

# Application for a Permit to Use Surface Water



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

## Water-Use Permit Application Processing

### 1. Completeness Determination

The Department evaluates whether the application and accompanying map contain all of the information required under OAR 690-310-0040 and OAR 690-310-0050 ([www.oregon.gov/owrd/law.our](http://www.oregon.gov/owrd/law.our)). The Department also determines whether the proposed use is prohibited by statute. If the Department determines that the application is incomplete, all fees have not been paid, or the use is prohibited by statute, the application and all fees submitted are returned to the applicant.

### 2. Initial Review

The Department reviews the application to determine whether water is available during the period requested, whether the proposed use is restricted or limited by rule or statute, and whether other issues may preclude approval of or restrict the proposed use. An Initial Review (IR) containing preliminary determinations is mailed to the applicant. The applicant has 14 days from the mailing date to withdraw the application from further processing and receive a refund of all fees paid minus \$260. The applicant may put the application on hold for up to 180 days and may request additional time if necessary.

### 3. Public Notice

Within 7 days of the mailing of the initial review, the Department gives public notice of the application in the weekly notice published by the Department at [www.oregon.gov/owrd](http://www.oregon.gov/owrd). The public comment period is 30 days from publication in the weekly notice.

### 4. Proposed Final Order Issued

The Department reviews any comments received, including comments from other state agencies related to the protection of sensitive, threatened or endangered fish species. Within 60 days of completion of the IR, the Department issues a Proposed Final Order (PFO) explaining the proposed decision to deny or approve the application. A PFO proposing approval of an application will include a draft permit, and may request additional information or outstanding fees required prior to permit issuance.

### 5. Public Notice

Within 7 days of issuing the PFO, the Department gives public notice in the weekly notice. Notice includes information about the application and the PFO. Protest must be received by the Department within 45 days after publication of the PFO in the weekly notice. Anyone may file a protest. The protest filing fee is \$410.00 for the applicant and \$810.00 for non-applicants. Protests are filed on approximately 10% of Proposed Final Orders. If a protest is filed the Department will attempt to settle the protest but will schedule a contested case hearing if necessary.

### 6. Final Order Issued

If no protests are filed, the Department can issue a Final Order within 60 days of the close of the period for receiving protest. If the application is approved, a permit is issued. The permit specifies the details of the authorized use and any terms, limitations or conditions that the Department deems appropriate.

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# Minimum Requirements Checklist

Minimum Requirements (OAR 690-310-0040, OAR 690-310-0050 & ORS 537.140)

## Include this checklist with the application

Check that each of the following items is included. The application will be returned if all required items are not included. If you have questions, please call the Water Rights Customer Service Group at (503) 986-0900.

- SECTION 1: applicant information and signature
- SECTION 2: property ownership
- SECTION 3: source of water requested
- SECTION 4: water use
- SECTION 5: water management
- SECTION 6: resource protection
- SECTION 7: project schedule
- SECTION 8: within a district
- SECTION 9: remarks

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### Attachments:

- Land Use Information Form with approval and signature of local planning department (*must be an original*) or signed receipt. **See Attachment C**
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map. **See Attachment D for Master Title/Use Plat for Crescent Lake Dam**
- Fees - Amount enclosed: \$ 3,326.00  
See the Department's Fee Schedule at [www.oregon.gov/owrd](http://www.oregon.gov/owrd) or call (503) 986-0900.

### Provide a map and check that each of the following items is included:

#### **See Attachment A.**

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.) **See Attachment A for map scale waiver.**
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots **Not shown on Proposed Place of Use Map. See Attachment A for map scale waiver and Attachment B for Place of Use table.**
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west)
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified **N/A – application is for an instream use. See Attachment A for map scale waiver.**
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery. **N/A – application is not for irrigation**
- Location of main canals, ditches, pipelines or flumes (if well is outside of the area of use) **N/A**
- Other:

# Application for a Permit to Use Surface Water



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

## SECTION 1: APPLICANT INFORMATION AND SIGNATURE

### Applicant Information

NAME		PHONE (HM)	
PHONE (WK)	CELL	FAX	
ADDRESS			
CITY	STATE	ZIP	NOV 29 2017

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### Organization Information

NAME TUMALO IRRIGATION DISTRICT ATTN: KEN RIECK		PHONE 541 382-3052	FAX
ADDRESS 64697 COOK AVENUE			CELL
CITY BEND	STATE OR	ZIP 97703	E-MAIL * KEN@TUMALO.ORG

### Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT / BUSINESS NAME GSI WATER SOLUTION, INC. ATTN: ADAM SUSSMAN		PHONE 541 257-9001	FAX
ADDRESS 1600 SW WESTERN BOULEVARD, SUITE 240			CELL 541 602-5188
CITY CORVALLIS	STATE OR	ZIP 97333	E-MAIL * ASUSSMAN@GSIWS.COM

Note: Attach multiple copies as needed

\* By providing an e-mail address, consent is given to receive all correspondence from the department electronically. (Paper copies of the final order documents will also be mailed.)

### By my signature below I confirm that I understand:

- I am asking to use water specifically as described in this application.
- Evaluation of this application will be based on information provided in the application packet.
- I cannot legally use water until the Water Resources Department issues a permit to me.
- The Department encourages all applicants to wait for a permit to be issued before beginning construction of any proposed diversion. Acceptance of this application does not guarantee a permit will be issued.
- If I begin construction prior to the issuance of a permit, I assume all risks associated with my actions.
- If I get a permit, I must not waste water.
- If development of the water use is not according to the terms of the permit, the permit can be cancelled.
- The water use must be compatible with local comprehensive land use plans.
- Even if the Department issues a permit, I may have to stop using water to allow senior water right holders to get water to which they are entitled.
- I have not provided my social security number in any of the materials submitted to the Department.

I (we) affirm that the information contained in this application is true and accurate.

Applicant Signature

Ken Rieck, Manager  
Print Name and title if applicable

Date

11-20-2017

App. No. <u>S-88478</u>	For Department Use	Date _____
Permit No. _____		

**SECTION 2: PROPERTY OWNERSHIP**

Please indicate if you own all the lands associated with the project from which the water is to be diverted, conveyed, and used.

- Yes
  - There are no encumbrances.
  - This land is encumbered by easements, rights of way, roads or other encumbrances.

No **The Applicant is an irrigation district and considered a public corporation for the purposes of ORS 537.211(6).**

- I have a recorded easement or written authorization permitting access.
- I do not currently have written authorization or easement permitting access.
- Written authorization or an easement is not necessary, because the only affected lands I do not own are state-owned submersible lands, and this application is for irrigation and/or domestic use only (ORS 274.040).
- Water is to be diverted, conveyed, and/or used only on federal lands.

List the names and mailing addresses of all affected landowners (*attach additional sheets if necessary*).

**N/A – The applicant is an irrigation district and considered a public corporation for the purposes of ORS 537.211(6).**

**You must provide the legal description of: 1. The property from which the water is to be diverted, 2. Any property crossed by the proposed ditch, canal or other work, and 3 Any property on which the water is to be used as depicted on the map. Tumalo Irrigation district is a public corporation for the purposes of ORS 537.211(6). The location of the dam and the proposed place of use are shown in Attachment A. The master title and use plat is included in Attachment D.**

**SECTION 3: SOURCE OF WATER**

**A. Proposed Source of Water**

Provide the commonly used name of the water body from which water will be diverted, and the name of the stream or lake it flows into. If unnamed, say so:

Source 1: Crescent Reservoir

Tributary to: Crescent Creek

If any source listed above is stored water that is authorized under a water right permit, certificate, or decree, attach a copy of the document or list the document number (for decrees, list the volume, page and/or decree name).

**Certificates 76683 and 76637. See Attachment E.**

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**B. Applications to Use Stored Water**

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Do you, or will you, own the reservoir(s) described in item 3A above?

- Yes. **See Attachment F. The district operates the reservoir and has an easement for the dam and the reservoir.**
- No. (Please enclose a copy of your written notification to the operator of the reservoir of your intent to file this application, which you should have already mailed or delivered to the operator.)

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If *all* sources listed in item 3A are stored water, the Department will review your application using the expedited process provided in ORS 537.147, unless you check the box below. Please see the instruction booklet for more information.

- By checking this box, you are requesting that the Department process your application under the standard process outlined in ORS 537.150 and 537.153, rather than the expedited process provided by ORS 537.147. To file an application under the standard process, you must enclose the following:
- A copy of a signed non-expired contract or other agreement with the owner of the reservoir (if not you) to impound the volume of water you propose to use in this application.
  - A copy of your written agreement with the party (if any) delivering the water from the reservoir to you.

**SECTION 4: WATER USE**

Provide the amount of water you propose to use from each source, for each use, in cubic feet-per-second (cfs) or gallons-per-minute (gpm). If the proposed use is from storage, provide the amount in acre-feet (af):  
*(1 cfs equals 448.8 gpm. 1 acre-foot equals 325,851 gallons or 43,560 cubic feet)*

SOURCE	USE	PERIOD OF USE	AMOUNT
Crescent Reservoir	Downstream wildlife and fish life use	November 1 through March 31	1,000 acre-feet

**For irrigation use only: N/A**  
 Please indicate the number of primary and supplemental acres to be irrigated.  
 Primary: \_\_\_\_\_ Acres      Supplemental: \_\_\_\_\_ Acres  
 If supplemental Acres is listed, provide the Permit or Certificate number of the underlying primary water right(s):  
 \_\_\_\_\_  
 Indicate the maximum total number of acre-feet you expect to use in an irrigation season: \_\_\_\_\_

- If the use is **municipal or quasi-municipal**, attach **Form M**
- If the use is **domestic**, indicate the number of households: \_\_\_\_\_
- If the use is **mining**, describe what is being mined and the method(s) of extraction:  
 \_\_\_\_\_

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**SECTION 5: WATER MANAGEMENT**

**A. Diversion and Conveyance**

What equipment will you use to pump water from your source?

