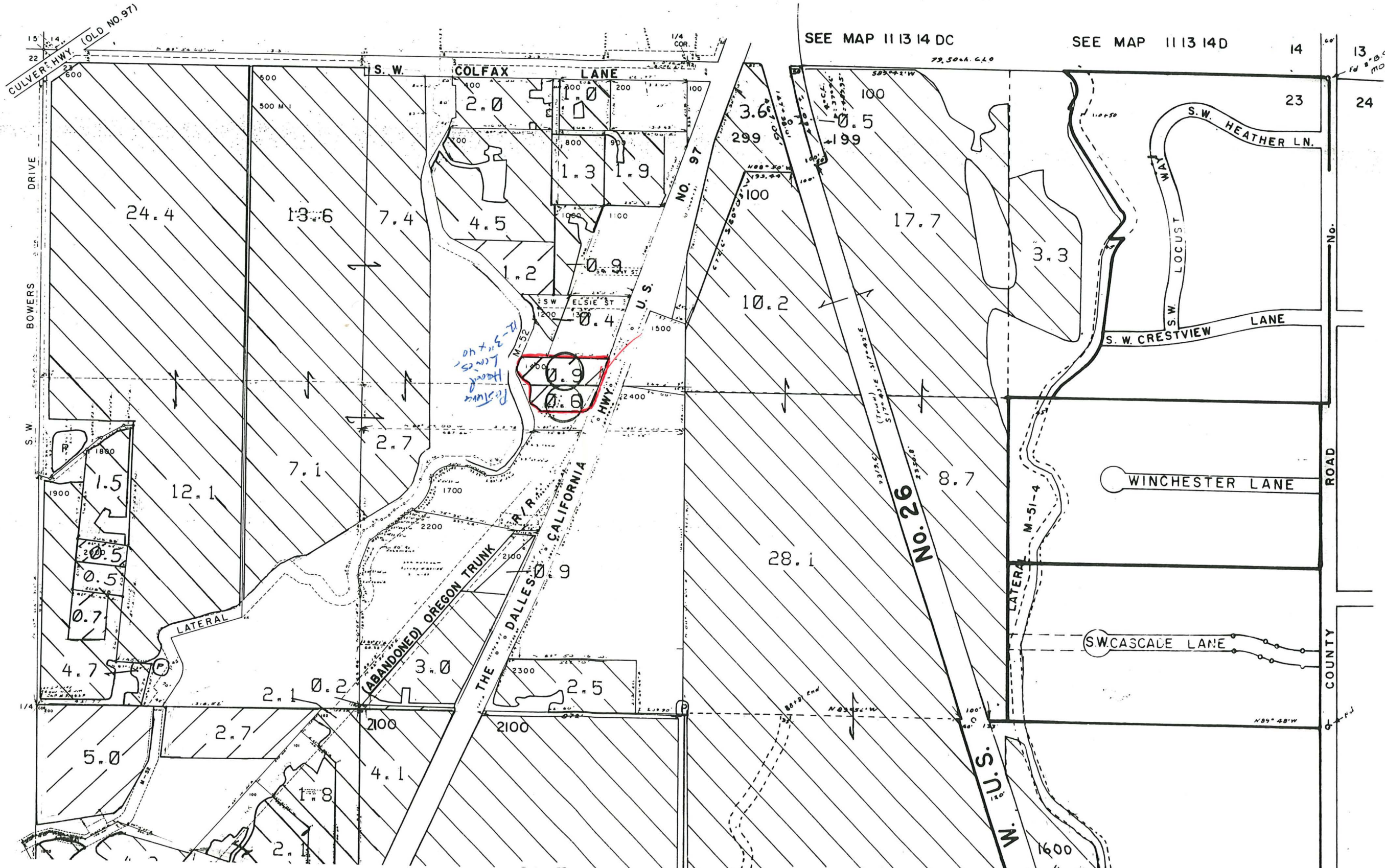
NORTH UNIT IRRIGATION DISTRICT
Section 23 T.11S. R.13E. W. M.
JEFFERSON COUNTY

1" = 400'

RECEIVED

MAY 29 1998

WATER RESOURCES DEPT.
SALEM, OREGON



SEE MAP 111314 DC

SEE MAP 111314 D

14
13
24

ROAD
COUNTY

Handwritten note:
Position
Head
Lines
12-31-40