

District

Name Swalley Irrigation district

Address 1041072 Cook Ave Ste 1
Bend Oregon 97703

Change in PO

Date Filed 12/29/2021

Initial notice date 1/11/2022

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 5/9/2022 Vol 125 Page 11-14

Correcting Order: 12/19/23 Vol-129 Pgs 532-534

C-Date 10/01/2023

COBU due date 10/01/2024

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Deschutes river

Trib. of Columbia

Pond mx, irrigation, recreation

Use Industrial, Nursery, Pollution County Deschutes

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# Decree Per # Deschutes Cert # 74145 PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
<u>12-29-2021</u>	<u>\$1360.00</u>	<u>137193</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent _____

CWRE _____

CC's list _____

- Oversized map - Location

BEFORE THE WATER RESOURCES DEPARTMENT
FOR THE
STATE OF OREGON

In the Matter of the Completion of a Change)
in Place of Use Under Transfer Application) DETERMINATION OF SATISFACTORY PROOF
T-13882, Deschutes County) OF COMPLETION FOR A PERMANENT
DISTRICT TRANSFER

Authority

Oregon Administrative Rule (OAR) 690-385-7400 describes the documentation the district must file with the Department in order to provide proof of use.

OAR 690-385-7600 provides in pertinent part that satisfactory proof shall be (a) a determination by the Department that application of water to beneficial use under the terms of the transfer final order was completed to the extent authorized, or (b) a determination by the Department that the application of water to a beneficial use under the terms of the transfer final order was completed to an extent less than authorized.

Oregon Revised Statute (ORS) 540.530(2)(a) and OAR 690-385-7600 authorize the Department to issue or modify a certificate of water right upon satisfactory proof of completion of the change or changes authorized by a final order approving a permanent district transfer.

Applicant

SWALLEY IRRIGATION DISTRICT
64672 COOK AVE, SUITE 1
BEND, OR 97703

Findings of Fact

1. On May 9, 2022, the Department signed a final order, which was mailed on May 10, 2022, and recorded in Special Order Volume 125, Pages 11-14, approving Transfer Application T-13882 involving Certificate 74145. The final order established October 1, 2023, as the date for completion of the authorized changes in place of use.
2. On December 19, 2023, the Department signed a correcting final order, which was mailed on December 19, 2023, and recorded in Special Order Volume 129, Pages 532-534, approving a change in place of use for 0.23 acres for nursery use under Transfer Application

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

T-13882 involving Certificate 74145. This 0.23 acre of nursery use was inadvertently omitted from the original final order.

3. On October 26, 2023, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-13882 satisfying the requirements for providing proof of use under OAR 690-380-6030.
4. The Department reviewed the CBU and map(s) submitted by the applicant for Transfer Application T-13882.
5. The CBU did not contain a map of the point of diversion from the source. However, since the transfer involved the transfer of places of use only within an irrigation district and did not involve a change in the point of diversion, the existing maps on file with the Department are sufficient to identify the point of diversion from the source.
6. The proposed place of use for Certificate 74145 as approved the final order for Transfer Application T-13882, and as recorded in Special Order Volume 125, Pages 11-14 is shown in Table 1, below:

Table 1:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	16	SW SE	2.92	1700	ORB LAND MANAGEMENT LLC	2021-03
16 S	12 E	WM	16	SE SE	0.48	1700	ORB LAND MANAGEMENT LLC	2021-03
16 S	12 E	WM	21	SW NE	1.68	103	ACHILLE	2021-02
16 S	12 E	WM	21	SE NW	0.32	103	ACHILLE	2021-02
16 S	12 E	WM	32	NE NE	1.00	200	CHANG	2021-05
16 S	12 E	WM	34	NE NW	6.48	300	FREEMAN	2021-06
17 S	12 E	WM	4	NW NE	2.00	228	GROSCUP FAMILY TRUST	2021-01
17 S	12 E	WM	4	NE NW	1.00	223	BURGIN ¹	2021-04
17 S	12 E	WM	17	NW SW	0.01	302	PETERSON	2021-07
17 S	12 E	WM	17	NW SW	0.72	300	PETERSON	2021-07
Total					16.61			

¹This is different from the water user then was listed in the transfer final order. It has been updated here to reflect the change as shown in the CBU.

7. The proposed place of use for Certificate 74145 as approved the correcting final order for Transfer Application T-13882, and as recorded in Special Order Volume 129, Pages 532-534, for nursery use is shown in Table 2, below:

Table 2:

NURSERY USE								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	16	SW SE	0.23	1700	ORB LAND MANAGEMENT LLC	2021-03

8. Based on the review of evidence submitted by the applicant, the Department finds that the application of water to beneficial use under the terms of the transfer final order for T-13882 was completed to the extent authorized in the transfer as described in Tables 1 and 2.

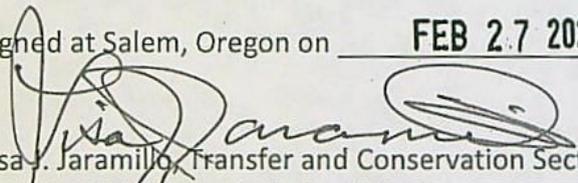
Conclusions of Law

1. The Applicant has submitted proof of use pursuant to OAR 690-385-7400.
2. Application of water to a beneficial use under the terms of the transfer final order has been made to the extent shown in Tables 1 and 2, above.
3. The applicant has demonstrated proof of completion under T-13882 to the satisfaction of the Department.
4. The Department is authorized to issue or modify certificates of water rights involved in transfer T-13882 consistent with this determination of satisfactory proof of completion.

Now, therefore, it is ORDERED:

1. Water right Certificate 74145 is modified as shown in Tables 1 and 2, above. The Department will issue a superseding certificate describing this right when it determines it is necessary for record keeping.

Signed at Salem, Oregon on FEB 27 2024


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

Mailing Date: FEB 28 2024



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

E-RECEIVED
 10/26/2023
 OWRD

District Permanent Water Right Transfer Claim of Beneficial Use

1. APPLICANT INFORMATION

District: Swalley Irrigation District

Contact Person: Kathy Ferguson

Phone: 541-388-0658

Mailing Address: 64672 Cook Ave., Ste. 1

City: Bend State: OR Zip: 97703

E-Mail address: kathy@swalley.com

Transfer Number: T - 13882

2. WATER RIGHT(S)

Pursuant to OAR Chapter 690, Division 385, the district is submitting to the Water Resources Department this claim of beneficial use, with the appropriate fee, for the following water right(s):

NOTE: Fees do not apply if the priority date is prior to July 9, 1987.

PERMIT NUMBER	CERTIFICATE NUMBER	DECREE (name, volume, and page)	PRIMARY (P) OR SUPP (S)
-	74145	Swalley Irrigation District, Volume 12, Page 282, Volume 16, Pages 148 & 396 – Priority Date of 9-1-1899	<input checked="" type="checkbox"/> P <input type="checkbox"/> S
-			<input type="checkbox"/> P <input type="checkbox"/> S
-			<input type="checkbox"/> P <input type="checkbox"/> S
-			<input type="checkbox"/> P <input type="checkbox"/> S

3. AUTHORIZED POINT(S) OF DIVERSION (POD) / APPROPRIATION (POA)

The authorized point(s) of diversion / appropriation for the water right modified by the transfer are as follows:

PERMIT NUMBER	DECREE or CERTIFICATE	POD / POA #	SOURCE	LOCATION – MEASURED DISTANCES
-	74145	3&15	Deschutes River	Swalley Main Canal – 985 Feet North & 617 Feet West from the East ¼ corner of Section 29, Deschutes River tributary to Columbia River
-				
-				
-				

6. SIGNATURES

The district certifies that it has inspected the place of use listed in Table I and confirms the change in place of use has been completed consistent with the terms and conditions of the final order approving the transfer.



Signature of District Manager
or District Board Chairperson

10/23/23

Date

JEV CANADATA

Type or Print Name of District Manager
or District Board Chairperson



CLAIM OF BENEFICIAL USE Site Report

Transfer Number: T - 13882 District Internal Notice #: _____

User Name: Mark & Suzanne Peterson

Place of Use: 20070 Glen Vista Rd

USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES
IRR	3-15	17	12	17	NWSW			0302	1.01
IRR	3-15	17	12	17	NWSW			0300	1.72

District Conveyance System:
Description of Delivery System: Riley Lateral into a district headgate/weir

Headgate: 06-1110 Canal: Riley

Beneficial Use:

Description of Beneficial Use: Landscape

Method Used to Apply Water: Pond to pump to pipe mainline and laterals to sprinklers

Method Used to Calculate Beneficial Use: On Site Visit

User Interviewed: Yes () No

Beneficial Use Made as Authorized: Yes () No

Description of Beneficial Use if Less than Authorized:

Inspected By: [Signature] Date: 9/25/2023

Instructions: Attach and label the corresponding final proof map.



CLAIM OF BENEFICIAL USE Site Report

Transfer Number: T - 13882 District Internal Notice #: _____

User Name: Robert & Marlene Groscup

Place of Use: 20605 Lowe Ln

USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES
IRR	3-15	17	12	04	NENAI			00228	2.00

District Conveyance System:

Description of Delivery System: _____

Headgate: 01-0690 Canal: Main

Beneficial Use:

Description of Beneficial Use: Lawn

Method Used to Apply Water: Pond to pump to underground irrigation system

Method Used to Calculate Beneficial Use: On site inspection

User Interviewed: () Yes (X) No

Beneficial Use Made as Authorized: (X) Yes () No

Description of Beneficial Use if Less than Authorized: _____

Inspected By: KARL CONKLIN Date: 8/10/2023

Instructions: Attach and label the corresponding final proof map.



CLAIM OF BENEFICIAL USE Site Report

Transfer Number: T - 13882 District Internal Notice #: _____

User Name: Bret Biedscheid & Tracy Freeman
64795 Half Mile Ln

Place of Use: _____

USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES
IRR	3-15	16	12	34	NENW			00300	6.48

District Conveyance System:

Description of Delivery System: From the District's pipeline into a private ditch and into a pond (irrigation pond).

Headgate: 08-0020:03 Canal: Deschutes

Beneficial Use:

Description of Beneficial Use: Pasture hay landscape

Method Used to Apply Water: Pumped from pond to mainline system. with wheel line, pivot and solid set

Method Used to Calculate Beneficial Use: On site visit

User Interviewed: () Yes No

Beneficial Use Made as Authorized: Yes () No

Description of Beneficial Use if Less than Authorized: _____

Inspected By: [Signature] Date: 8/16/2023

Instructions: Attach and label the corresponding final proof map.



CLAIM OF BENEFICIAL USE Site Report

E-RECEIVED
 10/26/2023
 OWRD

Transfer Number: T - 13882 District Internal Notice #: _____

User Name: OBR Land Management LLC

Place of Use: 65625 Old Bend Redmond Hwy

USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES
IRR	3-15	16	12	16	SESE			1700	.48
IRR	3-15	16	12	16	SWSE			1700	2.92
NUR	3-15	16	12	16	SWSE			1700	.23

District Conveyance System:
 Description of Delivery System: Main canal to district headgate and weir and into landowners pond

Headgate: 01-1600 Canal: Main

Beneficial Use:
 Description of Beneficial Use: Positive landscaping lawn and lawn
 Method Used to Apply Water: Pond and pump station into buried pipe above ground mainline
 Method Used to Calculate Beneficial Use: On site visit and GIS tools

User Interviewed: Yes () No
 Beneficial Use Made as Authorized: Yes () No

Description of Beneficial Use if Less than Authorized:

Inspected By: [Signature] Date: 8/16/2023

Instructions: Attach and label the corresponding final proof map.



CLAIM OF BENEFICIAL USE Site Report

Transfer Number: T - 13882 District Internal Notice #: _____

User Name: Craig + Sandra Crenshaw (New Owner - Jeffrey + Suzanne Burgin)
20550 Lowe Ln

Place of Use: _____

USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES
IRR	3-15	17	12	04	NENW			00223	1.00

District Conveyance System:
Description of Delivery System: District headgate, into private pipeline delivered to tax lot

Headgate: 01-0690 Canal: Main

Beneficial Use:

Description of Beneficial Use: Landscape
Method Used to Apply Water: Private pipeline dumps into a pond and is pumped (pressurized) via laterals and sprinklers
Method Used to Calculate Beneficial Use: on-site visit.

User Interviewed: Yes No
Beneficial Use Made as Authorized: Yes No

Description of Beneficial Use if Less than Authorized:

Inspected By: [Signature] Date: 9/13/2023

Instructions: Attach and label the corresponding final proof map.



CLAIM OF BENEFICIAL USE Site Report

Transfer Number: T - 13882 District Internal Notice #: _____

User Name: Thomas Achille

Place of Use: 20640 Swalley Rd

USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES
IRR	3-15	16	12	21	SWNW			00103	.32
IRR	3-15	16	12	21	SWSE			00103	1.68

District Conveyance System:
Description of Delivery System: Main Canal to district headgate and into a cistern storage

Headgate: 01-1500 Canal: Main

Beneficial Use:

Description of Beneficial Use: Landscapes grass and hay field

Method Used to Apply Water: pumped from cistern into pressurized mainline to underground irrigation and wheel lines.

Method Used to Calculate Beneficial Use: on site visit

User Interviewed: () Yes (X) No

Beneficial Use Made as Authorized: (X) Yes () No

Description of Beneficial Use if Less than Authorized:

Inspected By: [Signature]

Date: 8/16/2023

Instructions: Attach and label the corresponding final proof map.



CLAIM OF BENEFICIAL USE
Site Report

E-RECEIVED
10/26/2023
OWRD

Transfer Number: T - 13882 District Internal Notice #: _____

User Name: Alexander & Christy Chang

Place of Use: 64750 Old Bend Redmond Hwy

Table with 10 columns: USE, POD #, TWP, RNG, SEC, QQ, DLC, GOV'T LOT, TAX LOT, ACRES. Row 1: IRR, 3-15, 16, 12, 32, NENE, , , 00200, 1.00

District Conveyance System:

Description of Delivery System: _____

Headgate: 09-0080 Canal: Elder

Beneficial Use:

Description of Beneficial Use: Pasture

Method Used to Apply Water: Pond to pump to mainline to headlines

Method Used to Calculate Beneficial Use: Site Visit

User Interviewed: () Yes (X) No

Beneficial Use Made as Authorized: (X) Yes () No

Description of Beneficial Use if Less than Authorized:

Inspected By: KARL CONKLIN Date: 8/10/2023

Instructions: Attach and label the corresponding final proof map.