Pump (give horsepower and type): \_\_\_\_\_

Other means (describe): Water will be released from Crescent Reservoir outlet into Crescent Creek to be protected to the mouth of Crescent Creek, then into the Little Deschutes River to the confluence with the Deschutes River, then into the Deschutes River to Lake Billy Chinook.

Provide a description of the proposed means of diversion, construction, and operation of the diversion works and conveyance of water.

N/A – the released stored water will remain instream for mitigation.

**B. Application Method**

What equipment and method of application will be used? (e.g., drip, wheel line, high-pressure sprinkler)

N/A

**C. Conservation**

Please describe why the amount of water requested is needed and measures you propose to: prevent waste; measure the amount of water diverted; prevent damage to public uses of affected surface waters.

- The proposed use of stored water will provide a public benefit to waters downstream of Crescent Reservoir.

- The amount of water released from storage between November 1 and March 31 will be measured at the Crescent Creek gage (14060000)

**SECTION 6: RESOURCE PROTECTION**

In granting permission to use water from a stream or lake, the state encourages, and in some instances requires, careful control of activities that may affect the waterway or streamside area. See instruction guide for a list of possible permit requirements from other agencies. Please indicate any of the practices you plan to undertake to protect water resources.

Diversion will be screened to prevent uptake of fish and other aquatic life.  
Describe planned actions: N/A – the proposed use of stored water is downstream wildlife and fish life use. The water will not be diverted.

Excavation or clearing of banks will be kept to a minimum to protect riparian or streamside areas.  
Describe planned actions: N/A - the proposed use of stored water will not require excavation or clearing of banks.

Operating equipment in a water body will be managed and timed to prevent damage to aquatic life.  
Describe: N/A - the proposed use of stored water will not require operation of equipment in a water body.

Water quality will be protected by preventing erosion and run-off of waste or chemical products.  
Describe: N/A - the proposed use of stored water will not cause erosion or run-off of chemical products.

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**SECTION 7: PROJECT SCHEDULE**

Date construction will begin: **No construction is required for the proposed use.**

Date construction will be completed: **No construction is required for the proposed use.**

Date beneficial water use will begin: **Within five years of permit issuance.**

**SECTION 8: WITHIN A DISTRICT**

Check here if the point of diversion or place of use are located within or served by an irrigation or other water district. **N/A – The applicant is the irrigation district.**

Irrigation District Name	Address	
City	State	Zip

**SECTION 9: REMARKS**

Use this space to clarify any information you have provided in the application.

Tumalo Irrigation District is applying for a secondary water right for 1,000 acre-feet for downstream wildlife and fish life use in Crescent Creek, the Little Deschutes River, and the main stem Deschutes River in order to obtain mitigation credits. Water is stored in the reservoir under Certificate 76637. Tumalo Irrigation District requests that this application be processed as a mitigation project for mitigation credits under OAR 690-521-0300(1)(d). The applicant requests the following conditions to avoid impairing existing water rights and to ensure the reliability of the water right established through this application:

- To account for channel losses, an 18 percent loss factor shall be applied between the mouth of Crescent Creek on the Little Deschutes River and Benham Falls on the Deschutes River. A 7 percent loss factor shall be applied on the Deschutes River between Benham Falls and the City of Bend. Therefore, of the 1,000 AF (average 3.317 cfs) released under this right at Crescent Creek Gage No. 14060000, 820 AF (average 2.719 cfs) would be available at Benham Falls and 762.6 AF (average 2.529 cfs) would be available at Bend.
- The applicant shall release the full volume of water under this permit in addition to instream water rights for stored water from Crescent Reservoir established through CW-37.

The proposed place of use under this application (the instream reaches) are identical to the authorized place of use under Certificate 91923.

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Date \_\_\_\_\_

(For staff use only)



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

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- SECTION 1: \_\_\_\_\_
- SECTION 2: \_\_\_\_\_
- SECTION 3: \_\_\_\_\_
- SECTION 4: \_\_\_\_\_
- SECTION 5: \_\_\_\_\_
- SECTION 6: \_\_\_\_\_
- SECTION 7: \_\_\_\_\_
- SECTION 8: \_\_\_\_\_
- SECTION 9: \_\_\_\_\_
- Land Use Information Form \_\_\_\_\_
- Provide the legal description of: (1) the property from which the water is to be diverted, (2) any property crossed by the proposed ditch, canal or other work, and (3) any property on which the water is to be used as depicted on the map.
- Fees \_\_\_\_\_

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**MAP**

- Permanent quality and drawn in ink
- Even map scale not less than 4" = 1 mile (example: 1" = 400 ft, 1" = 1320 ft, etc.)
- North Directional Symbol
- Township, Range, Section, Quarter/Quarter, Tax Lots
- Reference corner on map
- Location of each well, and/or dam if applicable, by reference to a recognized public land survey corner (distances north/south and east/west)
- Indicate the area of use by Quarter/Quarter and tax lot clearly identified
- Number of acres per Quarter/Quarter and hatching to indicate area of use if for primary irrigation, supplemental irrigation, or nursery
- Location of main canals, ditches, pipelines, or flumes (if well is outside of the area of use)
- Other \_\_\_\_\_



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Attachment A  
Application Maps  
Tumalo Irrigation District

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S-88478

**Owen McMurtrey**

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**From:** SAUTER Jerry K \* WRD <Jerry.K.Sauter@oregon.gov>  
**Sent:** Thursday, September 28, 2017 12:55 PM  
**To:** Owen McMurtrey  
**Cc:** CLARK Gerald E \* WRD  
**Subject:** RE: Map Scale Waiver Request

Hi Owen,

Most certainly. As an instream right application we do not need mapping to that detail. We do need to know the starting point and endpoint of the reach(s)

JK

**JERRY (JK) SAUTER - WATER RIGHTS PROGRAM ANALYST**

**WATER RESOURCES DEPARTMENT - 725 SUMMER STREET NE, SUITE A - SALEM OREGON 97301**

**PH. 503-986-0817 FAX 503-986-0901**

**EMAIL: JERRY.K.SAUTER@OREGON.GOV WEB: HTTP://WWW.OREGON.GOV**

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**From:** Owen McMurtrey [mailto:OMcMurtrey@gsiws.com]  
**Sent:** Thursday, September 28, 2017 12:16 PM  
**To:** SAUTER Jerry K \* WRD  
**Cc:** CLARK Gerald E \* WRD  
**Subject:** RE: Map Scale Waiver Request

Thanks, Jerry

The place of use for the instream water right will be identical to that of other secondary instream water rights for Crescent Lake created through CW-37 (e.g., Certificate 91923). If I include a table with that POU as a separate attachment, would that meet your requirements?

Thanks,

**Owen McMurtrey**

**Staff Water Resources Consultant | GSI Water Solutions, Inc.**

direct: 541-257-9005 | cell: 541-740-5619

1600 SW Western Blvd., Suite 240, Corvallis, OR 97333

[www.gsiws.com](http://www.gsiws.com) | [omcmurtrey@gsiws.com](mailto:omcmurtrey@gsiws.com)

**From:** SAUTER Jerry K \* WRD [mailto:Jerry.K.Sauter@oregon.gov]  
**Sent:** Thursday, September 28, 2017 9:52 AM  
**To:** Owen McMurtrey <OMcMurtrey@gsiws.com>  
**Cc:** CLARK Gerald E \* WRD <Gerald.E.Clark@oregon.gov>  
**Subject:** RE: Map Scale Waiver Request

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Hello Owen,

I understand your problem. The only issue I have is that our staff will need to know every section and quarter quarter section for review and data entry. If we can figure that out I would not have an issue with the map.

JK

**JERRY (JK) SAUTER - WATER RIGHTS PROGRAM ANALYST**

**WATER RESOURCES DEPARTMENT - 725 SUMMER STREET NE, SUITE A - SALEM OREGON 97301**

**PH. 503-986-0817 FAX 503-986-0901**

**EMAIL: JERRY.K.SAUTER@OREGON.GOV WEB: HTTP://WWW.OREGON.GOV**

S-00470

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**From:** Owen McMurtrey [<mailto:OMcMurtrey@gsiws.com>]  
**Sent:** Tuesday, September 26, 2017 11:21 AM  
**To:** SAUTER Jerry K \* WRD  
**Subject:** Map Scale Waiver Request

Hi Jerry,

GSI is preparing a secondary water right application on behalf of Tumalo Irrigation District. The proposed place of use does not meet the Department's map scale requirements, as the place of use will span from Crescent Lake to Lake Billy Chinook. I'm requesting a map scale waiver for the proposed place of use map. I've also attached a map showing the location of the dam, which is to scale.

I also want to confirm that the Department will accept the map without section boundaries. We didn't include section boundaries because they tended to obscure the rest of the map, but we can figure out a way to include them if needed.

Sincerely,

**Owen McMurtrey**  
**Staff Water Resources Consultant | GSI Water Solutions, Inc.**  
direct: 541-257-9005 | cell: 541-740-5619  
1600 SW Western Blvd., Suite 240, Corvallis, OR 97333  
[www.gsiws.com](http://www.gsiws.com) | [omcmurtrey@gsiws.com](mailto:omcmurtrey@gsiws.com)

Attachment B  
Place of Use Table  
Tumalo Irrigation District

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S-88478

Township	Range	Section	1/4 - 1/4
12S	12E	29	NE SW
12S	12E	29	SE SW
12S	12E	29	NW SE
12S	12E	32	NE NW
12S	12E	32	SE NW
12S	12E	32	NE SW
12S	12E	32	SW SW
12S	12E	32	SE SW
13S	12E	5	NE NW
13S	12E	5	SW NW
13S	12E	5	SE NW
13S	12E	5	NW SW
13S	12E	5	SW SW
13S	12E	6	SE SE
13S	12E	7	NE NE
13S	12E	7	SE NE
13S	12E	8	SW NW
13S	12E	8	NW SW
13S	12E	8	SW SW
13S	12E	8	SE SW
13S	12E	8	SW SE
13S	12E	17	NE NE
13S	12E	17	NW NE
13S	12E	17	SW NE
13S	12E	17	NE SE
13S	12E	17	NW SE
13S	12E	17	SW SE
13S	12E	20	NE NE
13S	12E	20	NW NE
13S	12E	20	SE NE
13S	12E	20	NE SE
13S	12E	21	NE SW
13S	12E	21	NW SW
13S	12E	21	SE SW
13S	12E	21	SW SE
13S	12E	27	SW NW
13S	12E	27	NW SW
13S	12E	28	NE NE
13S	12E	28	NW NE
13S	12E	28	SE NE
13S	12E	28	NE SE
13S	12E	28	SW SE
13S	12E	28	SE SE
13S	12E	33	NW NE
13S	12E	33	SW NE
13S	12E	33	SE NW

Township	Range	Section	1/4 - 1/4
13S	12E	33	NE SE
13S	12E	33	NW SE
13S	12E	33	SE SE
13S	12E	34	SW SW
14S	12E	3	NW SW
14S	12E	3	SW SW
14S	12E	4	NE NE
14S	12E	4	SE NE
14S	12E	4	NE SE
14S	12E	4	NW SE
14S	12E	4	SE SE
14S	12E	9	NE NE
14S	12E	9	SE NE
14S	12E	9	NE SE
14S	12E	9	NW SE
14S	12E	9	SW SE
14S	12E	9	SE SE
14S	12E	10	NW NW
14S	12E	11	SE SW
14S	12E	11	SW SE
14S	12E	14	NW NE
14S	12E	14	SW NE
14S	12E	14	NE NW
14S	12E	14	NW NW
14S	12E	14	SW NW
14S	12E	14	NW SE
14S	12E	14	SW SE
14S	12E	15	NE NE
14S	12E	15	SW NE
14S	12E	15	SE NE
14S	12E	15	NW NW
14S	12E	15	SW NW
14S	12E	15	SE NW
14S	12E	15	NE SW
14S	12E	15	NW SW
14S	12E	16	NE NE
14S	12E	16	NW NE
14S	12E	16	SE NE
14S	12E	23	NW NE
14S	12E	23	NE NW
14S	12E	23	SW NW
14S	12E	23	SE NW
14S	12E	23	NW SW
14S	12E	23	SW SW
14S	12E	26	SW NE
14S	12E	26	NW NW

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Township	Range	Section	1/4 - 1/4
14S	12E	26	SW NW
14S	12E	26	SE NW
14S	12E	26	NE SW
14S	12E	26	NW SE
14S	12E	26	SW SE
14S	12E	26	SE SE
14S	12E	35	NE NE
14S	12E	36	NW NW
14S	12E	36	SW NW
14S	12E	36	SE NW
14S	12E	36	NE SW
14S	12E	36	NE SE
14S	12E	36	NW SE
14S	12E	36	SE SE
15S	12E	1	NE NE
15S	12E	1	SW NE
15S	12E	1	SE NE
15S	12E	1	SE SW
15S	12E	1	NE SE
15S	12E	1	NW SE
15S	12E	1	SW SE
15S	12E	11	NE NE
15S	12E	11	SE NE
15S	12E	11	NE SE
15S	12E	11	SW SE
15S	12E	11	SE SE
15S	12E	12	NE NW
15S	12E	12	NW NW
15S	12E	13	NW SW
15S	12E	13	SW SW
15S	12E	14	NW NE
15S	12E	14	SW NE
15S	12E	14	NE SE
15S	12E	14	NW SE
15S	12E	24	NW NW
15S	12E	24	SW NW
15S	12E	24	NW SW
15S	12E	24	SW SW
15S	12E	25	NW NW
15S	12E	25	SW NW
15S	12E	25	NW SW
15S	12E	25	SW SW
15S	12E	25	SE SW
15S	12E	26	NE NE
15S	12E	26	SE NE
15S	12E	35	SE NE

Township	Range	Section	1/4 - 1/4
15S	12E	35	NE SE
15S	12E	35	NW SE
15S	12E	35	SW SE
15S	12E	36	NE NW
15S	12E	36	NW NW
15S	12E	36	SW NW
16S	12E	2	SW NW
16S	12E	2	NW SW
16S	12E	3	NE SE
16S	12E	3	SW SE
16S	12E	3	SE SE
16S	12E	9	SE SW
16S	12E	9	NE SE
16S	12E	9	NW SE
16S	12E	9	SW SE
16S	12E	10	NW NE
16S	12E	10	NE NW
16S	12E	10	SE NW
16S	12E	10	NE SW
16S	12E	10	NW SW
16S	12E	10	NW SE
16S	12E	16	NE NW
16S	12E	16	SE NW
16S	12E	16	NE SW
16S	12E	16	NW SW
16S	12E	16	SW SW
16S	12E	17	SE SW
16S	12E	17	SW SE
16S	12E	17	SE SE
16S	12E	20	NE NW
16S	12E	20	NW NW
16S	12E	20	SW NW
16S	12E	20	NE SW
16S	12E	20	NW SW
16S	12E	20	SE SW
16S	12E	29	NE NW
16S	12E	29	NW NW
16S	12E	29	SW NW
16S	12E	29	NW SW
16S	12E	30	NE SE
16S	12E	30	SE SE
16S	12E	31	NE NE
16S	12E	31	NW NE
16S	12E	31	SE NE
16S	12E	31	NE SE
16S	12E	31	SW SE

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Township	Range	Section	1/4 - 1/4
16S	12E	31	SE SE
17S	12E	6	NW NE
17S	12E	6	SW NE
17S	12E	6	SE NE
17S	12E	6	NE SW
17S	12E	6	SE SW
17S	12E	6	NW SE
17S	12E	6	SW SE
17S	12E	7	NW NE
17S	12E	7	SW NE
17S	12E	7	SE NW
17S	12E	7	NE SW
17S	12E	7	NW SW
17S	12E	7	SW SW
17S	12E	17	SW SW
17S	12E	17	SE SW
17S	12E	18	NE NW
17S	12E	18	NW NW
17S	12E	18	SW NW
17S	12E	18	SE NW
17S	12E	18	NE SW
17S	12E	18	NW SW
17S	12E	18	SE SW
17S	12E	18	SW SE
17S	12E	18	SE SE
17S	12E	19	NE NE
17S	12E	19	NW NE
17S	12E	20	NE NW
17S	12E	20	SE NW
17S	12E	20	NE SW
17S	12E	20	NE SE
17S	12E	20	NW SE
17S	12E	20	SE SE
17S	12E	29	NE NE
17S	12E	29	SW NE
17S	12E	29	SE NE
17S	12E	29	NW SE
17S	12E	29	SW SE
17S	12E	31	NE SE
17S	12E	31	SE SE
17S	12E	32	NW NE
17S	12E	32	NE NW
17S	12E	32	SW NW
17S	12E	32	SE NW
17S	12E	32	NW SW
17S	12E	32	SW SW

Township	Range	Section	1/4 - 1/4
18S	11E	12	SE SE
18S	11E	13	NE NE
18S	11E	13	NW NE
18S	11E	13	SW NE
18S	11E	13	SE NW
18S	11E	13	NE SW
18S	11E	13	SW SW
18S	11E	13	SE SW
18S	11E	14	SE SE
18S	11E	22	NE SE
18S	11E	22	SE SE
18S	11E	23	NE NE
18S	11E	23	SW NE
18S	11E	23	SE NE
18S	11E	23	SW NW
18S	11E	23	SE NW
18S	11E	23	NE SW
18S	11E	23	NW SW
18S	11E	27	NE NE
18S	11E	27	NW NE
18S	11E	27	NE NW
18S	11E	27	SE NW
18S	11E	27	NE SW
18S	11E	27	NW SW
18S	11E	27	SW SW
18S	11E	28	SE SE
18S	11E	33	NE NE
18S	11E	33	SE NE
18S	11E	33	NE SE
18S	11E	33	NW SE
18S	11E	33	SW SE
18S	11E	33	SE SE
18S	11E	34	SW NW
18S	12E	5	NE NW
18S	12E	5	NW NW
18S	12E	5	SE NW
18S	12E	5	NE SW
18S	12E	5	NW SW
18S	12E	6	NE SE
18S	12E	6	NW SE
18S	12E	6	SW SE
18S	12E	7	NW NE
18S	12E	7	SW NE
18S	12E	7	SE NW
18S	12E	7	NE SW
18S	12E	7	SW SW