Swalley Irrigation District

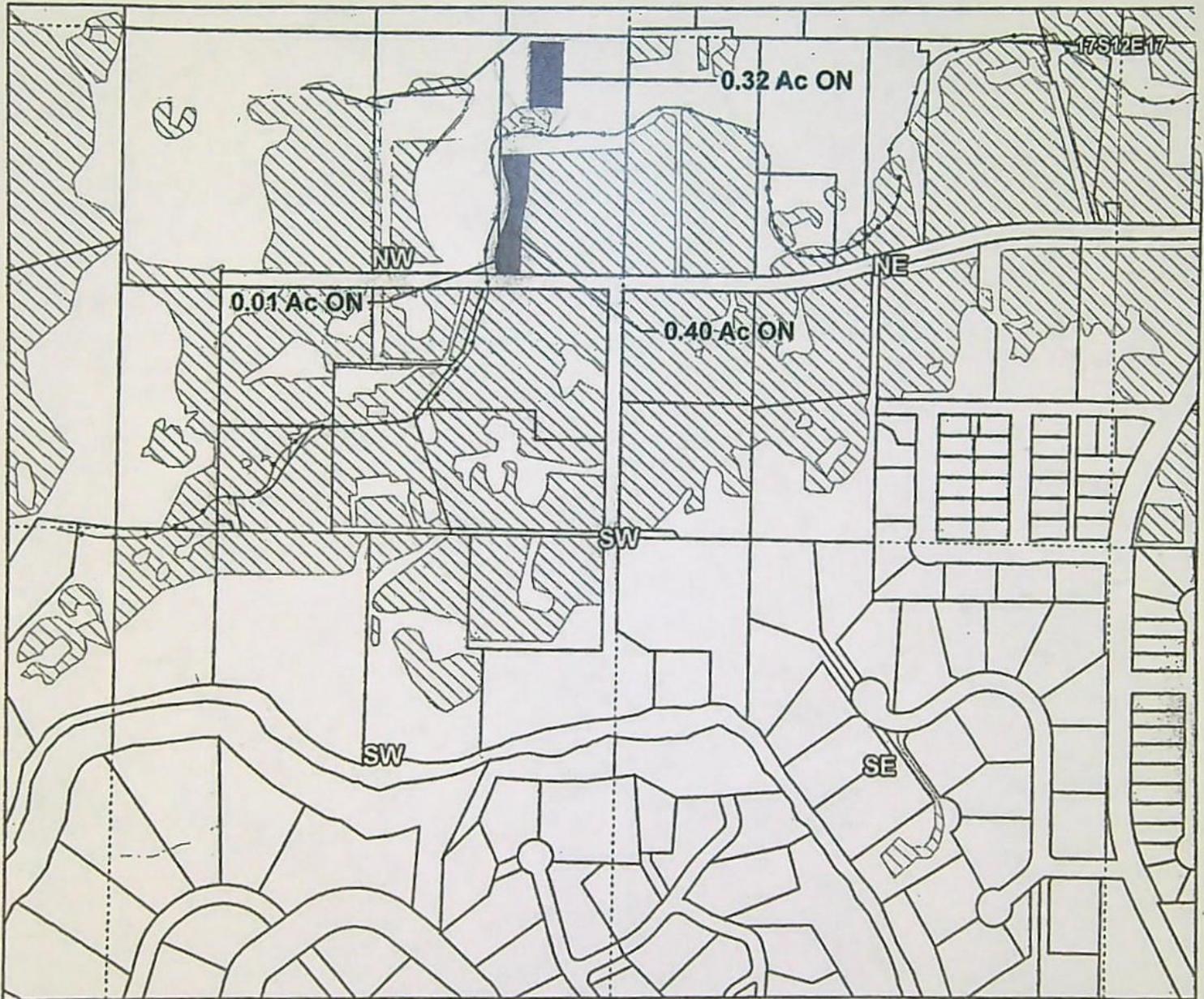
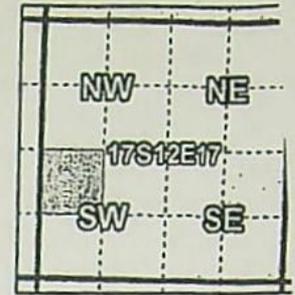
2021 District Transfer

Claim of Beneficial Use Map T-13882

Certificates: 74145

for Mark and Suzanne Peterson

E-RECEIVED
10/26/2023
OWRD



Taxlot 171217C000302, 17-12-17-NW/SW-00302: 0.01 Acres On, 3.11 AC Total

Taxlot 171217C000300, 17-12-17-NW/SW-00300: 0.72 Acres On, 3.83 AC Total

--- Pipelines and Canals

■ On Transfer

▨ Primary Water Right

□ Taxlots



inch = 400 feet

Prepared by Swalley Irrigation District | Dec 2021

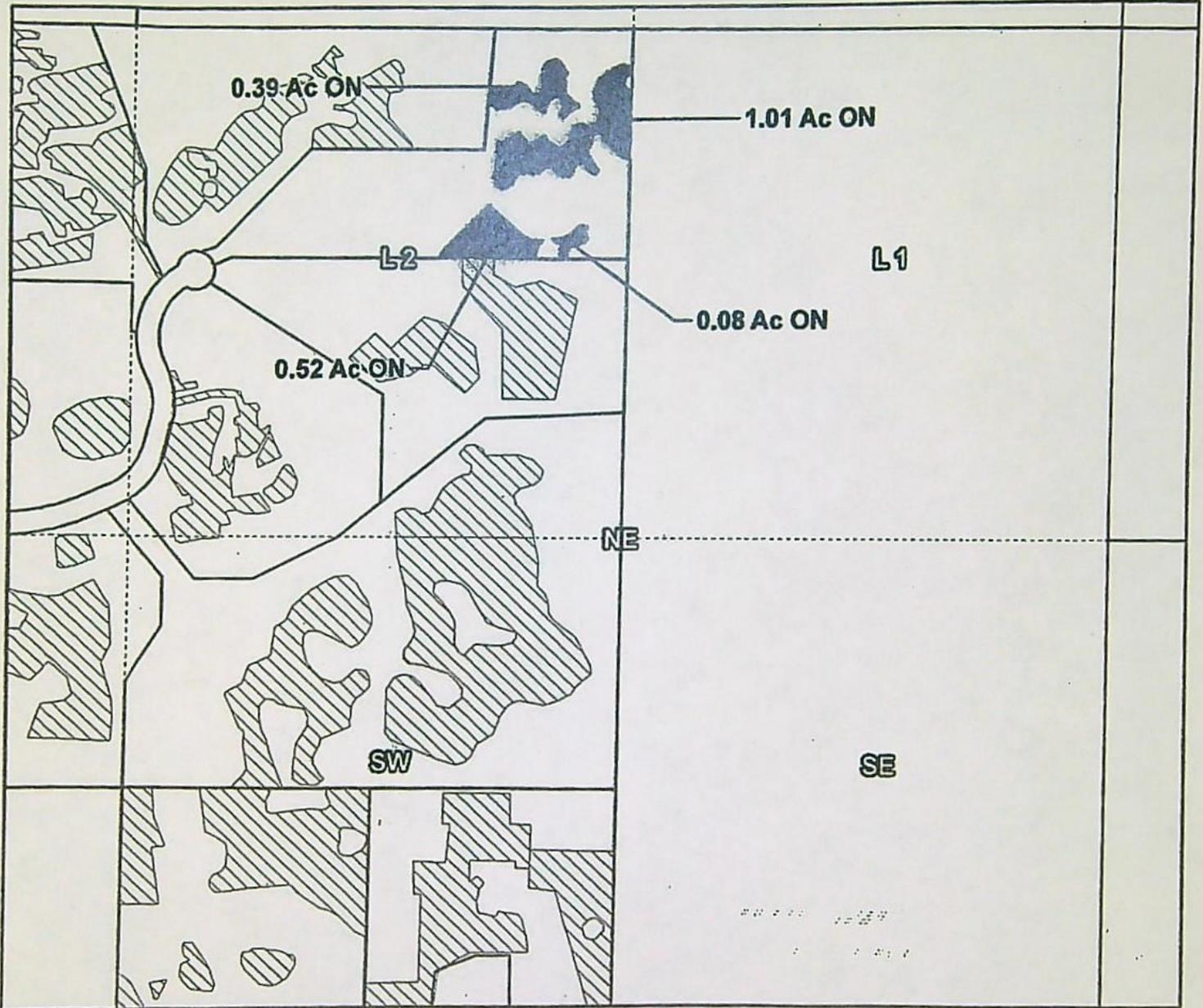
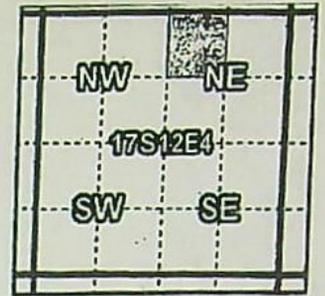
Swalley Irrigation District 2021 District Transfer

Claim of Beneficial Use Map T-13882

Certificates: 74145

for Robert and Marlene Groscup

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10/26/2023
OWRD



Taxlot 1712040000228, T17S R12E 04 NW/NE: 2.00 Acres On, 2.00 Acres Total

- Pipelines and Canals
- Transfer
- Taxlots
- Primary Water Right



1 inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

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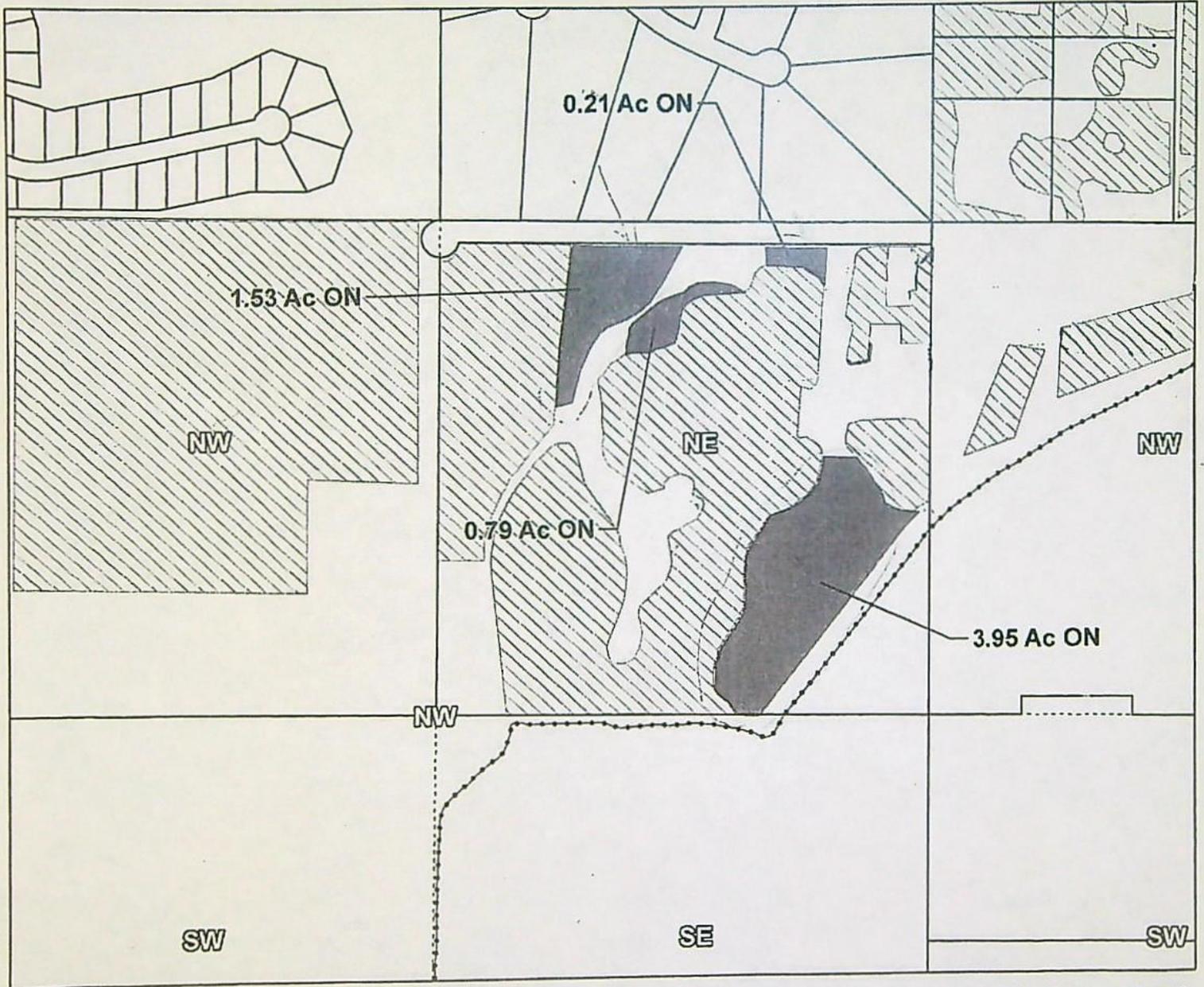
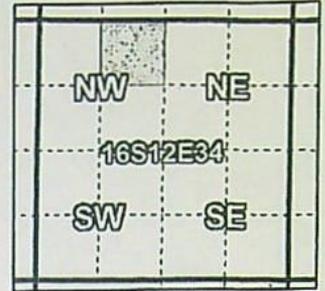
Swalley Irrigation District

2021 District Transfer

Claim of Beneficial Use Map T-13882

Certificates: 74145

for Bret Biedscheld and Tracy Freeman



Taxlot 1612340000300, 16-12-34-NE/NW-00300: 6.48 Acres On, 28.10 AC Total

- Pipelines and Canals
- On Transfer
- ▨ Primary Water Right
- Taxlots



1 inch = 400 feet

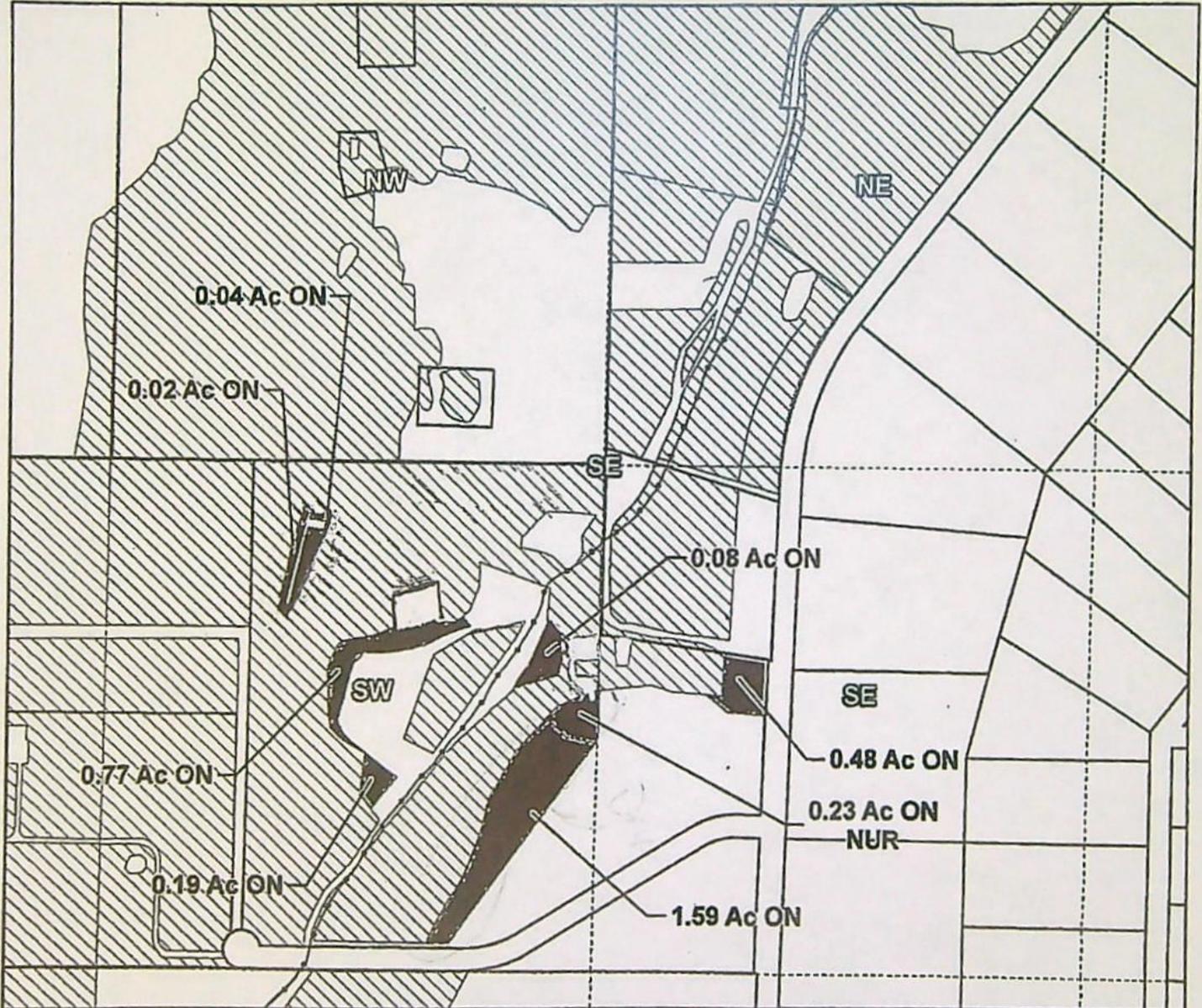
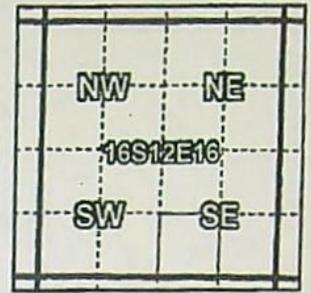
E-RECEIVED
10/26/2023
OWRD

Swalley Irrigation District 2021 District Transfer

Claim of Beneficial Use Map T-13882

Certificates: 74145

for OBR Land Management LLC



Taxlot 1612160001700, 16-12-16-SW/SE-01700: 2.92 IRR Acres On, 19.23 IRR AC Total
Taxlot 1612160001700, 16-12-16-SW/SE-01700: 0.23 NUR Acres On, 0.23 NUR AC Total
Taxlot 1612160001700, 16-12-16-SE/SE-01700: 0.48 IRR Acres On, 3.77 IRR AC Total

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots



1 Inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

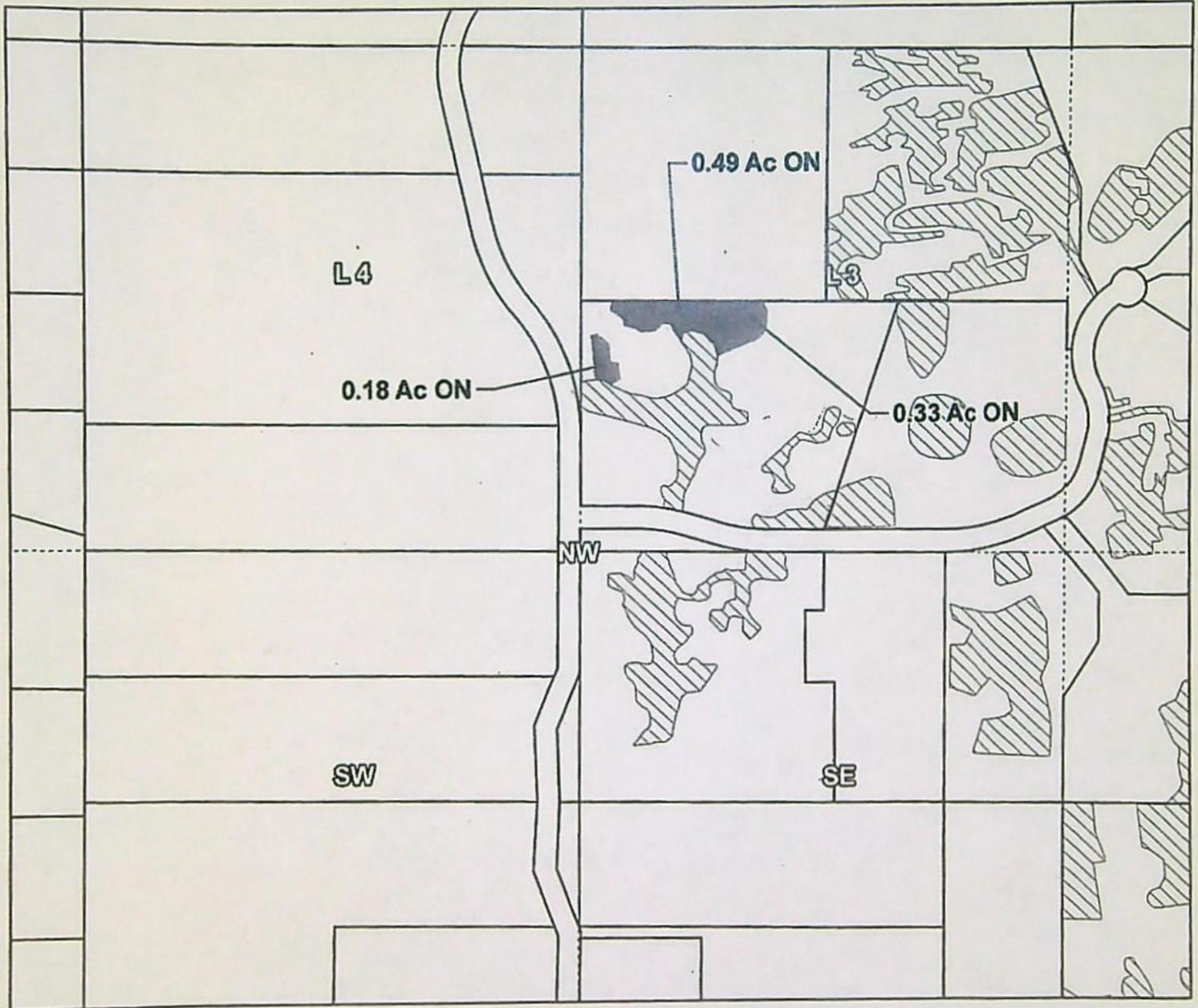
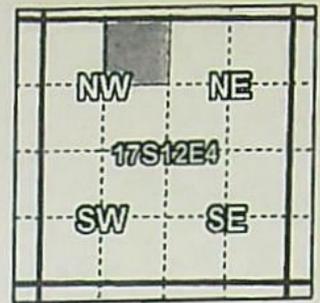
2021 District Transfer

Claim of Beneficial Use Map T-13882

Certificates: 74145

for Craig and Sandra Crenshaw

E-RECEIVED
10/26/2023
OWRD



Taxlot 1712040000223, 17-12-04-NE/NW-00223: 1.0 Acres On, 3.0 AC Total

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots



1 inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

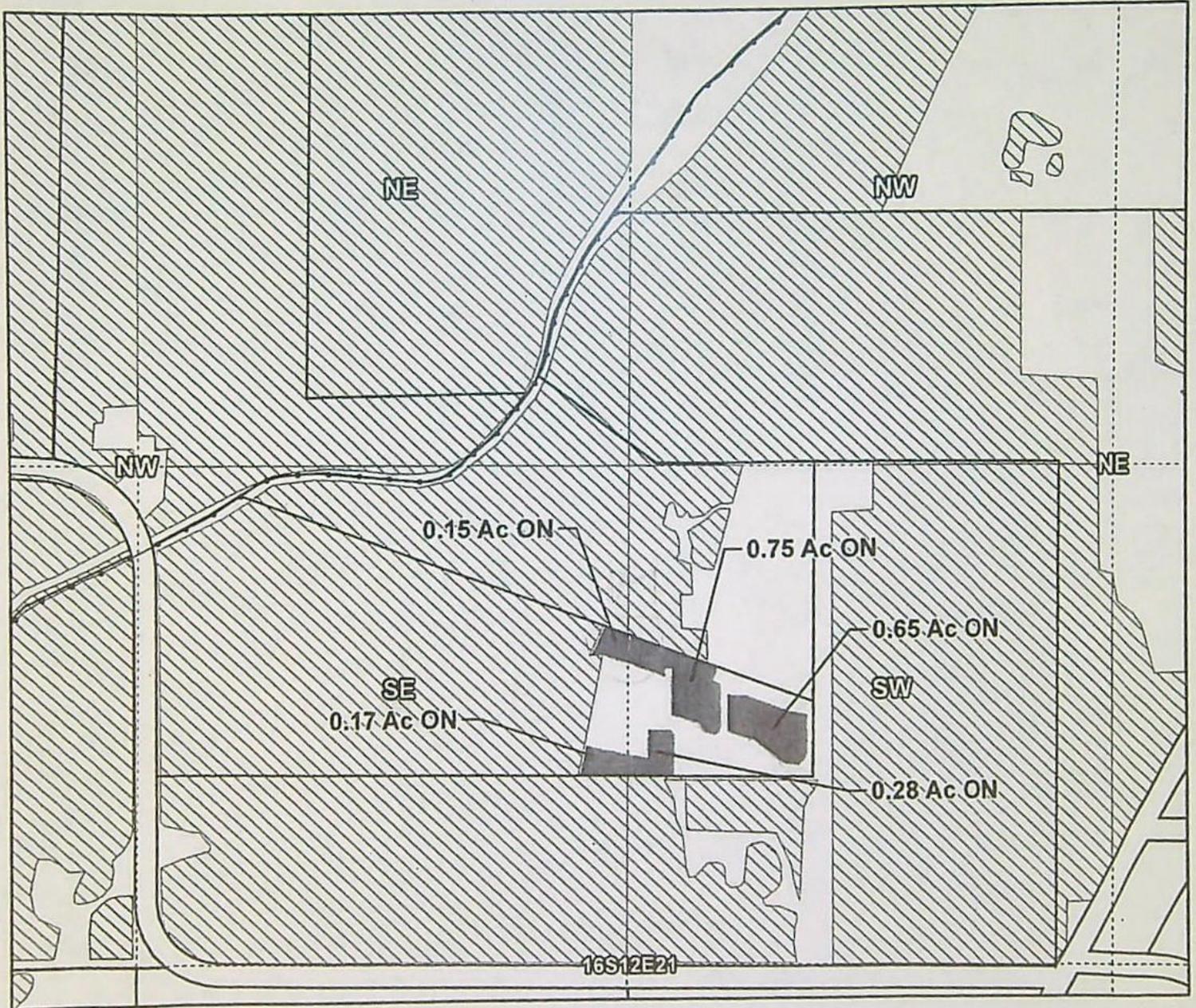
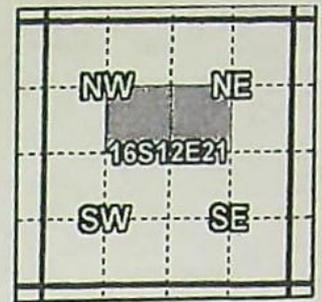
2021 District Transfer

Claim of Beneficial Use Map T-13882

Certificates: 74145

for Thomas Achille

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10/26/2023
OWRD



Taxlot 1612210000103, 16-12-21-SE/NW-00103: 0.32 Acres On, 16.82 AC Total
Taxlot 1612210000103, 16-12-21-SW/NE-00103: 1.68 Acres On, 1.68 AC Total

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots



1:4,800

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

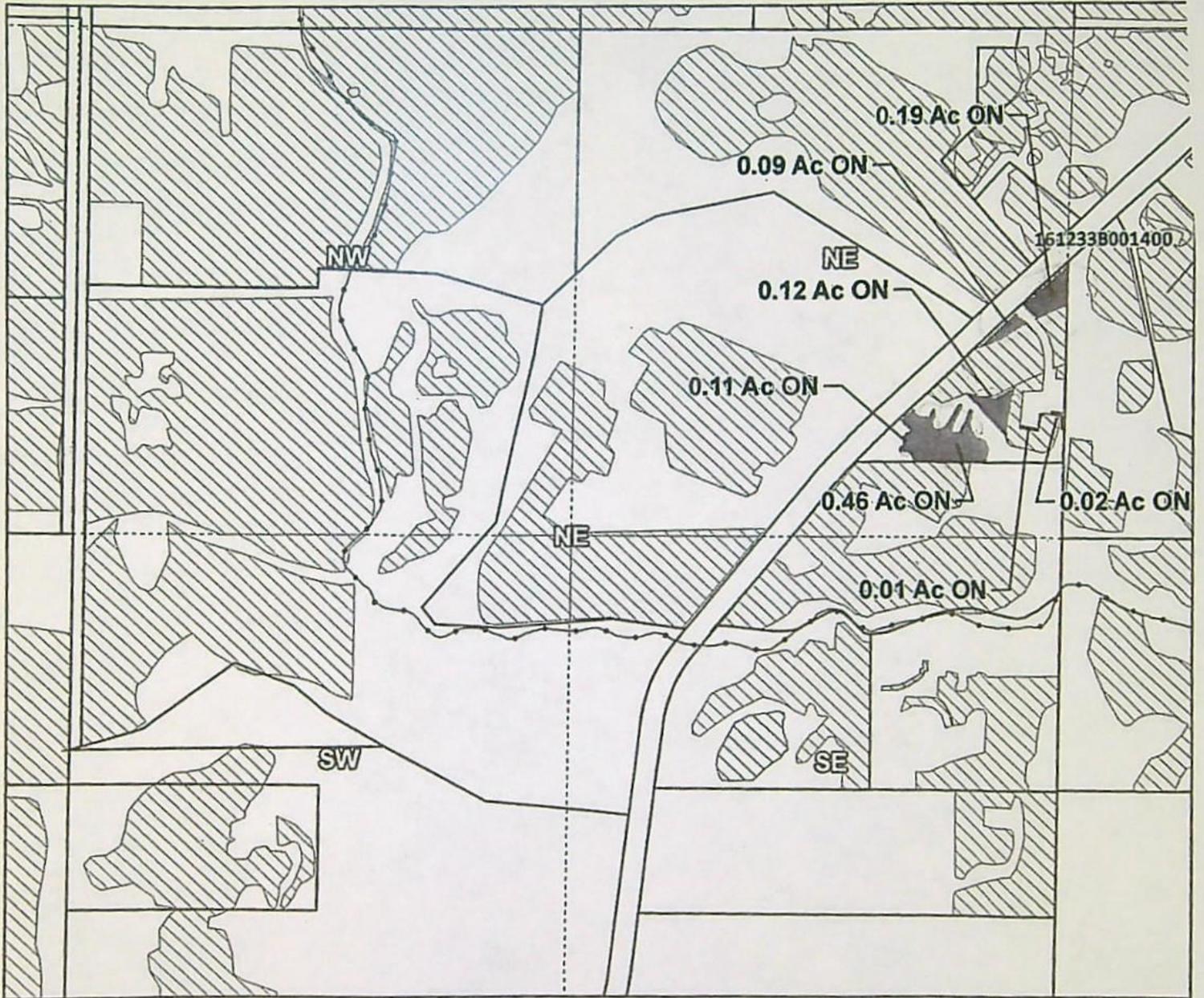
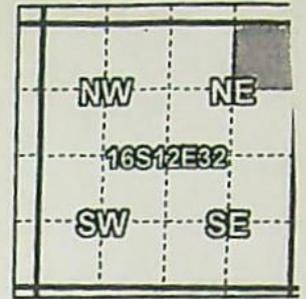
2021 District Transfer

Claim of Beneficial Use Map T-13882

Certificates: 74145

for Alexander and Christy Chang

E-RECEIVED
10/26/2023
OWRD



Taxlot 1612320000200, 16-12-32-NE/NE-00200: 1.0 Acres On, 3.0 AC Total

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots



1 inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

December 21, 2023

Swalley Irrigation District
64672 Cook Ave Suite 1
Bend, OR 97701

Reference: T-13882 Superseding Correcting Final Order and Superseding Certificate

Enclosed is a correcting final order recorded in Special Order Vol. 129, Page 532, issued to correct a scrivener's error in the order recorded in Special Order Vol. 125, Page 11.

If you have any questions please contact your caseworker, Ann Reece, by telephone at (503) 979-3214 or by e-mail at Ann.L.Reece@water.oregon.gov.