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Township	Range	Section	1/4 - 1/4
18S	12E	7	SE SW
19S	11E	4	NE NE
19S	11E	4	SW NE
19S	11E	4	SE NE
19S	11E	4	SE NW
19S	11E	4	NE SW
19S	11E	4	SE SW
19S	11E	8	NE NE
19S	11E	8	SE NE
19S	11E	8	NE SE
19S	11E	9	NE NW
19S	11E	9	NW NW
19S	11E	9	NE SW
19S	11E	9	NW SW
19S	11E	9	NW SE
19S	11E	9	SW SE
19S	11E	9	SE SE
19S	11E	16	NE NE
19S	11E	16	NW NE
19S	11E	16	SW NE
19S	11E	16	SE NE
19S	11E	16	NE NW
19S	11E	16	NW NW
19S	11E	16	SW NW
19S	11E	16	SE NW
19S	11E	17	NE NE
19S	11E	17	SW NE
19S	11E	17	SE NE
19S	11E	17	SW NW
19S	11E	17	SE NW
19S	11E	18	SE NE
19S	11E	18	NE SE
19S	11E	18	SE SE
19S	11E	19	NE NE
19S	11E	19	SE NE
19S	11E	20	SW NW
19S	11E	20	NW SW
19S	11E	20	SW SW
19S	11E	29	NW NW
19S	11E	29	SW NW
19S	11E	30	NE NE
19S	11E	30	SE NE
19S	11E	30	NE SE
19S	11E	30	NW SE
19S	11E	30	SW SE
19S	11E	30	SE SE

Township	Range	Section	1/4 - 1/4
19S	11E	31	NE NE
19S	11E	31	NW NE
19S	11E	31	SW NE
19S	11E	31	SE NE
19S	11E	31	NE NW
19S	11E	31	SW NW
19S	11E	31	SE NW
19S	11E	31	NE SW
19S	11E	31	NW SW
19S	11E	31	SW SW
19S	11E	31	SE SW
19S	11E	31	SW SE
20S	11E	6	NE NW
20S	11E	6	NW NW
20S	11E	6	SW NW
20S	11E	6	SE NW
20S	11E	6	NE SW
20S	11E	6	NW SW
20S	11E	6	SW SW
20S	11E	6	SE SW
20S	11E	6	SW SE
20S	11E	7	NW NE
20S	11E	7	SW NE
20S	11E	7	NE NW
20S	11E	7	SE NW
20S	11E	7	NE SW
20S	11E	7	NE SE
20S	11E	7	NW SE
20S	11E	8	NW SW
20S	11E	8	SW SW
20S	11E	17	NW NW
20S	11E	17	SW NW
20S	11E	17	NW SW
20S	11E	17	SW SW
20S	11E	18	NE SE
20S	11E	18	SE SE
20S	11E	19	NE NE
20S	11E	19	SE NE
20S	11E	19	NE SE
20S	11E	19	SW SE
20S	11E	19	SE SE
20S	11E	20	NW NW
20S	11E	20	SW NW
20S	11E	20	NW SW
20S	11E	20	SW SW
20S	11E	30	NE NE

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Township	Range	Section	1/4 - 1/4
20S	11E	30	NW NE
20S	11E	30	SW NE
20S	11E	30	SE NE
20S	11E	30	NE SE
20S	11E	30	NW SE
20S	11E	30	SW SE
20S	11E	30	SE SE
20S	11E	31	NW NE
20S	11E	31	SW NE
20S	11E	31	SE NW
20S	11E	31	NE SW
20S	11E	31	NW SW
20S	11E	31	SW SW
20S	11E	31	SE SW
21S	10E	1	SE NE
21S	10E	1	NE SE
21S	10E	1	SW SE
21S	10E	1	SE SE
21S	10E	12	NW NE
21S	10E	12	SW NE
21S	10E	12	NE NW
21S	10E	12	SE NW
21S	10E	12	NE SW
21S	10E	12	SW SW
21S	10E	12	SE SW
21S	10E	13	NE NW
21S	10E	13	NW NW
21S	10E	13	SW NW
21S	10E	13	NW SW
21S	10E	14	SE NE
21S	10E	14	NE SE
21S	10E	14	SW SE
21S	10E	14	SE SE
21S	10E	23	NE NE
21S	10E	23	NW NE
21S	10E	23	SW NE
21S	10E	23	SE NE
21S	10E	23	NE SE
21S	10E	23	NW SE
21S	10E	23	SW SE
21S	10E	26	NE NE
21S	10E	26	NW NE
21S	10E	26	SW NE
21S	10E	26	SE NE
21S	10E	26	NE SE
21S	10E	26	NW SE

Township	Range	Section	1/4 - 1/4
21S	10E	26	SW SE
21S	10E	26	SE SE
21S	10E	35	NE NE
21S	10E	35	NW NE
21S	10E	35	SW NE
21S	10E	35	SE NW
21S	10E	35	NE SW
21S	10E	35	SE SW
21S	10E	35	NW SE
21S	11E	6	NE NW
21S	11E	6	NW NW
21S	11E	6	SW NW
21S	11E	6	NW SW
22S	9E	24	NE NE
22S	9E	24	SW NE
22S	9E	24	SE NE
22S	9E	24	NW SE
22S	9E	24	SW SE
22S	9E	25	NW NE
22S	9E	25	SW NE
22S	9E	25	NE NW
22S	9E	25	SE NW
22S	9E	25	NE SW
22S	9E	25	NE SE
22S	9E	25	NW SE
22S	9E	25	SW SE
22S	9E	25	SE SE
22S	9E	36	NE NE
22S	9E	36	NW NE
22S	9E	36	SW NE
22S	9E	36	SE NW
22S	9E	36	NE SW
22S	9E	36	NW SW
22S	9E	36	SW SW
22S	9E	36	SE SW
22S	9E	36	NW SE
22S	10E	2	NE NW
22S	10E	2	NW NW
22S	10E	2	SW NW
22S	10E	2	NE SW
22S	10E	2	NW SW
22S	10E	2	SW SW
22S	10E	9	SW SW
22S	10E	9	SE SW
22S	10E	9	NE SE
22S	10E	9	NW SE

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Township	Range	Section	1/4 - 1/4
22S	10E	9	SW SE
22S	10E	9	SE SE
22S	10E	10	NE NE
22S	10E	10	NW NE
22S	10E	10	SW NE
22S	10E	10	SE NE
22S	10E	10	SW NW
22S	10E	10	SE NW
22S	10E	10	NE SW
22S	10E	10	NW SW
22S	10E	11	NW NW
22S	10E	16	NE NW
22S	10E	16	NW NW
22S	10E	17	NE NE
22S	10E	17	NW NE
22S	10E	17	SW NE
22S	10E	17	SW NW
22S	10E	17	SE NW
22S	10E	17	NW SW
22S	10E	18	SE NE
22S	10E	18	SW SW
22S	10E	18	SE SW
22S	10E	18	NE SE
22S	10E	18	SW SE
22S	10E	18	SE SE
22S	10E	19	NW NW
23S	9E	1	NW NW
23S	9E	1	SW NW
23S	9E	2	SE NE
23S	9E	2	NE SE
23S	9E	2	SW SE
23S	9E	2	SE SE
23S	9E	11	NE NE
23S	9E	11	NW NE
23S	9E	11	SW NE
23S	9E	11	SE NE
23S	9E	11	NE SE
23S	9E	11	NW SE
23S	9E	11	SW SE
23S	9E	14	NW NE
23S	9E	14	SW NE
23S	9E	14	NE NW
23S	9E	14	SE NW
23S	9E	14	NW SE
23S	9E	14	SW SE
23S	9E	23	NW NE

Township	Range	Section	1/4 - 1/4
23S	9E	23	SW NE
23S	9E	23	NW SE
23S	9E	23	SW SE
23S	9E	26	NW NE
23S	9E	26	SW NE
23S	9E	26	NE NW
23S	9E	26	SE NW
23S	9E	26	NE SW
23S	9E	26	NW SW
23S	9E	26	SW SW
23S	9E	26	SE SW
23S	9E	33	SW SE
23S	9E	33	SE SE
23S	9E	34	SW NE
23S	9E	34	SE NE
23S	9E	34	NE SW
23S	9E	34	NW SW
23S	9E	34	SW SW
23S	9E	34	SE SW
23S	9E	34	NW SE
23S	9E	35	NW NW
23S	9E	35	SW NW
24S	6E	1	NE SW
24S	6E	1	SW SW
24S	6E	1	SE SW
24S	6E	1	NE SE
24S	6E	1	NW SE
24S	6E	1	SE SE
24S	6E	11	NE NE
24S	6E	11	SW NE
24S	6E	11	SE NE
24S	6E	11	NE SW
24S	6E	11	SE SW
24S	6E	11	NW SE
24S	6E	12	NW NW
24S	7E	6	SW SW
24S	7E	7	NW NW
24S	7E	7	SW NW
24S	7E	7	SE NW
24S	7E	7	NE SW
24S	7E	7	NW SW
24S	7E	7	SE SW
24S	7E	13	NE NE
24S	7E	13	SW NE
24S	7E	13	SE NE
24S	7E	13	SW NW