Sincerely,

Elyse Richman
Water Right Support
Transfers and Conservation Section

cc: Watermaster Dist. #3, Robert L. Wood *(via email)*
Ann Reece

Enclosures

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Special Order Volume 125, Pages) CORRECTING ORDER FOR DISTRICT
11-14 Approving T-13882, Deschutes County) TRANSFER APPLICATION T-13882

Applicant

SWALLEY IRRIGATION DISTRICT
64672 COOK AVE, SUITE 1
BEND, OR 97703

Findings of Fact

1. On May 9, 2022, the Department signed a final order, which was mailed on May 10, 2022, and recorded in Special Order Volume 125, Pages 11-14, approving Transfer Application T-13882 involving Certificate 74145 (final order). The final order established October 1, 2023, as the date for completion of the authorized changes in place of use.
2. On November 11, 2023, it came to the attention of the Department that a place of use transfer for 0.23 acres for nursery use under 74145, which was included in the transfer application submitted by the district was inadvertently omitted from the final order. This correcting order is being issued to correct this omission from the transfer. The place of use transfer is within the same tax lot and quarter-quarter.
3. The portion of the right to be transferred omitted from the final order issued on May 9, 2022, is as follows:

Certificate: 74145 in the name of SWALLEY IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County)

Uses: NURSERY USE of 0.23 ACRES

Priority Date: SEPTEMBER 1, 1899

Seasons of Use: Season 1: April 1 through April 30 & October 1 through October 31
Season 2: May 1 through May 14 & September 15 through September 30
Season 3: May 15 through September 14

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

Season 1: Limited to 1/83 cubic foot per second (cfs) per acre
Season 2: Limited to 1/62 cfs per acre
Season 3: Limited to 1/33.45 cfs per acre

This final order in a contested case and is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075(2) and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Within 20 days after this final order is issued (i.e., mailing date), the district or any protestant may file with the commission exceptions to the final order. The commission shall issue an order granting or denying the exceptions within 30 days after receiving the exceptions. ORS 540.580(10).

Maximum Duty that can be applied to an acre:

Not to exceed 9.58 acre-feet (af) per acre per year.

The above listed rates and duty reflect allowance of a 43% transmission loss as determined by decree of the Circuit Court of Deschutes County, dated March 24, 1933. Those lands not served by direct pumping from the Deschutes River, are not allowed the 43% transmission loss and shall not exceed 5.46 af per acre irrigated during the irrigation season.

Source: The DESCHUTES RIVER, tributary of the COLUMBIA RIVER

Authorized Points of Diversion:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3	17 S	12 E	WM	29	SE NE	SWALLEY MAIN CANAL- 985 FEET NORTH AND 617 FEET WEST FROM THE E¼ CORNER OF SECTION 29
15	15 S	12 E	WM	14	NW SE	ADDITIONAL DIVERSION- 2170 FEET NORTH AND 1350 FEET WEST FROM THE SE CORNER OF SECTION 14

Authorized Place of Use:

NURSERY USE								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	16	SW SE	0.23	1700	ORB LAND MANAGEMENT LLC	2021-03

4. Transfer Application T-13882 proposes to change the place of use to:

Proposed Place of Use:

NURSERY USE								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	16	SW SE	0.23	1700	ORB LAND MANAGEMENT LLC	2021-03

5. The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.
6. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
7. The water right is subject to transfer as defined in OAR 690-385-0100(17).
8. The proposed change in place of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
9. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
10. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

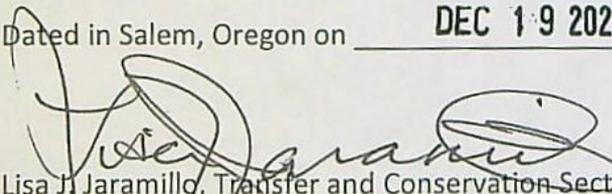
Conclusions of Law

The proposed change in place of use as proposed in Transfer Application T-13882, but omitted from the final order issued May 9, 2022 complies with and satisfies the requirements of ORS 540.580 and OAR 690-385-4500.

Now, therefore, it is ORDERED:

1. The proposed change in place of use identified in this correcting order as evidenced by Certificate 74145 is approved.
2. The place of use from which the water right is transferred off by Transfer T-13882 shall no longer be irrigated and is cancelled from Certificate 74145.
3. The right to the use of the water at the place of use NOT modified by this order is restricted to beneficial and is subject to all other conditions and limitations contained in Certificate 74145, and any related decree.
4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. A Claim of Beneficial Use shall be submitted by the District to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. Water right Certificate 74145 is modified. After satisfactory proof of completion has been determined by the Department, a superseding water right certificate will be issued when the Department determines it is necessary for record keeping.
7. All other provisions of Special Order Volume 125, Pages 11-14 remain in effect.

Dated in Salem, Oregon on DEC 19 2023


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

Mailing Date: DEC 20 2023



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 9, 2022

SWALLEY IRRIGATION DISTRICT
64672 COOK AVE SUITE 1
BEND, OR 97701

REFERENCE: District Transfer T-13882

Enclosed is a copy of the final order approving your District Transfer.

The time allowed to complete the transfer is specified in the final order. You are required to submit a claim of beneficial use to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized final order whichever comes first. If necessary, you may request more time by filing for transfer extension. All extensions are subject to approval.

To file a claim please include:

1. A CLAIM OF BENEFICIAL USE form
2. A CLAIM OF BENEFICIAL USE SITE REPORT
3. A Claim of Beneficial Use Map (this map does not need to be prepared by a Certified Water Rights Examiner (CWRE))

All forms needed to file a claim for a district transfer are available at

<https://www.oregon.gov/OWRD/programs/WaterRights/Transfers/DistTransfer/Pages/Forms.aspx>

If you have any questions related to the approval of this transfer, you may contact your caseworker Ann Reece by telephone at (503) 979-3214 or by e-mail at Ann.L.Reece@water.oregon.gov.

Sincerely,

Julie C. Baustian

Water Right Services Support
Transfers and Conservation Section

cc: Robert L. Wood, Watermaster Dist. # 3 (via email)

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application) FINAL ORDER APPROVING
T-13882, Deschutes County) A DISTRICT PERMANENT TRANSFER FOR
) PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 540.570 to 540.580 establish the process in which a district may submit a request to transfer a water right within district boundaries. Oregon Administrative Rule (OAR) Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

SWALLEY IRRIGATION DISTRICT
64672 COOK AVE, SUITE 1
BEND, OR 97703

Findings of Fact

1. On December 31, 2021, Swalley Irrigation District (SID) filed a district transfer application to permanently change the place of use under Certificate 74145. The Department assigned the application number T-13882.
2. Notice of the District Permanent Transfer Application was published on January 8, 2021, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. On April 26, 2022, SID submitted two correcting maps.
4. The portion of the right to be transferred is as follows:
Certificate: 74145 in the name of SWALLEY IRRIGATION DISTRICT (confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County)
Uses: IRRIGATION of 16.61 ACRES
Priority Date: SEPTEMBER 1, 1899
Seasons of Use: Season 1: April 1 through April 30 & October 1 through October 31
Season 2: May 1 through May 14 & September 15 through September 30
Season 3: May 15 through September 14

This final order is in a contested case and is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075(2) and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Within 20 days after this final order is issued (i.e., mailing date), the district or any protestant may file with the commission exceptions to the final order. The commission shall issue an order granting or denying the exceptions within 30 days after receiving the exceptions. ORS 540.580(10).

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

- Season 1: Limited to 1/83 cubic foot per second (cfs) per acre
- Season 2: Limited to 1/62 cfs per acre
- Season 3: Limited to 1/33.45 cfs per acre

Maximum Duty that can be applied to an acre:

Not to exceed 9.58 acre-feet (af) per acre per year.

The above listed rates and duty reflect allowance of a 43% transmission loss as determined by decree of the Circuit Court of Deschutes County, dated March 24, 1933. Those lands not served by direct pumping from the Deschutes River, are not allowed the 43% transmission loss and shall not exceed 5.46 af per acre irrigated during the irrigation season.

Source: The DESCHUTES RIVER, tributary of the COLUMBIA RIVER

Authorized Point of Diversion:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3	17 S	12 E	WM	29	SE NE	SWALLEY MAIN CANAL- 985 FEET NORTH AND 617 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 29
15	15 S	12 E	WM	14	NW SE	ADDITIONAL DIVERSION- 2170 FEET NORTH AND 1350 FEET WEST FROM THE SE CORNER OF SECTION 14

Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	16	SW SE	0.24	1700	ORB LAND MANAGEMENT LLC	2021-03
16 S	12 E	WM	16	SE SE	0.06	1700	ORB LAND MANAGEMENT LLC	2021-03
16 S	12 E	WM	26	NW SW	1.00	201	SWALLEY ID - QUITCLAIM	2021-05
16 S	12 E	WM	27	SE NE	0.59	1800	SWALLEY ID - QUITCLAIM	2021-01
16 S	12 E	WM	27	NE SE	2.00	100	SWALLEY ID - QUITCLAIM	2021-02
16 S	12 E	WM	28	SW SW	0.22	5101	SWALLEY ID - QUITCLAIM	2021-03
16 S	12 E	WM	29	SE SE	1.78	1204	SWALLEY ID - QUITCLAIM	2021-03
16 S	12 E	WM	34	NE NW	0.61	300	FREEMAN	2021-06
17 S	12 E	WM	5	SW NE	1.03	1901	SWALLEY ID - QUITCLAIM	2021-01
17 S	12 E	WM	7	SE NE	5.87	100	SWALLEY ID - QUITCLAIM	2021-06
17 S	12 E	WM	16	SE SW	0.38	2200	SWALLEY ID - QUITCLAIM	2021-01
17 S	12 E	WM	16	SW SE	0.90	1500	SWALLEY ID - QUITCLAIM	2021-03
17 S	12 E	WM	16	SW SE	0.20	1600	SWALLEY ID - QUITCLAIM	2021-03
17 S	12 E	WM	17	NW SW	0.73	302	PETERSON	2021-07
17 S	12 E	WM	22	NE SE	1.00	100	SWALLEY ID - QUITCLAIM	2021-04
Total					16.61			

5. Transfer Application T-13882 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
16 S	12 E	WM	16	SW SE	2.92	1700	ORB LAND MANAGEMENT LLC	2021-03
16 S	12 E	WM	16	SE SE	0.48	1700	ORB LAND MANAGEMENT LLC	2021-03
16 S	12 E	WM	21	SW NE	1.68	103	ACHILLE	2021-02
16 S	12 E	WM	21	SE NW	0.32	103	ACHILLE	2021-02
16 S	12 E	WM	32	NE NE	1.00	200	CHANG	2021-05
16 S	12 E	WM	34	NE NW	6.48	300	FREEMAN	2021-06
17 S	12 E	WM	4	NW NE	2.00	228	GROSCUP FAMILY TRUST	2021-01
17 S	12 E	WM	4	NE NW	1.00	223	CRENSHAW	2021-04
17 S	12 E	WM	17	NW SW	0.01	302	PETERSON	2021-07
17 S	12 E	WM	17	NW SW	0.72	300	PETERSON	2021-07
Total					16.61			

6. The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.
7. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
8. The water right is subject to transfer as defined in OAR 690-385-0100(17).
9. The proposed change in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
10. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
11. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

Conclusions of Law

The proposed changes in place of use as proposed in Transfer Application T-13882 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.

Now, therefore, it is ORDERED:

1. The proposed changes in place of use to the water right evidenced by Certificate 74145 are approved.
2. The place of use from which the water right is transferred off by Transfer T-13882 shall no longer be irrigated and is cancelled from Certificate 74145.

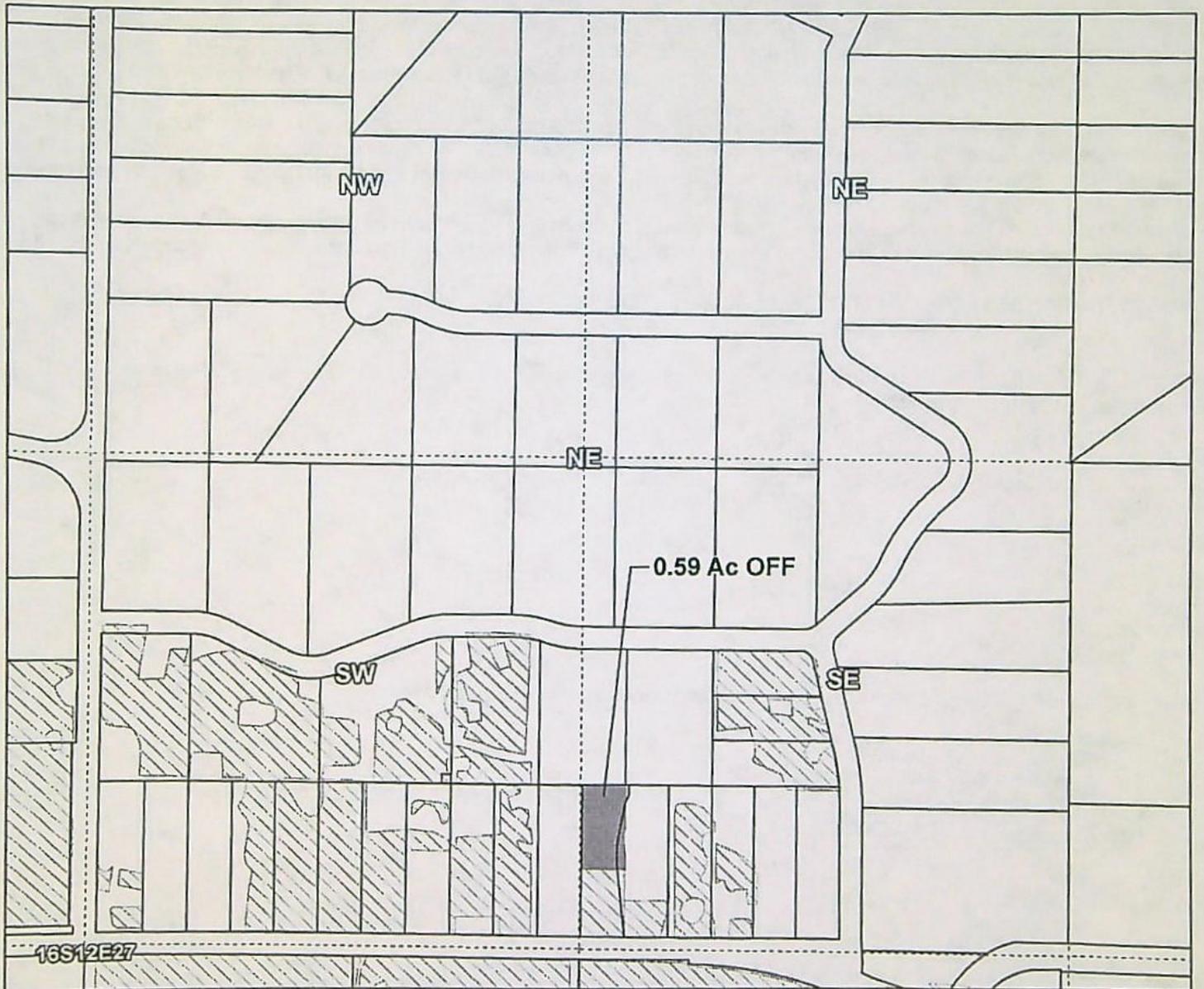
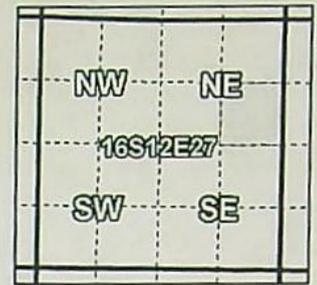
OWRD RECEIVED
Ann Reece, 4/26/2022, 10:58:27 AM

Swalley Irrigation District

2021 District Transfer Application "Off" Map

Certificates: 74145

Outclaim Map Swalley ID



Taxlot 161227A001800, 16-12-27-SE/NE-01800: 0.59 Acres Off, 0.48 AC Remaining

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots



1 inch = 400 feet

Prepared by Swalley Irrigation District | March 2022

OWRD RECEIVED

Ann Reece, 4/26/2022, 10:58:27 AM

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

NANCY BLANKENSHIP, COUNTY CLERK

601070371



\$58.00

01031403201500489910020021

12/04/2015 11:10:19 AM

D-D Cnt=1 Stn=4 SRB

\$10.00 \$11.00 \$21.00 \$10.00 \$5.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Sussie Due, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for .55 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Sussie Due shall no longer be liable for any district assessment or charges pertaining to the .55 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T16S-R12E,WM-SEC27-SE/NE-01700, T16S-R12E,WM-SEC27-SE/NE-01800

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.
Consideration for this Quitclaim is 0.00

Grantor:

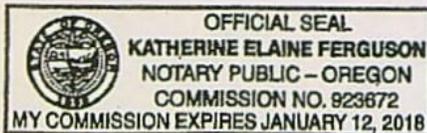
Sussie Due

Date 10-30-15

Sussie Due

State of Oregon SS.
County of Deschutes

Personally appeared Sussie Due and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Katherine Elaine Ferguson

My commission expires 1-12-2018

Swalley Irrigation District:

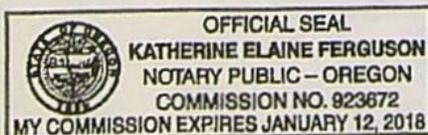
Suzanne Butterfield

Date 11-9-2015

Suzanne Butterfield, General Manager

State of Oregon SS.
County of Deschutes

Personally appeared, Suzanne Butterfield as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Katherine Elaine Ferguson

My commission expires 1-12-2018

Tax statement: No change.

Sussie Due
21114 Tumalo Rd.
Bend, OR 97703



Acct: # 1107

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC27-SE/NE-01700	161227AD001700	132993	.24 ac.
T16S-R12E-WM-SEC27-SE/NE-01800	161227AD001800	132993	.31 ac.

Lots Eleven (11) and Twelve (12) in Block Seven (7) in the first addition to ~~UNSUBDIVIDED~~ ~~PLATS~~ ~~EXISTS~~ according to the official plat thereof on file in the office of the County Recorder of Deschutes County, Oregon.

**NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)**



DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899
2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT (OFF):**
NAME: **Swalley Irrigation District**
ADDRESS: **64672 Cook Ave., Ste. 1, Bend, OR 97703**

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	27	SE/NE	01800	.59	IRR
S16	E12	26	SE/SW	02200	.38	IRR
S16	E12	26	SW/NE	01901	1.03	IRR

5. **RECIPIENT (ON):**
NAME: **Groscup Family Trust – Robert & Marlene Groscup**
ADDRESS: **20605 Lowe Lane, Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

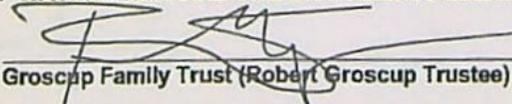
Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	04	NE/NW	00228	2.00	IRR

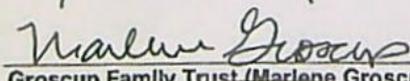
7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

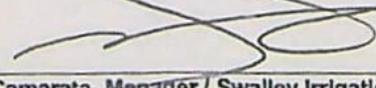
Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT:  11/05/2021
Date
Groscup Family Trust (Robert Groscup Trustee)

APPLICANT:  11/15/2021
Date
Groscup Family Trust (Marlene Groscup Trustee)

RECIPIENT/DISTRICT:  11/18/21
Date
Jer Camarata - Manager / Swalley Irrigation District



After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97703

Nancy Blankenship, County Clerk

2017-46961



\$58.00

01146437201700469610020020

11/22/2017 11:20:41 AM

D-D Cnt=1 Str=2 AS
\$10.00 \$11.00 \$21.00 \$10.00 \$6.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Sussie Due, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 1.45 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Sussie Due, shall no longer be liable for any district assessment or charges pertaining to the 1.45 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T16S-R12E,WM-SEC27-SE/NE-01700 .76 acre, T16S-R12E,WM-SEC27-SE/NE-01800 .69 acre

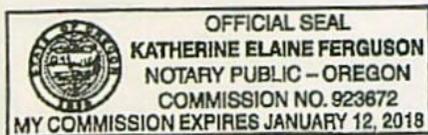
This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor:

Sussie Due Date 9-26-17
Sussie Due

State of Oregon SS.
County of Deschutes

Personally appeared: Sussie Due and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 1-12-2018

Swalley Irrigation District:

Jer Camarata Date 10/10/17
Jer Camarata, General Manager

State of Oregon SS.
County of Deschutes

Personally appeared, Jer Camarata as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Kathy Ferguson Katherine Elaine Ferguson
My commission expires 1-12-2018

Tax statement: No change.

OWRD RECEIVED
Ann Reece, 4/26/2022, 10:58:27 AM

Sussie Due
21114 Tumalo Rd
Bend, OR 97703

#1107

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC27-SE/NE-01700	161227A001700	132993	.76 ac.
T16S-R12E-WM-SEC27-SE/NE-01800	161227A001800	132993	.69 ac.

Lots Eleven (11) and Twelve (12) in Block Seven (7) in the first addition to WHISPERING PINES ESTATES according to the official plat thereof on file in the office of the County Recorder of Deschutes County, Oregon.

SUBJECT TO: Covenants, conditions, reservations, restrictions, easements, right and rights of way and agreements of record.

TOGETHER WITH all of seller's right, title and interest in and to certain water rights, well, water easements, service lines and so forth as set forth in a certain Joint Well Agreement dated July, 1976, a copy of which ~~is attached hereto.~~

*was recorded Nov. 26, 1974
Vol. 31 Page 756 J.E.*

District Internal
Notice #: T-2017-Q02

State of Oregon
WATER RESOURCES DEPARTMENT
NOTICE OF DISTRICT PERMANENT TRANSFER
(ORS 540.580)



DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT (OFF):**

NAME: **Sussie Due**
ADDRESS: **21114 Tumalo Rd, Bend, OR 97703**

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E.,W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	27	SE/NE	01700	.76	IRR
S16	E12	27	SE/NE	01800	.69	IRR

5. **RECIPIENT (ON):**

NAME: **Swalley Irrigation Distict**
ADDRESS: **64672 Cook Ave., Ste. 1 Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E.,W.M.(Diversion for Swalley's canal system),POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	27	SE/NE	01700	.76	IRR
S16	E12	27	SE/NE	01800	.69	IRR

7. **EXHIBITS** : Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT:

Sussie Due
Sussie Due

9-26-17
Date

RECIPIENT/DISTRICT:

Jer Camarata
Jer Camarata/Swalley Irrigation District

10/10/17
Date

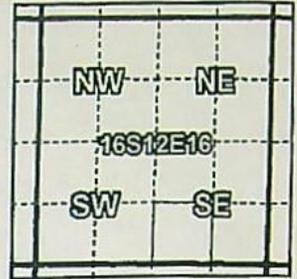
OWRD RECEIVED
Ann Reece, 4/26/2022, 10:58:27 AM

Swalley Irrigation District
2021 District Transfer Application "On" Map

RECEIVED

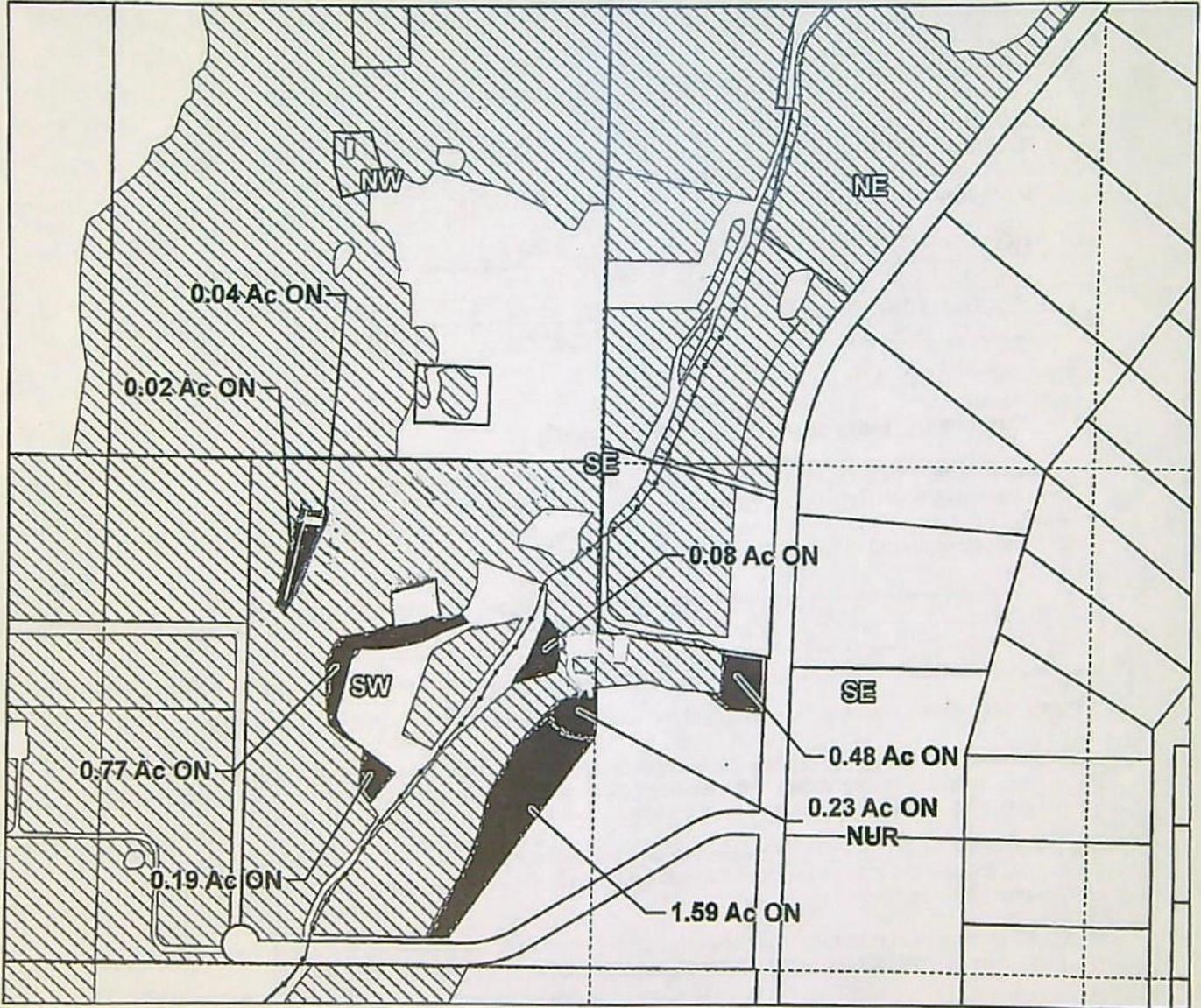
DEC 29 2021

OWRD



Certificates: 74145

for OBR Land Management LLC



Taxlot 1612160001700, 16-12-16-SW/SE-01700: 2.92 IRR Acres On, 19.23 IRR AC Total
 Taxlot 1612160001700, 16-12-16-SW/SE-01700: 0.23 NUR Acres On, 0.23 NUR AC Total
 Taxlot 1612160001700, 16-12-16-SE/SE-01700: 0.48 IRR Acres On, 3.77 IRR AC Total

- Pipelines and Canals
- Transfer
- Primary Water Right
- Taxlots

138.82



1 Inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

January 5, 2022

SWALLEY IRRIGATION DISTRICT
64672 COOK AVE SUITE 1
BEND, OR 97701

Reference: District Permanent Transfer T-13882

On December 29, 2021, we received your district transfer application requesting PLACE OF USE changes. The application was accompanied by \$1360.00. Your receipt number 137193 is enclosed.

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

This application will be published on the Department's weekly notice dated January 11, 2022, viewable at http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21. A copy of the application can be assessed through this public notice link. Pursuant to Oregon administrative rules, the Department is requesting public comments on the recently filed district transfer application listed above. Comments may be submitted by any interested persons within 30 days of the weekly notice publication date. Comments must be received by the Department on or before February 10, 2022. For details on how to file comments please refer to the Department's weekly notice. Details for filing protests, if applicable, are also noted on the weekly notice.

If you have any questions, please call the Transfer Section, (503) 979-9931.

cc: Watermaster # 3, Robert L. Wood (*via email*)

File

Enclosure

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **137193**

INVOICE # _____

RECEIVED FROM: Swalley Irrigation District
BY: _____

APPLICATION _____
PERMIT _____
TRANSFER T-13882

CASH: CHECK: # 10720 OTHER: (IDENTIFY)

TOTAL REC'D \$1,360.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS 46110

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME _____ \$ _____

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ <u>1,360.00</u>		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$ _____	0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **137193**

DATED: 12-29-2021 BY: [Signature]

1227
owrd Oregon Water Resources Dept
\$1,360.00

\$1,360.00

12/20/2021

10720

SWALLEY IRRIGATION DISTRICT

010720

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DEC 29 2021
OWRD



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

Application for
 District Permanent
 Water Right

RECEIVED
 DEC 29 2021

Transfer

OWRD

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

Change in Place of Use Only

1A. APPLICANT INFORMATION

IRRIGATION DISTRICT Swalley Irrigation District		PHONE NO. 541-388-0658	ADDITIONAL CONTACT NO.
ADDRESS 64672 Cook Ave., Ste. 1			COUNTY Deschutes
CITY Bend	STATE OR	ZIP 97703	E-MAIL kathy@swalley.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

1B. AGENT INFORMATION

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

13882

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

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

	Certificate	Permit / Previous Transfer	Decree
1.	74145	-2021-01	Swalley Irrigattion District - Vol. 12 at pg 282 and Vol. 16 at pg 148 & 396. Priority date is September 1, 1899
2.		-	
3.		-	
4.		-	
5.		-	
6.		-	

RECEIVED

DEC 29 2021

OWRD

3. ATTACHMENTS

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

<p>Supplemental Form A – Description of Proposed Change(s) to a Water Right</p> <p><input type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.</p> <p>Map</p> <p><input checked="" type="checkbox"/> Permanent Transfer A map meeting the requirements of OAR 690-385-3300 must be included but need not be prepared by a Certified Water Right Examiner (CWRE).</p>	<p>Fees:</p> <p><input checked="" type="checkbox"/> Amount enclosed: \$ <u>1,360</u>⁰⁰ See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p> <p>Land Use Compatibility Statement</p> <p><input type="checkbox"/> The Land Use Information Form is <u>not</u> required if water is to be diverted, conveyed and/or used only on federal lands or if <u>ALL</u> of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, c) the use of water is for irrigation only and d) the use is located within an irrigation district or an exclusive farm use zone.</p>
---	--

4. SIGNATURES

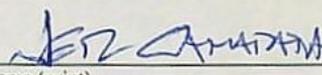
The district certifies the following:

- (1) The water rights proposed for transfer are water rights subject to transfer and are not subject to forfeiture for nonuse under ORS 540.610;
- (2) Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district;
- (3) For lands which are no longer irrigated or susceptible of irrigation that are included in this transfer under the authority of ORS 540.572 and OAR 690-385-5000, notices as required under ORS.572 and OAR 690-385-5100 have been given to the user and any security interest holder of record of intent to transfer the right and the user was provided an

opportunity to resolve the matter in the manner described by ORS 540.572 and OAR 690-385-5400 and 690-385-5600.