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Township	Range	Section	1/4 - 1/4
24S	7E	13	SE NW
24S	7E	14	SW NE
24S	7E	14	SE NE
24S	7E	14	SW NW
24S	7E	14	SE NW
24S	7E	14	NE SW
24S	7E	15	SE NE
24S	7E	15	NE SW
24S	7E	15	NW SW
24S	7E	15	SW SW
24S	7E	15	NE SE
24S	7E	15	NW SE
24S	7E	16	SE SE
24S	7E	17	NW SW
24S	7E	17	SW SW
24S	7E	17	SE SW
24S	7E	18	NW NE
24S	7E	18	SW NE
24S	7E	18	NE NW
24S	7E	18	NE SE
24S	7E	18	NW SE
24S	7E	18	SW SE
24S	7E	18	SE SE
24S	7E	20	NE NE
24S	7E	20	NW NE
24S	7E	20	NE NW
24S	7E	21	NE NE
24S	7E	21	NW NE
24S	7E	21	NE NW
24S	7E	21	NW NW
24S	7E	21	SW NW
24S	7E	21	SE NW
24S	8E	7	SW SW
24S	8E	7	SE SW
24S	8E	7	SW SE
24S	8E	7	SE SE
24S	8E	8	SW SW
24S	8E	8	SE SW
24S	8E	8	NE SE
24S	8E	8	NW SE
24S	8E	8	SW SE
24S	8E	8	SE SE
24S	8E	9	SW SW
24S	8E	9	SE SW
24S	8E	9	SW SE
24S	8E	9	SE SE

Township	Range	Section	1/4 - 1/4
24S	8E	10	SW SW
24S	8E	11	SE SE
24S	8E	12	SE NE
24S	8E	12	SW SW
24S	8E	12	SE SW
24S	8E	12	NE SE
24S	8E	12	NW SE
24S	8E	12	SW SE
24S	8E	12	SE SE
24S	8E	13	NE NW
24S	8E	13	NW NW
24S	8E	14	NE NE
24S	8E	14	NW NE
24S	8E	14	SW NE
24S	8E	14	SE NW
24S	8E	14	NE SW
24S	8E	14	SW SW
24S	8E	14	SE SW
24S	8E	14	NW SE
24S	8E	15	NW NW
24S	8E	15	SW NW
24S	8E	15	NE SW
24S	8E	15	NW SW
24S	8E	15	NE SE
24S	8E	15	NW SE
24S	8E	15	SW SE
24S	8E	15	SE SE
24S	8E	16	NE NE
24S	8E	16	NW NE
24S	8E	16	NE NW
24S	8E	18	NW NW
24S	8E	23	NW NW
24S	9E	4	NE NE
24S	9E	4	NW NE
24S	9E	4	NE NW
24S	9E	4	NW NW
24S	9E	4	SW NW
24S	9E	5	SE NE
24S	9E	5	NE SW
24S	9E	5	NW SW
24S	9E	5	SW SW
24S	9E	5	NE SE
24S	9E	5	NW SE
24S	9E	6	SE SE
24S	9E	7	NE NE
24S	9E	7	NW NE

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Township	Range	Section	1/4 - 1/4
24S	9E	7	NE NW
24S	9E	7	NW NW
24S	9E	7	SW NW

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Attachment C

Land Use Information Forms

Tumalo Irrigation District

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5-88478

# Land Use Information Form



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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

### This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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# Land Use Information Form



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

Applicant(s): Tumalo Irrigation District

Mailing Address: 64697 Cook Avenue

City: Bend

State: OR

Zip Code: 97703

Daytime Phone: 541 382-3052

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
Please see attached maps						<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Mitigation for groundwater pumping (downstream wildlife and fish life use)</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Klamath County  
Deschutes County  
Jefferson County  
City of La Pine  
City of Bend

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## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

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Source of water:  Reservoir/Pond   
 Ground Water   
 Surface Water (name) \_\_\_\_\_

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Estimated quantity of water needed: 1,000   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:   
 Irrigation   
 Commercial   
 Industrial   
 Domestic for \_\_\_\_\_ household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

The applicant is requesting a permit for 1,000 acre-feet of stored water from Crescent Lake Reservoir for downstream wildlife and fish life use. The "place of use" for the permit is in Crescent Creek, then into the Little Deschutes River, and then into the Deschutes River from Crescent Reservoir to Lake Billy Chinook. This permit will be used by Tumalo Irrigation District to obtain mitigation credits that can be used for groundwater pumping under the Deschutes Basin Groundwater Mitigation Rules. In each year between November 1 and March 31, 1,000 acre-feet of stored water will be released for downstream wildlife and fish life use.

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

# Land Use Information Form



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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

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- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

**RECEIVED**

NOV 29 2017

**OWRD**



# Land Use Information Form



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

Applicant(s): Tumalo Irrigation District

Mailing Address: 64697 Cook Avenue

City: Bend

State: OR

Zip Code: 97703

Daytime Phone: 541 382-3052

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>Please see attached maps</u>					_____	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Wildlife and fish life use in Little Deschutes River and Deschutes River downstream of Crescent Reservoir</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Klamath County  
Deschutes County  
Jefferson County  
City of La Pine  
City of Bend

## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond   
 Ground Water   
 Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 1,000   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:   
 Irrigation   
 Commercial   
 Industrial   
 Domestic for \_\_\_\_\_ household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

The applicant is requesting a permit for 1,000 acre-feet of stored water from Crescent Lake Reservoir for downstream wildlife and fish life use. The "place of use" for the permit is in Crescent Creek, then into the Little Deschutes River, and then into the Deschutes River from Crescent Reservoir to Lake Billy Chinook. This permit will be used by Tumalo Irrigation District to obtain mitigation credits that can be used for groundwater pumping under the Deschutes Basin Groundwater Mitigation Rules. In each year between November 1 and March 31, 1,000 acre-feet of stored water will be released for downstream wildlife and fish life use.

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

**RECEIVED**

See bottom of Page 3. →

NOV 29 2017

**OWRD**

*S-00478*

# For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Wildlife habitat improvement is not regulated by Klamath County.
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Mark Gallagher Title: Planning Director  
 Signature: *Mark Gallagher* Phone: 541-851-3667 Date: 10-27-17  
 Government Entity: Klamath County

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

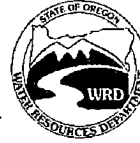
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OWRD

*583478*

# Land Use Information Form



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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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**OWRD**

# Land Use Information Form



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

Applicant(s): Tumalo Irrigation District

Mailing Address: 64697 Cook Avenue

City: Bend

State: OR

Zip Code: 97703

Daytime Phone: 541 382-3052

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
Please see attached maps						<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Wildlife and fish life use in <u>Little Deschutes River and Deschutes River downstream of Crescent Reservoir</u>

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Klamath County  
Deschutes County  
Jefferson County  
City of La Pine  
City of Bend

## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond   
 Ground Water   
 Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 1,000   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:   
 Irrigation   
 Commercial   
 Industrial   
 Domestic for \_\_\_\_\_ household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

The applicant is requesting a permit for 1,000 acre-feet of stored water from Crescent Lake Reservoir for downstream wildlife and fish life use. The "place of use" for the permit is in Crescent Creek, then into the Little Deschutes River, and then into the Deschutes River from Crescent Reservoir to Lake Billy Chinook. This permit will be used by Tumalo Irrigation District to obtain mitigation credits that can be used for groundwater pumping under the Deschutes Basin Groundwater Mitigation Rules. In each year between November 1 and March 31, 1,000 acre-feet of stored water will be released for downstream wildlife and fish life use.

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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NOV 29 2017

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

OWRD

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

Table with 3 columns: Type of Land-Use Approval Needed, Cite Most Significant, Applicable Plan Policies & Ordinance Section References, and Land-Use Approval (Obtained, Denied, Being Pursued, Not Being Pursued).

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Empty box for local government comments or recommendations.

Name: Izze Liu Title: Assistant Planner
Signature: [Signature] Phone: 541-388-6554 Date: November 14, 2017
Government Entity: Deschutes County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: Bruce Body-Hene
City or County: Deschutes County Staff contact: Kyle Collins
Signature: [Signature] Phone: 541 383 4427 Date: 10/25/2017

5-88478

# Land Use Information Form



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

## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

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- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
  - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b) The application involves a change in place of use only;
  - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d) The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

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NOV 29 2017

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# Land Use Information Form



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

Applicant(s): Tumalo Irrigation District

Mailing Address: 64697 Cook Avenue

City: Bend

State: OR

Zip Code: 97703

Daytime Phone: 541 382-3052

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

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Please see attached maps						<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Wildlife and fish life use in Little Deschutes River and Deschutes River downstream of Crescent Reservoir

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Klamath County  
Deschutes County  
Jefferson County  
City of La Pine  
City of Bend

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## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond   
 Ground Water   
 Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 1,000   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:   
 Irrigation   
 Commercial   
 Industrial   
 Domestic for \_\_\_\_\_ household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

The applicant is requesting a permit for 1,000 acre-feet of stored water from Crescent Lake Reservoir for downstream wildlife and fish life use. The "place of use" for the permit is in Crescent Creek, then into the Little Deschutes River, and then into the Deschutes River from Crescent Reservoir to Lake Billy Chinook. This permit will be used by Tumalo Irrigation District to obtain mitigation credits that can be used for groundwater pumping under the Deschutes Basin Groundwater Mitigation Rules. In each year between November 1 and March 31, 1,000 acre-feet of stored water will be released for downstream wildlife and fish life use.