(4) On behalf of the district, I affirm to the best of my knowledge the information contained in this application is true and accurate.


District Manager signature


name (print)

12/27/21
date

OR

Authorized District Representative signature

name (print)

date

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

RECEIVED
DEC 29 2021
OWRD

13882

**NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)**

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

RECEIVED

3. **APPLICANT (OFF):**
NAME: **Swalley Irrigation District**
ADDRESS: **64672 Cook Ave., Ste. 1, Bend, OR 97703**

DEC 29 2021

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

OWRD

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	27	SE/NE	01700	.59	IRR
S16	E12	26	SE/SW	02200	.38	IRR
S16	E12	26	SW/NE	01901	1.03	IRR

5. **RECIPIENT (ON):**
NAME: **Groscup Family Trust – Robert & Marlene Groscup**
ADDRESS: **20605 Lowe Lane, Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

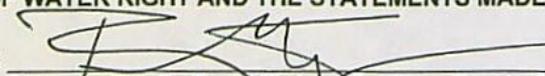
Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	04	NE/NW	00228	2.00	IRR

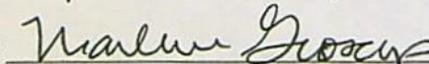
7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT:  _____ 11/05/2021
Groscup Family Trust (Robert Groscup Trustee) Date

APPLICANT:  _____ 11/15/2021
Groscup Family Trust (Marlene Groscup Trustee) Date

RECIPIENT/DISTRICT:  _____ 11/18/21
Jer Camarata-Manager / Swalley Irrigation District Date

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2015-48991



\$58.00

12/04/2015 11:10:19 AM

D-D Cnt=1 Stn=4 SRB
\$10.00 \$11.00 \$21.00 \$10.00 \$6.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Sussie Due, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for .55 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Sussie Due shall no longer be liable for any district assessment or charges pertaining to the .55 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T16S-R12E,WM-SEC27-SE/NE-01700, T16S-R12E,WM-SEC27-SE/NE-01800

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.
Consideration for this Quitclaim is 0.00

Grantor: Sussie Due Date 10-30-15
Sussie Due

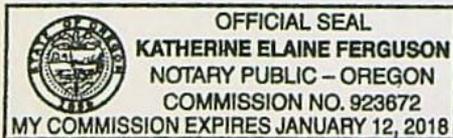
RECEIVED

DEC 29 2015

OWRD

State of Oregon SS.
County of Deschutes

Personally appeared Sussie Due and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 1-12-2018

Swalley Irrigation District:
Suzanne Butterfield Date 11-9-2015
Suzanne Butterfield, General Manager

State of Oregon SS.
County of Deschutes

13882

Personally appeared, Suzanne Butterfield as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 1-12-2018

Tax statement: No change.

Sussie Due
21114 Tumalo Rd.
Bend, OR 97703

Acct: # 1107

RECEIVED

DEC 29 2021

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EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC27-SE/NE-01700	161227AD001700	132993	.24 ac.
T16S-R12E-WM-SEC27-SE/NE-01800	161227AD001800	132993	.31 ac.

Lots Eleven (11) and Twelve (12) in Block Seven (7) in the first addition to WINDSPRING PINES ESTATES according to the official plat thereof on file in the office of the County Recorder of Deschutes County, Oregon.

13882



\$98.00

10/22/2018 03:15:49 PM

D-D Cnt=1 Stn=2 AS
\$10.00 \$11.00 \$61.00 \$10.00 \$6.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97703

**QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT**

Grantor, Stephen & Mary McIntyre, releases and quitclaims to **Swalley Irrigation District (SID)** all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for **.38 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual ShortTerm Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **Stephen & Mary McIntyre**, shall no longer be liable for any district assessment or charges pertaining to **.38 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located: **T17S-R12E,WM-SEC16-SE/SW-02200 - .38 acre**, This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

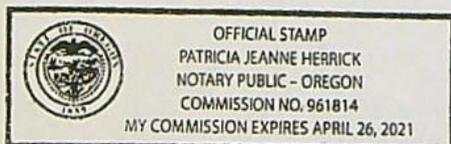
Grantor: *Stephen McIntyre* Date 10/5/18
Stephen McIntyre

Grantor: *Mary McIntyre* Date 10/5/18
Mary McIntyre

RECEIVED
DEC 29 2021
OWRD

State of Oregon SS.
County of Deschutes

Personally appeared: Stephen McIntyre and Mary McIntyre and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Patricia Jeanne Herrick

My commission expires April 26, 2021

Swalley Irrigation District.

Jer Camarata Date 10/13/18
Jer Camarata, General Manager

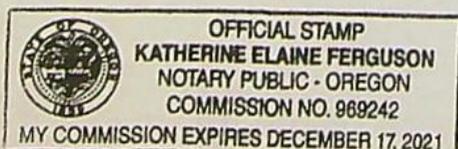
State of Oregon SS.
County of Deschutes

13882

Personally appeared, Jer Camarata as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.

Katherine Elaine Ferguson

My commission expires 12-17-2021



Stephen & Mary McIntyre
63231 Boyd Acres Rd.
Bend, OR 97701

RECEIVED

DEC 29 2021

#MC2595

OWRD

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC16-SE/SW-02200	171216CD02200	160487	.38 ac.

Order No. 131870

LEGAL DESCRIPTION
"EXHIBIT A"

Being a parcel of land located in the Southeast quarter of the Southwest quarter of Section 16, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the South quarter corner of Section 16, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon; thence South 89°58'20" West, 566.70 feet along the Southerly Section line of said Section 16 to the Westerly right of way of Boyd Acres Road; thence North 1°24'50" East, 328.69 feet along said right of way of Boyd Acres Road to the true Point of Beginning of this description; thence continuing along said right of way of Boyd Acres Road, North 1°24'50" East, 126.53 feet; thence North 70°49'02" West, 180.94 feet; thence South 25°34'50" West, 148.93 feet; thence South 66°04'10" East, 100.03 feet; thence South 85°30'40" East, 141.08 feet to the true Point of Beginning.

13882



01309921202000410790020028

D-D Cnt=1 Str=3 STFCLK
\$10.00 \$11.00 \$61.00 \$10.00 \$6.00

08/17/2020 12:57 PM

\$98.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97703

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantors, Norbert & Sheila Volny, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for a total of 1.30 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Norbert & Sheila Volny shall no longer be liable for any District assessment or charges pertaining to the total of 1.30 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T17S-R12E,WM-SEC05-SW/SE-01901- 1.30 acres

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

X Grantor: Norbert Volny Date 8/12/2020
Norbert Volny

X Grantor: Sheila Volny Date 8/12/2020
Sheila Volny

RECEIVED
DEC 29 2021
OWRD

State of Oregon SS.
County of Deschutes

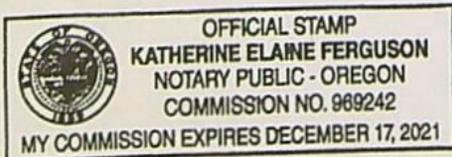
Personally appeared NORBERT AND SHEILA VOLNY and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Ethan Haney
My commission expires JAN. 13, 2024

Swalley Irrigation District: [Signature] Date 8/17/2020
Jer Camarata, General Manager

State of Oregon SS. County of Deschutes
Personally appeared, Jer Camarata, as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 12-17-2021

Tax statement: No change.

13882

EXHIBIT A

Account # VO2196

Norbert & Sheila Volny
20250 Rogers Rd.
Bend, OR 97703

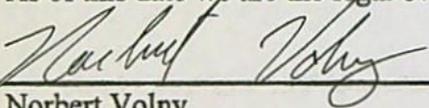
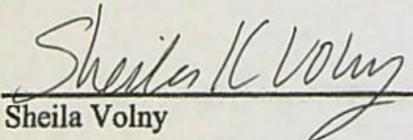
RECEIVED

DEC 29 2021

OWRD

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC05-SW/SE-01901	171205D001901	248572	1.30

We are giving our permission to have 1.30 acres of water rights
Quitclaimed off the property at 20250 Rogers Road.
As of this date we are the legal owners of this property.

X		<u>8/12/2020</u>
	Norbert Volny	Date
X		<u>8/12/2020</u>
	Sheila Volny	Date

13882 

District Internal
Notice #: T-2021-02

**NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)**

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT (OFF):**

NAME: **Swalley Irrigation District**
ADDRESS: **64672 Cook Ave., Ste. 1, Bend, OR 97703**

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	27	NE/SE	00100	2.00	IRR

5. **RECIPIENT (ON):**

NAME: **Thomas Achille**
ADDRESS: **20640 Swalley Rd., Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**

POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	21	SW/NW	00103	.32	IRR
S16	E12	21	SW/NE	00103	1.68	IRR

7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: Thomas Achille

Date

10/20/2021

13882

APPLICANT: _____

Date

RECIPIENT/DISTRICT: _____

Jer Camarata - Manager / Swalley Irrigation District

Date

11/17/2021

RECEIVED

DEC 29 2021

OWRD

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97703

Nancy Blankenship, County Clerk

2021-29281



01372552202100292810020029

D-D Cnt=1 Pgs=2 Str=25
\$10.00 \$11.00 \$61.00 \$10.00 \$6.00

05/11/2021 09:13 AM
\$98.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantors, Western Oregon Conference Association Seventh Day Adventists, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for a total of 2.50 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Western Oregon Conference Association Seventh Day Adventists shall no longer be liable for any District assessment or charges pertaining to the total of 2.50 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T16S-R12E, WM-SEC27-NE/SE-00100 - 2.50 acres

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor:

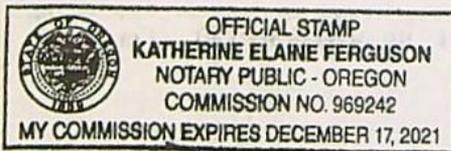
Brent Brosett

Date 4-28-21

Western Oregon Conference Association Seventh Day Adventists (Authorized Signer)

State of Oregon SS.
County of Deschutes

Personally appeared Brent Brosett and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 12-17-2021

RECEIVED
DEC 29 2021
OWRD

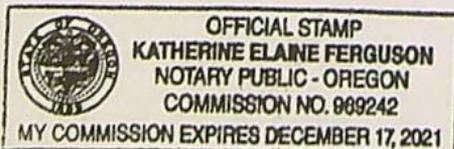
Swalley Irrigation District:

Jer Camarata
Jer Camarata, General Manager

Date 5/7/21

State of Oregon SS. County of Deschutes

Personally appeared, Jer Camarata, as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 12-17-21

13882

Tax statement: No change.

EXHIBIT A

RECEIVED

DEC 29 2021

OWRD

Account # WE1414

Western Oregon Conference Association Seventh Day Adventists
19800 Oatfield Rd
Gladstone, OR 97027

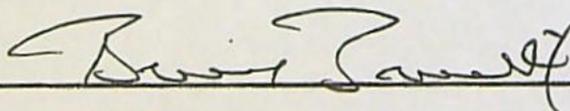
Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC27-NE/SE-00100	161227D000100	133150	2.50

A parcel of land located in the E ½, NE ¼ of Section 27 of Township 16 South. Range 12 East, W.M. Deschutes County, Oregon. Site address 21155 Tumalo Rd., Bend, OR 97703.

We are requesting the 2.50 acre of water rights on our property at 21155 Tumalo Rd, Bend, OR 97703 be quitclaimed back to Swalley Irrigation District.

As of this date we are the legal owners of this property.

Western Oregon Conference Association Seventh Day Adventists (Authorized Signer) Date



4-28-21

13882

**NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)**

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT (OFF):**
NAME: **Swalley Irrigation District**
ADDRESS: **64672 Cook Ave., Ste. 1, Bend, OR 97703**

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East 1/4 corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	1/4 1/4	Tax Lot	# of acres irrigated	Other Use
S16	E12	26	NW/SW	00201	1.00	IRR

5. **RECIPIENT (ON):**
NAME: **Craig & Sandra Crenshaw**
ADDRESS: **20550 Lowe Lane, Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East 1/4 corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E,W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

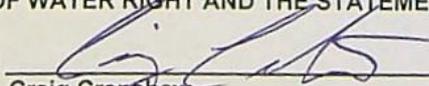
Township	Range	Section	1/4 1/4	Tax Lot	# of acres irrigated	Other Use
S17	E12	04	NE/NW	00223	1.00	IRR

7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

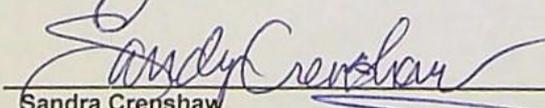
Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

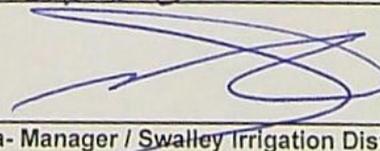
NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

RECIPIENT:  12-14-21
Craig Crenshaw Date

13882

RECIPIENT:  12/14/21
Sandra Crenshaw Date

APPLICANT/DISTRICT:  12/15/21
Jer Camarata- Manager / Swalley Irrigation District Date

RECEIVED
DEC 29 2021

OWRD

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2015-48990



\$58.00

12/04/2015 11:10:00 AM

D-D Cnt=1 Stn=4 SRB
\$10.00 \$11.00 \$21.00 \$10.00 \$6.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Anthony Aceti, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 3.71 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Anthony Aceti shall no longer be liable for any district assessment or charges pertaining to the 3.71 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:
T16S-R12E,WM-SEC26-NW/SW-00201

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.
Consideration for this Quitclaim is 0.00

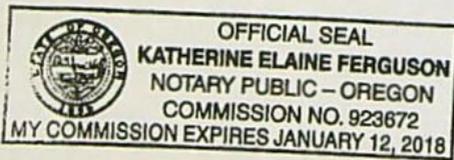
Grantor: *Anthony Aceti* Date 10-28-15
Anthony Aceti

RECEIVED
DEC 29 2015

State of Oregon SS.
County of Deschutes

Personally appeared Anthony Aceti and acknowledged the forgoing instrument to be his / her voluntary act and deed.

OWRD



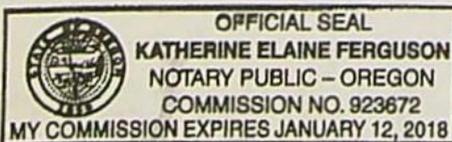
Katherine Elaine Ferguson
My commission expires 1-12-2018

Swalley Irrigation District:
Suzanne Butterfield Date 11-9-2015
Suzanne Butterfield, General Manager

State of Oregon SS.
County of Deschutes

13882

Personally appeared, Suzanne Butterfield as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 1-12-2018

Tax statement: No change.

Anthony Aceti
21235 Tumalo Rd.
Bend, OR 97703

Acct: # 1502

RECEIVED

DEC 29 2021

OWRD

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC26-NW/SW-00201	16 1226CB000201	132973	3.71

That portion of the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of said Section 27, described as: Beginning at the SE corner of said Section 26; thence North along said section line, a distance of 520.0 feet to a point; thence North 90°00' West, 40.00 feet to the true point of beginning; thence continuing North 90°00' West, 260.0 feet to a point; thence South 61°05' West, 760.7 feet to a point; thence South 78°05' West, 161.5 feet, more or less, to a point on the West line of said SE1/4SE1/4; thence North along said West line to the NW corner of said SE1/4SE1/4; thence East along the North boundary of said SE1/4SE1/4 to a point which is 40 feet West from the NE corner of said SE1/4SE1/4; thence South along a line which is parallel to and 40 feet West of the East boundary line of said SE1/4SE1/4 to the true point of beginning.