**Note to applicant:** If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

3-282078

# For Local Government Use Only

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**Please check the appropriate box below and provide the requested information**

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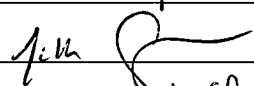
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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NOV 29 2017

OWRD

Name: Jefferson Spencer Title: Planning Director  
 Signature:  Phone: 541-475-4462 Date: 11/8/17  
 Government Entity: Jefferson County Community Development

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**Receipt for Request for Land Use Information**

Applicant name: Tumalo Irrigation District  
 City or County: Jefferson County Staff contact: Jefferson Spencer  
 Signature: Kate Weith Phone: 541-475-4462 Date: 11/8/17

5-888078



# Land Use Information Form



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

Applicant(s): Tumalo Irrigation District

Mailing Address: 64697 Cook Avenue

City: Bend

State: OR

Zip Code: 97703

Daytime Phone: 541 382-3052

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

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Please see attached maps						<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Wildlife and fish life use in Little Deschutes River and Deschutes River downstream of Crescent Reservoir

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Klamath County  
Deschutes County  
Jefferson County  
City of La Pine  
City of Bend

## B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water   
  Water Right Transfer   
  Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
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Source of water:  Reservoir/Pond   
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 Surface Water (name) \_\_\_\_\_

Estimated quantity of water needed: 1,000   
 cubic feet per second   
 gallons per minute   
 acre-feet

Intended use of water:   
 Irrigation   
 Commercial   
 Industrial   
 Domestic for \_\_\_\_\_ household(s)  
 Municipal   
 Quasi-Municipal   
 Instream   
 Other \_\_\_\_\_

Briefly describe:

The applicant is requesting a permit for 1,000 acre-feet of stored water from Crescent Lake Reservoir for downstream wildlife and fish life use. The "place of use" for the permit is in Crescent Creek, then into the Little Deschutes River, and then into the Deschutes River from Crescent Reservoir to Lake Billy Chinook. This permit will be used by Tumalo Irrigation District to obtain mitigation credits that can be used for groundwater pumping under the Deschutes Basin Groundwater Mitigation Rules. In each year between November 1 and March 31, 1,000 acre-feet of stored water will be released for downstream wildlife and fish life use.

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See bottom of Page 3. →

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**OWRD**

5-88478

# For Local Government Use Only

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Land-uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):

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Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

No land use or development proposals/projects are requested/applicable.

Name: Beth LaFleur Title: Associate Planner  
 Signature: *Beth LaFleur* Phone: 541.330.4019 Date: 10/25/17  
 Government Entity: City of Bend

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

**Receipt for Request for Land Use Information**

Applicant name: GSI Water Solutions  
 City or County: City of Bend Staff contact: Beth LaFleur  
 Signature: *Beth LaFleur* Phone: 541.330.4019 Date: 10/25/17

PZ-17-0747

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Attachment D  
Master Title/Use Plat  
Tumalo Irrigation District

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5-88478

PARTIALLY SURVEYED TOWNSHIP 24 SOUTH RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, OREGON

Protraction Diagram No 4, completed 04/21/1966  
File No 8 3374435 03/06/1966, Amel 07/24/1966

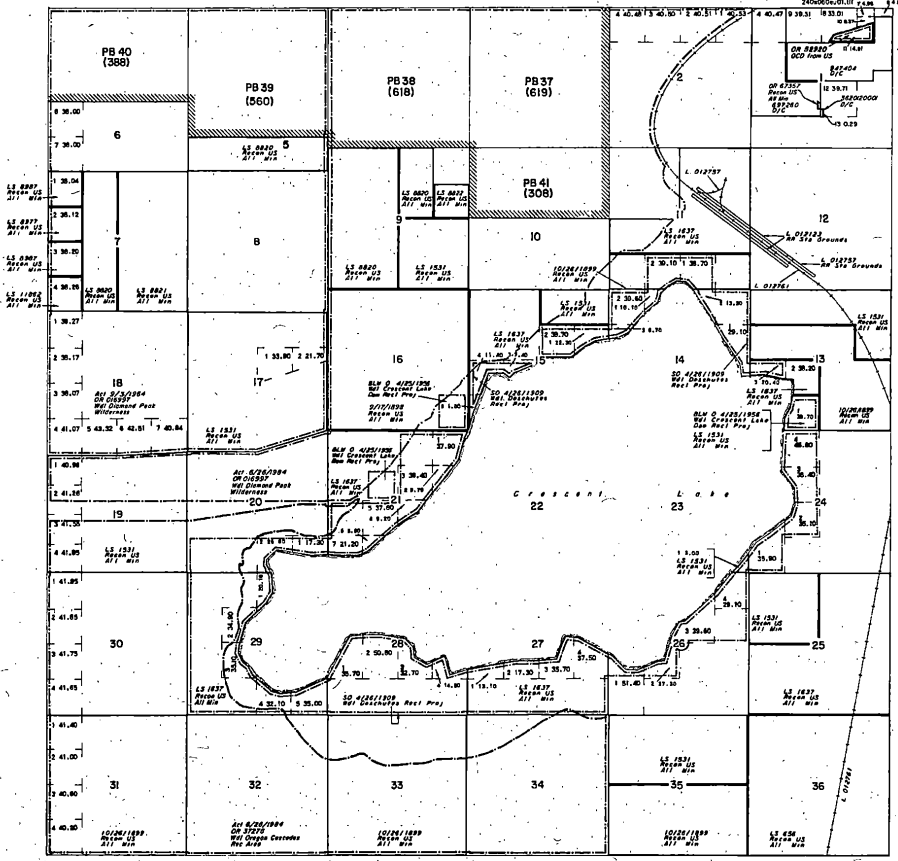
PRINEVILLE DISTRICT  
KLAMATH COUNTY

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

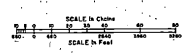
MT/USE PLAT

INDEX TO SEGREGATED TRACTS		
TRACT NO	T	SEC

- FOR ORDERS AFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERAL, WATER AND/OR OTHER PUBLIC PURPOSES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.
- All Tracts incl. in WR Describes NF Prop 1303 07/29/1951
- All Tracts incl. in OR 02466 Def Pl 167 Act of Cong. 07/23/1951 completed 10/29/1951, all NF surface owned by FS.
- OR 4470 WR FS Crescent Creek W of Stearns River 10/20/1959
- OR 4470 WR FS Crescent Creek W of Stearns River 10/20/1959
- Sec 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
- OR 66636 PD - FS v Appl 12/26/2010
- Sec 1, 16, 33, 34



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 OWRPD



**WARNING STATEMENT**  
This plat is the property of the Bureau of Land Management and is loaned to the user for a limited purpose. It is not to be used for any other purpose. The user is to protect this plat and return it to the Bureau of Land Management in the original condition. The user is to be held responsible for any alteration or damage to this plat. The Bureau of Land Management is not responsible for any alteration or damage to this plat.

FILE REF: 840608060101	MAD NUMBER: 840608060101
CONVERT SPEC: 10/20/1959	BY: H. GOSCH
LAST UPDATED: 08/13/2002	BY: B. LEAVENWORTH
INDEXED TO PUBLIC RECORDS: 08/13/2002	
PARTIALLY SURVEYED TOWNSHIP	
PROTRACTED COORDINATE SOURCE:	Cederal Act of 1866
APPROVED BY APPROVED:	07/28/1966
SURVEYED COORDINATE SOURCE:	
SURVEYED BY:	H/A
PLS SOURCE:	Examined Original MTP
OTHER:	N/A
PRODUCTION:	N/A
COORDINATE ELEVATION:	N/A
SOURCE FOR METES & BOUNDS:	Original MTP
NOTES:	
USE PLAT: 646	

T. 24 S.  
R. 6 E.

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Attachment E  
Water Right Certificates 76683 and 76637  
Tumalo Irrigation District

---

5-09478

STATE OF OREGON  
COUNTY OF KLAMATH  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TUMALO IRRIGATION DISTRICT  
64697 COOK AVE  
BEND, OREGON 97701

confirms the right to store the waters of THE DRAINAGE AREA DRAINING INTO CRESENT LAKE, a tributary of CRESENT CREEK AND LITTLE DESCHUTES RIVER, in CRESENT LAKE RESERVOIR, for MULTIPLE PURPOSE USES AS PROVIDED BY DECREE OF THE CIRCUIT COURT OF DESCHUTES COUNTY, OREGON, DATED FEBRUARY 10, 1928 AS MODIFIED, 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 COLUMBIA RIVER.

The right to store these waters was perfected under Reservoir Permit R-102. The date of priority is MARCH 20, 1911. The amount of water entitled to be stored each year under this right is not more than 35,000 ACRE- FEET AND THE MAXIMUM QUANTITY OF WATER STORED AT ANY TIME SHALL NOT EXCEED 86,050 ACRE- FEET.