- 13882 -

**NOTICE OF DISTRICT INTERNAL TRANSFER
 (ORS 540.580)**

DISTRICT: Swalley Irrigation District
ADDRESS: 64672 Cook Avenue, Suite 1, Bend, OR 97703 **PHONE:** 541/388-0658

1. WATER RIGHT: SWALLEY IRRIGATION DISTRICT
 CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE

3. APPLICANTS(OFF):
NAME: Swalley Irrigation District
ADDRESS: 64672 Cook Ave., Ste. 1, Bend, OR 97703

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DEC 29 2021

OWRD

4. LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:
 POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	29	SE/SE	01204	1.78	IRR
S17	E12	16	SW/SE	01500	.90	IRR
S17	E12	16	SW/SE	01600	.20	IRR
S16	E12	28	SW/SW	05101	.22	IRR
OBR Land Management 65625 Old Bend Redmond Hwy, Bend, OR 97703						
S16	E12	16	SE/SE	01700	.06	IRR
S16	E12	16	SW/SE	01700	.24	IRR
S16	E12	28	SW/SE	05101	.23	NUR

5. RECIPIENT (ON):
NAME: OBR Land Management LLC
ADDRESS: 65625 Old Bend Redmond Hwy, Bend, OR 97703

6. LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:
 POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	16	SE/SE	1700	.48	IRR
S16	E12	16	SW/SE	1700	2.92	IRR
S16	E12	16	SW/SE	1700	.23	NUR

7. EXHIBITS: Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: Ross Kranz 12/15/2021
OBR Land Management LLC / Ross Kranz Date

RECIPIENT: Ross Kranz 12/15/2021
OBR Land Management LLC / Ross Kranz Date

APPLICANT/DISTRICT: [Signature] 12/20/21
Jer Camarata - Manager / Swalley Irrigation District Date

RECEIVED

DEC 29 2021

OWRD



00972731201400392930020023

11/21/2014 12:15:12 PM

D-D Cnt=1 Stn=4 SRB
\$10.00 \$11.00 \$21.00 \$10.00 \$8.00

N

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Catherine Cruger, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 3.88 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Catherine Cruger, shall no longer be liable for any district assessment or charges pertaining to the 3.88 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T16S-R12E,WM-SEC29-NE/SE-01204 - T16S-R12E,WM-SEC29-SE/SE-01204

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor: Catherine Cruger

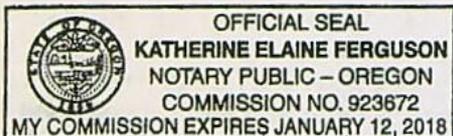
Date 11/7/14

RECEIVED
DEC 29 2014

State of Oregon SS.
County of Deschutes

OWRD

Personally appeared Catherine Cruger and acknowledged the forgoing instrument to be his / her voluntary act and deed.



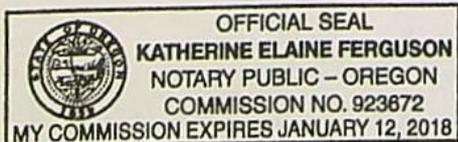
Katherine Elaine Ferguson
My commission expires 1-12-2018

Swalley Irrigation District:
Suzanne Butterfield

Date 11-7-14 3882

State of Oregon SS.
County of Deschutes

Personally appeared, Suzanne Butterfield as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 1-12-2018

Tax statement: No change.

Catherine Cruger
20361 Tumalo Rd.
Bend, OR 97701

RECEIVED

DEC 29 2021

Acct: # 2309

OWRD

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T16S-R12E-WM-SEC29-NE/SE-01204	1612290001204	170688	2.10 ac
T16S-R12E-WM-SEC29-SE/SE-01204	1612290001204	170688	1.78 ac

LEGAL DESCRIPTION: Real property in the County of Deschutes, State of Oregon, described as follows:

A parcel of land situated in the Southeast Quarter (SE-) of Section 29, TOWNSHIP 16 SOUTH, RANGE 12, EAST OF THE WILLAMETTE MERIDIAN, Deschutes County, Oregon, described as follows:

Beginning at a point of the East-West centerline of said Section 29, which bears South 89°44'10" West, 662.61 feet from the East Quarter corner of said Section; thence South 00°05'40" West, 1322.70 feet to a 5/8" iron rod on the North line of the Southeast Quarter of the Southeast Quarter (SE-SE-); thence South 89°50'15" West, on said North line, 1.57 feet to a 5/8" iron rod at the Northeast corner of the West Half of the Southeast Quarter of the Southeast Quarter (W-SE-SE-); thence South 00°11'06" West, on the East line of said West Half (W-), 822.47 feet to a 5/8" iron rod; thence South 89°52'21" West, 660.86 feet to a 5/8" iron rod on the West line of said West Half (W-); thence North 00°09'07" East, on said West line, 822.06 feet to a 5/8" iron rod at the Southwest corner of the West Half of the Northeast Quarter of the Southeast Quarter (W-NE-SE-) of said Section 29; thence North 00°09'54" East, on the West line of said West Half (W-), 1321.54 feet to the Center-East Sixteenth corner on the East-West centerline of said Section 29; thence North 89°44'10" East, on said East-West centerline, 661.29 feet to the point of beginning.

EXCEPTING THEREFROM that portion lying within the right-of-way of Nicholas Market Road (Tumalo Deschutes Highway).

NOTE: This legal description was created prior to January 1, 2008.

13882



00972728201400392900020024

11/21/2014 12:12:12 PM

D-D Cnt=1 Stn=4 SRB
\$10.00 \$11.00 \$21.00 \$10.00 \$6.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, Interex USA, John Roeder, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 1.10 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application Interex, USA, John Roeder, shall no longer be liable for any district assessment or charges pertaining to the 1.10 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:
T17S-R12E,WM-SEC16-SW/SE-01500 - T17S-R12E,WM-SEC16-SW/SE-01600

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

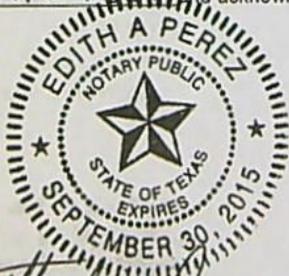
Grantor: *John W.S. Roeder* Date 10-29-14
Interex USA, John Roeder

RECEIVED
DEC 29 2021

State of Oregon SS. Texas
County of Deschutes DALLAS

Personally appeared *John W.S. Roeder* and acknowledged the forgoing instrument to be his / her voluntary act and deed.

OWRD



Edith A. Perez
My commission expires September 30, 2015

Swalley Irrigation District:
Suzanne Butterfield Date 11-3-14
Suzanne Butterfield, General Manager

13882

State of Oregon SS.
County of Deschutes

Personally appeared, Suzanne Butterfield as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.

Katherine Elaine Ferguson
My commission expires 1-12-2018



Tax statement: No change.

INTEREX, USA - John Roeder
63300 Boyd Acres Rd.
Bend, OR 97701

RECEIVED

DEC 29 2021

#2225

OWRD

EXHIBIT A

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC16-SW/SE-01500	171216DC01500	173892	.90 ac
T17S-R12E-WM-SEC16-SW/SE-01600	171216DC01600	109024	.20 ac

PARCEL I:

A tract of land located in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 16, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, which is described as follows:

Beginning at a point from whence the South Quarter corner of said Section 16 bears South 40°52'52" West, 906.80 feet; thence North 132.50 feet; thence East 131.58 feet; thence on a 120.00 foot radius curve right, 2.90 feet, the long chord of which bears North 00°41'31" East, 2.89 feet, thence North 47.15 feet, thence on a 120.00 foot radius curve left, 33.54 feet, the long chord of which bears North 08°00'30" West, 33.44 feet; thence West, 126.95 feet; thence North 194.34 feet; thence South 89°12'55" East, 180 feet; thence south, 407.53 feet; thence West 179.98 feet to the point of beginning.

PARCEL II:

A tract of land located in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section 16, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, which is described as follows:

Beginning at a point from whence the South Quarter corner of said Section 16 bears South 40°52'52" West, 906.80 feet; thence North 132.50 feet to the true point of beginning; thence East 131.58 feet to a point on a 120.00 foot radius curve from which a radial line bears North 88° West; thence Northerly along said 120.00 foot curve to the left, whose central angle is 01°23'02", a distance of 2.90 feet; thence North 47.15 feet; thence along a 120.00 foot radius curve left, whose central angle is 16°01'00", a distance of 33.55 feet; thence West, 126.95 feet; thence South 83.16 feet to the true point of beginning.

13882



\$98.00

01207993201800506260020027

12/27/2018 01:47 PM

D-D Cnt=1 Stn=4 SRB
\$10.00 \$11.00 \$61.00 \$10.00 \$6.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97701

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, **Joseph & Kara Billings**, releases and quitclaims to **Swalley Irrigation District (SID)** all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for a total of **.33 acres** of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application **Joseph & Kara Billings** shall no longer be liable for any District assessment or charges pertaining to the total of **.33 acres** of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:
T16S-R12E,WM-SEC28-SW/SW-05101 - .33 acres

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement.
Consideration for this Quitclaim is 0.00

Grantor: *Joseph Billings* Date 12-11-18
Joseph Billings

RECEIVED

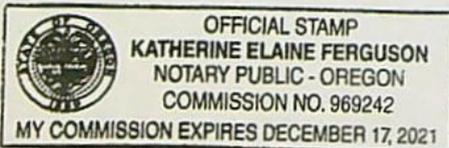
Grantor: *Kara Billings* Date 12/11/18
Kara Billings

DEC 29 2021

OWRD

State of Oregon SS.
County of Deschutes

Personally appeared Joseph & Kara Billings and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 12-7-2021

Swalley Irrigation District:

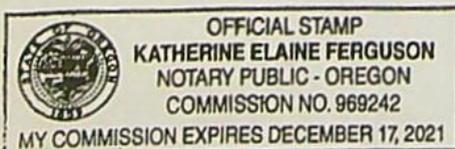
Jer Camarata
Jer Camarata, General Manager

Date 12/12/18

13882

State of Oregon SS.
County of Deschutes

Personally appeared, Jer Camarata, as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 12-7-2021

Tax statement: No change.

Joseph & Kara Billings
64861 Old Bend Redmond Hwy
Bend, OR 97703

#BI2518

Legal Description:

T16S-R12E-WM-SEC28-SW/SW-05101

Taxlot

161228C005101

Serial#

133296

WR Acres:

.33 ac.

Exhibit "A"

RECEIVED

Real property in the County of Deschutes, State of Oregon, described as follows:

DEC 29 2021

PARCEL I:

A parcel of land in the Southwest Quarter of Section 28, Township 16 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

OWRD

Starting at the corner to Sections 28, 29, 32 and 33 at an existing iron pipe; thence North 00°13'23" East, 747.21 feet along the line between Sections 28 and 29 to a point being an existing 1/2 inch steel bar and being the true point of beginning; thence South 85°55'47" East, 208.00 feet along a line common to the property lying Southerly of said line to a point being a 1/2 inch steel bar; thence North 00°13'23" East, 200.00 feet parallel with the West line of Section 28 to a point being an existing 1/2" steel bar; thence North 85°55'47" West, 208.00 feet to a point being a 1/2 inch steel bar and also on the West line of said Section 28; thence South 00°13'23" West, 200.00 feet along the West line of said Section 28 to the true point of beginning.

PARCEL II:

A parcel of land lying in the Southwest Quarter of Section 28, Township 16 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, lying West of the Westerly right of way line of the Old Dalles California Highway, described as follows:

Starting at the corner of Sections 28, 29, 32 and 33; thence North 00°13'23" East along the West line of said Section 28, 747.21 feet to the Point of Beginning; thence South 85°55'47" East, 315.00 feet to a point; thence North 00°13'23" East, 343.85 feet on a line parallel with the West line of said Section 28 to a point; thence North 86°40'08" West, 314.76 feet to a point on the West line of said Section 28; thence South 00°13'23" West, 339.79 feet along the West line of said Section 28 to the point of beginning.

AND ALSO a parcel of land lying in that portion of the Southwest Quarter of said Section 28, lying West of the Westerly right of way line of the Old Dalles California Highway, described as follows:

Starting at the corner of Sections 28, 29, 32 and 33; thence North 00°13'23" East 747.21 feet along the West line of said Section 28 to a point; thence South 85°55'47" East, 315.00 feet to the point of beginning; thence North 00°13'23" East, 343.85 feet along a line parallel with the West line of said Section 28 to a point; thence South 86°40'08" East, 398.56 feet, more or less, to a point on the Westerly right of way line of the Old Dalles California Highway; thence in a Southwesterly direction South 04°43'02" West, 348.25 feet, more or less, along the Westerly right of way line of the Old Dalles California Highway to a point which is North 00°13'23" East, 747.21 feet and South 85°55'47" East, 686.52 feet from the Southwest corner of said Section 28; thence North 85°55'47" West, 371.52 feet to the point of beginning.

EXCEPTING THEREFROM a parcel of land in the Southwest Quarter of said Section 28, described as Starting at the corner to Sections 28, 29, 32 and 33 at a existing iron pipe; thence North 00°13'23" East, 747.21 feet along the line between Sections 28 and 29 to a point being an existing 1/2 inch steel bar and being the true point of beginning; thence South 85°55'47" East, 208.00 feet along a line common to the property lying Southerly of said line to a point being a 1/2 inch steel bar; thence North 00°13'23" East, 200.00 feet parallel with the West line of Section 28 to a point being an existing 1/2 inch steel bar; thence North 85°55'47" West, 208.00 feet to a point being a 1/2 inch steel bar and also on the West line of said Section 28; thence south 00°13'23" West, 200.00 feet along the West line of said Section 28 to the true point of beginning.

NOTE: This legal description was created prior to January 1, 2008.

13882

NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT (OFF):**
NAME: **Swalley Irrigation District**
ADDRESS: **64672 Cook Ave., Ste. 1, Bend, OR 97703**

RECEIVED

DEC 29 2021

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

OWRD

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	22	NE/SE	00100	1.00	IRR

5. **RECIPIENT (ON):**
NAME: **Alexander & Christy Chang**
ADDRESS: **64750 Old Bend Redmond Hwy, Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

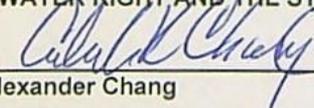
Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	32	NE/NE	00200	1.00	IRR

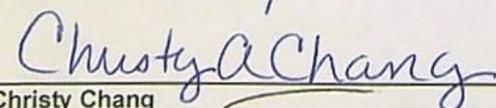
7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (On & Off Maps)

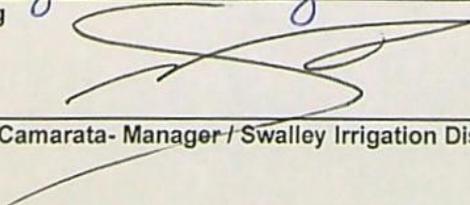
Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

RECIPIENT:  11/23/21
Alexander Chang Date

RECIPIENT:  11/23/21
Christy Chang Date

APPLICANT/DISTRICT:  11/23/21
Jer Camarata - Manager / Swalley Irrigation District Date

13882



\$98.00

01200213201800435770020021

10/29/2018 03:13 PM

D-D Cnt=1 Str=4 SRB
\$10.00 \$11.00 \$61.00 \$10.00 \$6.00

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97703

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantor, City of Bend, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for 1.00 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have an appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application City of Bend, shall no longer be liable for any district assessment or charges pertaining to 1.00 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T17S-R12E,WM-SEC22-NE/SE-00100 - 1.00 acre

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor:

Date 10-12-18

RECEIVED

DEC 29 2021

City of Bend (Authorized Signer)

State of Oregon SS.
County of Deschutes

OWRD

Personally appeared: City of Bend and acknowledged the forgoing instrument to be his / her voluntary act and deed.