The reservoir is located as follows:

SE 1/4 SW 1/4  
SW 1/4 SE 1/4  
SECTION 11

W 1/2 SW 1/4  
SECTION 13

ALL (EXCEPT NW 1/4 NW 1/4)  
SECTION 14

S 1/2 NE 1/4  
NE 1/4 SW 1/4  
S 1/2 SW 1/4  
SE 1/4  
SECTION 15

S 1/2 SE 1/4  
SECTION 20

ALL  
SECTIONS 22 AND 23

NE 1/4 NE 1/4  
S 1/2 NE 1/4  
S 1/2  
SECTION 21

W 1/2 W 1/2  
SECTION 24

TOWNSHIP 24 SOUTH, RANGE 6 EAST, WM

W 1/2 W 1/2  
SECTION 24

N 1/2 NE 1/4  
SW 1/4 NE 1/4  
NW 1/4  
NW 1/4 SW 1/4  
SECTION 26

N 1/2  
SW 1/4  
N 1/2 SE 1/4  
SECTION 27

N 1/2  
N 1/2 S 1/2  
SECTION 28

NE 1/4  
NE 1/4 SW 1/4  
SE 1/4  
SECTION 29

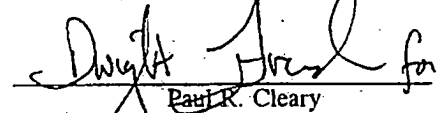
TOWNSHIP 24 SOUTH, RANGE 6 EAST, WM

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

This certificate is issued to confirm a change in USE approved by an order of the Water Resources Director entered OCTOBER 11, 2000, and supersedes Certificate 12072, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed DECEMBER 15, 2000.

  
Paul R. Cleary

T-8556A

Recorded in State Record of Water Right Certificates numbered 76683.

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8-20479

STATE OF OREGON  
COUNTY OF KLAMATH  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TUMALO IRRIGATION DISTRICT  
64697 COOK AVE  
BEND, OREGON 97701

confirms the right to store the waters of CRESENT LAKE, a tributary of CRESENT CREEK AND LITTLE DESCHUTES RIVER, in CRESENT LAKE RESERVOIR, appropriated under Permit 27841, for MULTIPLE PURPOSE USES.

The right to store these waters was perfected under Reservoir Permit R-2744. The date of priority is DECEMBER 8, 1961. The amount of water entitled to be stored each year under this right is not more than 51,050 ACRE-FEET.

The reservoir is located as follows:

SE 1/4 SW 1/4  
SW 1/4 SE 1/4  
SECTION 11

W 1/2 SW 1/4  
SECTION 13

ALL (EXCEPT NW 1/4 NW 1/4)  
SECTION 14

S 1/2 NE 1/4  
NE 1/4 SW 1/4  
S 1/2 SW 1/4  
SE 1/4  
SECTION 15

S 1/2 SE 1/4  
SECTION 20

ALL  
SECTIONS 22 AND 23

NE 1/4 NE 1/4  
S 1/2 NE 1/4  
S 1/2  
SECTION 21

W 1/2 W 1/2  
SECTION 24

TOWNSHIP 24 SOUTH, RANGE 6 EAST, WM

W 1/2 W 1/2  
SECTION 24

N 1/2 NE 1/4  
SW 1/4 NE 1/4  
NW 1/4  
NW 1/4 SW 1/4  
SECTION 26

N 1/2  
SW 1/4  
N 1/2 SE 1/4  
SECTION 27

N 1/2  
N 1/2 S 1/2  
SECTION 28

NE 1/4  
NE 1/4 SW 1/4  
SE 1/4  
SECTION 29

TOWNSHIP 24 SOUTH, RANGE 6 EAST, WM

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The right to store and use the water for the above purpose is restricted to beneficial use at the place of use described.

This certificate is issued to confirm a change in USE approved by an order of the Water Resources Director entered OCTOBER 11, 2000, and supersedes Certificate 76451, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed DECEMBER 15, 2000.

  
Paul R. Cleary

T-8556B

Recorded in State Record of Water Right Certificates numbered 76637.



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
WASHINGTON 25, D. C.

420

OCT 11 AM 9:31

OCT - 7 1954

400	10/11
150	WB 1/1

FILE

To: Regional Director, Boise, Idaho

From: Chief, Irrigation Division

Subject: Present rights of the Deschutes County Municipal Improvement District in Crescent Lake Dam and Reservoir

Please refer to your letter of August 13, requesting a copy of the permit for the subject reservoir.

A copy of the General Land Office's letter of March 24, 1913, approved by the Secretary on the same date, together with a copy of the approved right-of-way map is enclosed for your information.

*[Handwritten Signature]*

*T-8556*

Enclosures 2

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JUN 27 2000

WATER RESOURCES DIVISION  
SALEM, OREGON





UNITED STATES  
DEPARTMENT OF THE INTERIOR

DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE  
WASHINGTON 25, D. C.

March 24, 1913.

T-8556

Crescent Lake Reservoir, : Submitting map for approval.  
Deschutes Land Company. :

The Secretary

of the Interior.

Sir:

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The Deschutes Land Company has made application under the provisions of the Act of Congress of March 3, 1891 (26 Stat., 1095) and Section 2 of the act of May 11, 1898 (30 Stat., 404) for reservoir easement embracing Crescent Lake, Oregon, in T. 24 S., R. 6 E., W. M., Lakeview, Oregon, land district. The articles of incorporation, proofs of organization, etc., have been filed and the company is duly authorized thereby to construct a reservoir at the site proposed.

Prima facie evidence of water right also accompanies the application. The map filed in connection with the application substantially conforms to the township plats except for a delineation and numbering of all of the

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WATER RESOURCES DEPT.  
SALEM, OREGON

lots affected. This is a minor correction, however, which can readily be made in this office.

The reservoir proposed is included within the limits of a national forest, and also affects lands withdrawn under the first form by the Secretary of the Interior on April 26, 1909, under the act of June 17, 1902 (32 Stat., 388).

The Acting Secretary of Agriculture in a letter dated January 16, 1911, states that the company has executed the stipulations required by the Department of Agriculture for the protection of the national-forest interests, and that, therefore, that Department has no objection to the approval of the map filed by the company.

The Acting Director of the Geological Survey in reporting on this application, under date of June 10, 1910, states-

"It is the intention of this company to construct a reservoir by enlarging the present Crescent Lake, and there accompanies the application a stipulation in which the company agrees to turn over its right of way to the Government in case the right of way is needed for additional irrigation. In view of this stipulation it is believed that the interests of the Government are fully protected and I therefore recommend the approval of this application."

The Director of the U. S. Reclamation Service in reporting on this application, under date of April 1, 1910, states that the company-

"has executed the stipulation mentioned in office letter to you of February 17 and that there is therefore no longer any reason for withholding the approval of this application."

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In his report to the Department dated February 22, 1913, on the operations of the Deschutes Land Company, Mr. Edward W. Dixon, Special Inspector, states, with respect to the Crescent Lake Reservoir feature of the company's project-

T-8556

"There is, in my judgment, no reason why the company's application for easement for the Crescent Lake Reservoir should not be passed upon, and I therefore recommend that it be approved."

Crescent Lake forms one of the sources of supply of the Deschutes River, and in pursuance of the present practice instituted by Departmental instructions of February 27, 1913, with respect to applications which involve the use of the waters of the Deschutes River and its tributaries, the application was referred to the Director of the Reclamation Service for report as to its possible conflict with ~~plans that may be developed as a result of the co-operative~~ investigation to be conducted by representatives of the Federal Government and the State of Oregon for the purpose of developing plans for the most beneficial use of the waters of the Deschutes River and its tributaries. In a letter to the Secretary of the Interior, dated March 13, 1913, the director of the U. S. Reclamation Service, after quoting excerpts from Mr. Dixon's report, states-

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"Relying upon the thorough manner in which Mr. Dixon has gone into the matter, I believe that prompt action should be taken without incurring further delay or referring these papers back to Oregon for consideration by the local men as to whether or not they may interfere with possible future plans. I concur, therefore, in Mr. Dixon's recommendation."

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-3- JUN 27 2000

WATER RESOURCES DEPT  
SALEM OREGON

Mr. Dixon's recommendation, with respect to this application, has heretofore been quoted. Both Mr. Dixon's report and the report of the Director of the U. S. Reclamation Service are hereto attached. As will be seen, Mr. Dixon's report was made at a date prior to Departmental instructions regarding the Deschutes River drainage.

T 8556

Attention is called to paragraph 3 of the contract between the State of Oregon and the United States, dated February 27, 1913, which reads as follows:

"The Secretary of the Interior shall take such action as is authorized by law to prevent the attachment of any rights to the public lands which could interfere with the proposed development of the Deschutes River Basin herein provided for, and the State Engineer of Oregon shall likewise secure such action as is authorized by law to withdraw and hold from appropriation any unappropriated water which may be required for carrying out any projects for development of the water resources within the Deschutes River Basin."

Aside from the Deschutes River drainage question, no good reason appears on the records of this office why this application should not be allowed at this time, and if, in the opinion of the Department, this application is one which falls outside of those contemplated by paragraph 3 of the contract, above quoted, it is recommended that the map, herewith, showing the location of the proposed reservoir site, be approved, subject to all valid existing rights, and subject to the stipulations entered into by the company with the Department of Agriculture with respect to the national-forest interests affected, and with the Department of the

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JUN 27 2000

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WATER RESOURCES DEPT  
SALEM, OREGON

S-28479

Interior with respect to the operations of the Reclamation Service; and reserving right of way for canals or ditches constructed by authority of the United States.

↑ 8556

Very respectfully,

Fred Dennett  
Commissioner.

March 24, 1913

Approved: Franklin K. Lane

Secretary.

One copy to Geological Survey.

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JUN 27 2000

RESOURCES DEPT.  
SALEM, OREGON



United States Department of the Interior  
BUREAU OF RECLAMATION



Pacific Northwest Region  
1150 North Curtis Road, Suite 100  
Boise ID 83706-1234

PN-3908  
LND-3.00

NOV 03 1999

Mr. William Hopp, Jr.  
Hopp & Paulson, LLP  
Attorneys at Law  
168 NW. Greenwood  
Bend OR 97701

Subject: Ownership Issues, Crescent Lake Reservoir, Oregon

Dear Mr. Hopp:

Enclosed is a copy of an October 7, 1954, memorandum containing the location map you requested and other pertinent information in its enclosures. The map contains the approval of the Secretary of the Interior which established Tumalo Irrigation District's (District) right-of-way for Crescent Lake Reservoir. We apologize for the poor quality of the map and suggest that you might be able to obtain a better copy in the archived General Land Office records through the Bureau of Land Management.

To summarize the information presented to you at the recent meeting held in your office, we provide the following:

Article 22 of the September 20, 1954, Repayment Contract between Reclamation and the District (Contract No. 14-06-100-566) provided as follows:

"(a) Title to that part of the present Crescent Lake Dam and Reservoir and all other works, rights of way and appurtenances which will be utilized in reconstructing the project works, shall be conveyed to the United States. Title to any part of the present irrigation system of the District not so utilized may be retained by the District. Title to all works constructed, reconstructed, or repaired in accordance with this contract shall be vested in the United States.

(b) Title shall be conveyed to the United States as provided in (a) of this article by an instrument providing for, among other things, the reversion of title in the District, including works to be constructed, reconstructed, or repaired in accordance with this contract, on the termination of this contract as provided in article 7."

Article 7 read: "This contract shall become effective upon its execution by the Secretary, and shall remain in effect until the District has paid to the United States, in full, its reconstruction charge obligation and any and all other amounts owing to the United States under this contract."

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S-88478

There is no record of any conveyance instrument from the District to the United States conveying its right-of-way or easement interest, and the District's obligation under the repayment contract was paid out in June 1998. Reclamation's position is that the ownership of the property is no different than existed prior to the Repayment Contract:

(1) Fee title to the entire reservoir area, including the location of the damsite, remains in the name of the United States of America and is presently under a Reclamation withdrawal.

(2) The District holds a right of way as set forth by the following approval on the map submitted by their predecessor under the Act of March 3, 1891:

*"Department of the Interior  
March 24, 1913*

*Pursuant to the Act of Congress of March 3, 1891 (26 Stat. 1095) and Sec. 2 of the Act of May 11, 1898 (30 Stat. 404) this map of location is approved subject to all valid existing rights and subject to the terms of the stipulations entered into with the Dept. of Agriculture and with the Dept. of the Interior and the withdrawal of April 26, 1909 under the first form, Act of June 17, 1902 (32 Stat. 388) is modified accordingly; right of way is also reserved for canals or ditches constructed by authority of the United States.*

*(signed) Franklin K. Lane  
Secretary"*

(The language of the Act of March 3, 1891, codified as 43 U.S.C. 946, is enclosed for your reference and reflects the grant of the right-of-way upon such approval.)

The Reclamation withdrawn lands lie within the boundaries of the Deschutes National Forest and, since a 1969 Memorandum of Agreement (Agreement) between Reclamation and the Forest Service, those lands identified as being outside the "Reclamation Zone" have been administered by the Forest Service. The Agreement also provides that the lands within the "Reclamation Zone" are operated and maintained by the District as specified under its repayment contract with Reclamation.

We have started internal discussions to determine what actions Reclamation may need to take in regard to this matter and to determine what it believes should be the relationship between the District and Reclamation. We will keep you informed of those discussions and will consult with you as we move forward. We realize that we should have mutual agreement on the future relationship.

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If you have any questions regarding the technical aspects of this matter, please contact Kraig Howe, Realty Specialist, at 208-378-5324. You should continue to work with Eric Glover on the policy issues related to this matter.

Sincerely,

*for* */ Diana Cross*  
J. William McDonald  
Regional Director

Enclosure

cc: Mr. Phil Cruz  
District Ranger  
Crescent Ranger District  
Deschutes National Forest  
PO Box 208  
Crescent OR 97733

Mr. Elmer G. McDaniels  
Manager  
Tumalo Irrigation District  
64697 Cook Avenue  
Bend OR 97701-9034 (both w/cy of encl.)

bc: LCA-1000 (Glover)  
BFO-3000 (Busch)  
PN-3300 (Patterson)  
(all w/cy of encl.)

WBR:KHowe:rdw 10-28-99 crescent lake letter\khowe

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IN REPLY REFER TO:

LCA-1000  
LND-3.00

## United States Department of the Interior

BUREAU OF RECLAMATION  
Pacific Northwest Region  
Lower Columbia Area Office  
825 NE Multnomah Street, Suite 1110  
Portland, Oregon 97232-2135

MAY 4 2000

MAY 2 2000

Carl William Hopp, Jr.  
Hopp & Paulson, LLP  
168 NW. Greenwood  
Bend, OR 97701

Subject: Crescent Lake Special Inspection, Crescent Lake Project, Oregon

Dear Mr. Hopp:

I regret the delay in responding to your letter of April 11. We have discussed the items raised in that letter, and we have begun processes to deal with them. We are, for instance, searching files for the records that you mentioned, and we will provide copies of those records to you. We are also aware of outstanding concerns that relate primarily to the U.S. Forest Service concession near the dam. We are trying to develop strategies that would help resolve those matters.

The last sentence of your letter states the following:

"Once these items are resolved, the District is prepared to assume control of Crescent Lake."

While I appreciate the intent of this statement, I remind you that Reclamation's only property interest at Crescent Lake is with a withdrawal of Forest Service land. It has no property interest in either the dam or the water right. I also understand that the Tumalo Irrigation District has an easement from the Forest Service for the dam and reservoir. Although I have not consulted with our attorney, I am of the opinion that the District controls Crescent Lake and not Reclamation. The activities in which Reclamation is now involved are to clear its internal administrative procedures which were established under the assumption that Reclamation had title to Crescent Lake Dam. I intend, to the best that I can, to make this internal process beneficial to the Tumalo Irrigation District. I do this for two reasons. First, it is the right thing to do. Second, I, and others within Reclamation, appreciate the working relationship that we have had, and hope to continue, with the District—we do it as friends.

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I have asked Leo Busch to coordinate this work for us. He may delegate the task to another employee within his group. I encourage you to work with Leo and his staff. You may always contact me if you have questions or concerns.

Sincerely,



J. Eric Glover  
Area Manager

cc: BFO-3000

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NOV 29 2017

**OWRD**

5-88470



**Water Solutions, Inc.**

November 29, 2017

Dwight French, Administrator  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

Re: Application for a secondary permit to use surface water from Crescent Lake Reservoir

Dear Dwight,

Please find enclosed an application for a secondary permit to use stored water from Crescent Lake Reservoir for fish life and wildlife use, submitted on behalf of Tumalo Irrigation District. The application proposes to use 1,000 acre-feet of stored water for downstream fish life and wildlife use in Crescent Creek, the Little Deschutes River, and the main stem Deschutes River. Tumalo Irrigation District requests that this application be processed as a mitigation project for mitigation credits in accordance with OAR 690-521-0300(1)(d).

Also enclosed is the required fee of \$3,326.

If you have any questions about the enclosed materials, please contact me at 541-257-9001.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Sussman".

Adam Sussman  
Principal, GSI Water Solutions, Inc.

Enclosures

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**Oregon Water Resources Department**  
**Apply for a Permit to Appropriate Surface Water**

- [Main](#)
- [Help](#)
- [Return](#)
- [Contact Us](#)

Today's Date: Wednesday, November 29, 2017

Base Application Fee for use of Surface and optionally Stored Water.		\$930.00
Number of proposed cubic feet per second (cfs) to be diverted. (1 cfs = 448.83 gallons per minute)	<del>3.317</del>	<del>\$1,400.00</del>
Number of proposed Use's for the appropriated water. (i.e. Irrigation, Supplemental Irrigation, Pond Maintenance, Industrial, Commercial, etc) *	1	
Number of proposed Surface Water points of diversions. **	0	
Number of Acre Feet to be diverted from Stored Water. (if the application is appropriating water from a pond/reservoir)	1000	\$1,876.00
Permit Recording Fee. ***		\$520.00
* the 1st Water Use is included in the base cost. ** the 1st Surface Water point of diversion is included in the base cost. *** the Permit Recording Fee is not required when the application is submitted but, must be paid before a permit will be issued. It is fully refundable if a permit is not issued. If the recording fee is not paid prior to issuance of the Final Order, permit issuance will be delayed.	Recalculate	
Estimated cost of Permit Application		\$4,726.00

OWRD Fee Schedule

3326.00

Fee Calculator Version: B20170117

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5-88478