Kayla Marie Duddy 10-12-2018

My commission expires November 26, 2021

Swalley Irrigation District:

Jer Camarata, General Manager

Date 10/23/18

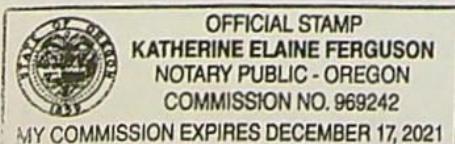
13882

State of Oregon SS.
County of Deschutes

Personally appeared, Jer Camarata as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.

Katherine Elaine Ferguson

My commission expires 12-17-21



Tax statement: No change.

City of Bend
575 NE 15th St.
Bend, OR 97701

RECEIVED

DEC 29 2021

#CI2235

OWRD

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC22-NE/SE-00100	171222DA00100	176904	1.00 ac.

Site Address: 2680 NE Butler Market Rd, Bend, OR 97701

Parcel of land located in a portion of the Northeast one-quarter (NE1/4) of Section 22, Township 17 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon.

13882

**NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)**

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANTS(OFF):**
NAME: **Swalley Irrigation District**
ADDRESS: **64672 Cook Ave., Ste. 1, Bend, OR 97703**

RECEIVED

DEC 29 2021

OWRD

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	07	SE/NE	00100	5.87	IRR
Bret Biedscheld Tracy Freeman 64795 Half Mile Lane, Bend, OR 97703						
S16	E12	34	NE/NW	00300	.61	IRR

5. **RECIPIENT (ON):**
NAME: **Bret Biedscheld & Tracy Freeman**
ADDRESS: **64795 Half Mile Lane, Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3 & 15) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12EW.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

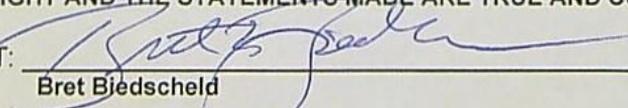
Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S16	E12	34	NE/NW	00300	6.48	IRR

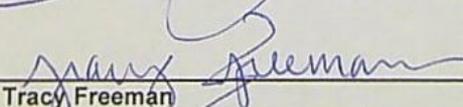
7. **EXHIBITS:** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

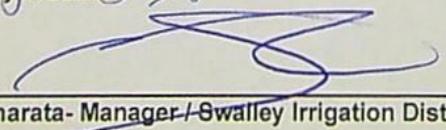
Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT/ RECIPIENT:  12/16/2021
Bret Biedscheld Date

APPLICANT / RECIPIENT:  13882 12/16/2021
Tracy Freeman Date

APPLICANT/DISTRICT:  12/29/21
Jer Camarata- Manager / Swalley Irrigation District Date

Deschutes County Official Records

Steve Dennison, County Clerk

2021-70774



01417195202100707740040041

D-D Cnt=1 Pgs=4 Stn=25
\$20 00 \$11 00 \$61 00 \$10 00 \$6 00

12/27/2021 10:51 AM
\$108 00

RECORDING COVER SHEET (Please print or type)

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, and does NOT affect the instrument. ORS 205.234

Recording Office

RECEIVED

DEC 29 2021

OWRD

AFTER RECORDING RETURN TO: ORS 205.234(1)(c)

Swalley Irrigation Dist
164672 Cook Ave Ste 1
Leond, OR, 97703

1. TITLE(S) OF THE TRANSACTION(S) ORS 205.234(1)(a) <u>Quitclaim Deed</u>	
2. DIRECT PARTY(IES) / GRANTOR(S) ORS 205.234(1)(b) <u>RRB Properties^{LLC} Ronald Cochran and Julia Kennedy Cochran</u>	
3. INDIRECT PARTY(IES) / GRANTEE(S) ORS 205.234(1)(b) <u>Swalley Irrigation Dist</u>	
4. TRUE and ACTUAL CONSIDERATION Amount in dollars or other value/property ORS 205.234(1)(d) \$ <u>0</u> <input type="checkbox"/> Other Value <input type="checkbox"/> Other Property Other value/property is Whole <input type="checkbox"/> or Part <input type="checkbox"/> of the consideration	5. SEND TAX STATEMENTS TO: ORS 205.234(1)(e) <u>No Change</u>
6. SATISFACTION of ORDER or WARRANT Check one if applicable: ORS 205.234(1)(f) <input type="checkbox"/> FULL <input type="checkbox"/> PARTIAL	7. The amount of the monetary obligation imposed by the order or warrant: ORS 205.234(1)(f) \$ <u>0</u>
8. If this instrument is being Re-Recorded, complete the following statement: ORS 205.244(2) Re-recorded at the request of <u>Swalley Irrigation District</u> to correct <u>legal - amount of acres.</u> _____ previously recorded in Book/Volume _____ and Page _____, or as Fee Number <u>2021-18873</u>	

13882

After Recording Return To:
SWALLEY IRRIGATION DISTRICT
64672 Cook Avenue, Suite 1
Bend, Oregon 97703

Deschutes County Official Records 2021-18873
Nancy Blankenship, County Clerk



01361647202100188730030033

03/25/2021 09:34 AM

D-D Cnt=1 Str=25 MF
\$15 00 \$11 00 \$61 00 \$10 00 \$6 00

\$103.00

QUITCLAIM DEED
FOR TRANSFER OF INTEREST IN A WATER RIGHT

Grantors, QRR Properties, LLC / Ronald Cochran and Julia Kennedy Cochran, releases and quitclaims to Swalley Irrigation District (SID) all rights, title and interest in the following: By this agreement and signed transfer application form, Grantor, the owner of the lands listed in Exhibit A, release their claim and responsibility for a total of 28.94 acres of Swalley Irrigation District water right that are appurtenant to the lands listed in Exhibit A, to Swalley Irrigation District. Swalley Irrigation District may elect to complete the transfer application and submit it to the Water Resources Department for approval of use of the water right at a new location and/or use. Swalley Irrigation District may attach this agreement to the Oregon Water Resources Department's lease form and file with the District's annual Short Term Water Right Lease Agreement.

By entry of this deed, grantor hereby notifies any subsequent purchaser of the lands listed in Exhibit A that grantor, as owner of the subject land, approved the transfer (including a change in the place and type of use and point of diversion) of the water rights that are appurtenant to the subject land; and that upon completion of a transfer, by election of SID, the subject land no longer will have 28.94 acres of appurtenant water right, if the transfer includes a change in the place of use.

Furthermore, upon signing of this agreement and the accompanying transfer application shall no longer be liable for any District assessment or charges pertaining to the total of 28.94 acres of water right incurred after the date of signing. The water right in question is further described as a portion of certificate # 74145, priority of 1899, located:

T17S-R12E,WM-SEC07-SE/NE-00100-15.88 acres T17S-R12E,WM-SEC07-NE/NE-00100-13.86 acres
19.48 9.46

This agreement is binding upon the heirs, executors, administrators, successors, and permitted assigns of the parties to this agreement. Consideration for this Quitclaim is 0.00

Grantor: Ronald Cochran Date March 23 2021
QRR Properties, LLC / Ronald Cochran

Grantor: Julia Kennedy Cochran Date March 23, 2021
Julia Kennedy Cochran

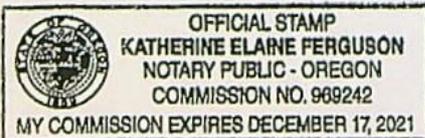
RECEIVED

DEC 29 2021

OWRD

State of Oregon SS.
County of Deschutes

Personally appeared: Ronald + Julia Cochran and acknowledged the forgoing instrument to be his / her voluntary act and deed.



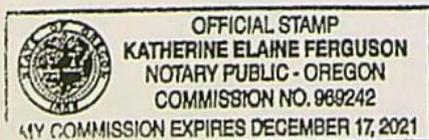
Katherine Elaine Ferguson
My commission expires 12-17-21

Swalley Irrigation District:

[Signature] Date 3/24/21
Jer Camarata, General Manager

State of Oregon SS. County of Deschutes

Personally appeared, Jer Camarata, as Manager for Swalley Irrigation District, and acknowledged the forgoing instrument to be her voluntary act and deed.



Katherine Elaine Ferguson
My commission expires 12-17-21

Tax statement: No change.

13882

EXHIBIT A

RECEIVED

DEC 29 2021

OWRD

Account # QR2317

QRR Properties, LLC
Ronald Cockran
Julia Kennedy Cochran
18624 Pinehurst Rd.
Bend, OR 97701

Legal Description:	Taxlot	Serial#	WR Acres:
T17S-R12E-WM-SEC07-NE/NE-00100	1712070000100	113037	13.86 9.46
T17S-R12E-WM-SEC07-SE/NE-00100	1712270000100	113037	15.08 19.48

TRACT I:

A portion of Parcel A of Partition Plat No. 1996-55, being a portion of the North Half of the Northeast Quarter (N1/2 NE1/4) lying on the Easterly side of the Deschutes River in Section 7, Township 17, South Range 12, East of the Willamette Meridian, Deschutes County, Oregon.

Described as follows:

Commencing at the Northeast corner of said Parcel A, being the Northeast corner of said Section 7; thence North 89°36'46" West along the North line of said Parcel A, a distance of 1315.90 feet to the West 1/16 corner between Section 6 and 7; thence North 89°34'38" West 390.50 feet; thence North 89°31'27" West, 66.68 feet to the true point of beginning of this description; thence continuing North 89°31'27" West, 425.21 feet to a point in the centerline of the Deschutes River; thence along said river centerline along the following courses: South 13°19'56" West, 238.79 feet; thence South 03°52'03" East, 166.94 feet to a point on the South line of said Parcel A; thence North 89°34'35" East along said South line, 368.81 feet; thence leaving said South line of Parcel A and running North 03°52'03" East, 166.94 feet; thence North 13°19'56" East, 238.79 feet to the Point of Beginning and there terminating.

TRACT II:

A portion of Parcel B of Partition Plat No. 1996-55, being located in the Northeast Quarter (NE1/4) of Section 7, Township 17, South, Range 12, East of the Willamette Meridian, Deschutes County, Oregon.

Described as follows:

Commencing at the Northeast corner of said Parcel B, running thence North 89°34'35" West along the North line of said Parcel B, a distance of 1770.92 feet to a point in the bluff of the Deschutes River Canyon, said point being the true point of beginning of this description; thence continuing North 89°34'35" West, 363.82 feet, more or less, to a point in the centerline of the Deschutes River; thence southerly along said river centerline along the following courses: South 03°27'58" East, 64.87 feet; thence South 07°29'56" East, 295.15 feet; thence South 02°22'12" West, 63.98 feet; thence leaving said river centerline South 89°34'35" East, 352.50 feet to a point in said river bluff; thence North 03°52'03" West, 422.18 feet to the point of beginning and there terminating.

TRACT III:

Parcel C of Partition Plat No. 1996-55, being located in the Northeast Quarter (NE1/4) of Section 7, Township 17 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon.

Excepting therefrom that portion of Parcel C of Partition Plat No. 1996-55, described as follows:

Beginning at the corner common to Parcels B and C on the Northerly right-of-way line of Destiny Court; thence North 00°08'16" East, 659.44 feet to the true point of beginning of this description; thence South 00°08'16" West, 25.00 feet; thence North 89°34'35" West, 1689.69 feet; thence North 03°52'03" West, 25.07 feet to a point on the South line of Parcel B; thence South 89°34'35" East along said line a distance of 1691.44 feet, more or less, to the point of beginning.

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We are giving permission to have 28.94 acres of water rights
Quitclaimed off the property at 19975 Destiny Court, Bend, OR 97703
As of this date we are the legal owners of this property.

Ronald R. Cochran

March 23 2021

QRR Properties, LLC / Ronald Cochran

Date

Julia Kennedy Cochran

March 23, 2021

QRR Properties, LLC / Julia Kennedy Cochran

Date

NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)

DEC 29 2021

DISTRICT: **Swalley Irrigation District**
ADDRESS: **64672 Cook Avenue, Suite 1, Bend, OR 97703** PHONE: **541/388-0658**

OWRD

1. **WATER RIGHT: SWALLEY IRRIGATION DISTRICT**
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. **TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE**

3. **APPLICANT (OFF):**
NAME: **QRR Properties, LLC / Ronald & Julia Cochran**
ADDRESS: **19975 Destiny Court, Bend, OR 97701**

4. **LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	07	NE/NE	00100	13.86 9.46	IRR
S17	E12	07	SE/NE	00100	15.08 19.48	IRR

5. **RECIPIENT (ON):**
NAME: **Swalley Irrigation District**
ADDRESS: **64672 Cook Ave., Ste. 1 Bend, OR 97703**

6. **LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:**
POD #3) N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E., W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T.15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

Township	Range	Section	¼ ¼	Tax Lot	# of acres irrigated	Other Use
S17	E12	07	NE/NE	00100	13.86 9.46	IRR
S17	E12	07	SE/NE	00100	15.08 19.48	IRR

7. **EXHIBITS :** Maps showing the location of the present and proposed irrigated lands (*On & Off Maps*)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT: *Ronald Cochran* 3/23/21
QRR Properties, LLC / Ronald Cochran Date

APPLICANT: *Julia Kennedy Cochran* 3-23-21
Julia Kennedy Cochran Date

RECIPIENT/DISTRICT: *Jer Camarata* 3/24/21
Jer Camarata- Manager / Swalley Irrigation District Date

District Internal
Notice #: T-2021-07

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DEC 29 2021

NOTICE OF DISTRICT INTERNAL TRANSFER
(ORS 540.580)

OWRD

DISTRICT: Swalley Irrigation District
ADDRESS: 64672 Cook Avenue, Suite 1, Bend, OR 97703 PHONE: 541/388-0658

1. WATER RIGHT: SWALLEY IRRIGATION DISTRICT
CERTIFICATE(S): 74145 PRIORITY DATE: September 1, 1899

2. TYPE OF CHANGE: PERMANENT CHANGE IN PLACE OF USE

3. APPLICANT (OFF):
NAME: Mark & Suzanne Peterson
ADDRESS: 20206 Glen Vista Rd., Bend, OR 97703

4. LOCATION OF USE: (Off Lands) AUTHORIZED POINT OF DIVERSION:
POD #3) N 985' & W 617' from the East 1/4 corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system) POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T. 15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

LOCATION OF AUTHORIZED PLACE OF USE (Off Lands)

Township	Range	Section	1/4 1/4	Tax Lot	# of acres irrigated	Other Use
S17	E12	17	NW/SW	00302	.73	IRR

5. RECIPIENT (ON):
NAME: Mark & Suzanne Peterson
ADDRESS: 20206 Glen Vista Rd., Bend, OR 97703

6. LOCATION OF PROPOSED USE (On Lands) AUTHORIZED POINT OF DIVERSION:
POD #3) N 985' & W 617' from the East 1/4 corner, SE/NE of Section 29, T17S, R12E, W.M. (Diversion for Swalley's canal system), POD #15) Additional district diversion: NW1/4SE1/4, Section 14, T 15S., R. 12E, W.M.; 2170 feet North and 1350 feet West from the SE Corner of Section 14.

Township	Range	Section	1/4 1/4	Tax Lot	# of acres irrigated	Other Use
S17	E12	17	NW/SW	0302	.01	IRR
S17	E12	17	NW/SW	0300	.72	IRR

7. EXHIBITS: Maps showing the location of the present and proposed irrigated lands (On & Off Maps)

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT AND APPLICANT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

APPLICANT/RECIPIENT: Mark Peterson 12/13/21
Date

APPLICANT/RECIPIENT: Suzanne Peterson 12/15/21
Date

APPLICANT/DISTRICT: Jer Camarata - Manager / Swalley Irrigation District 12/20/21
Date

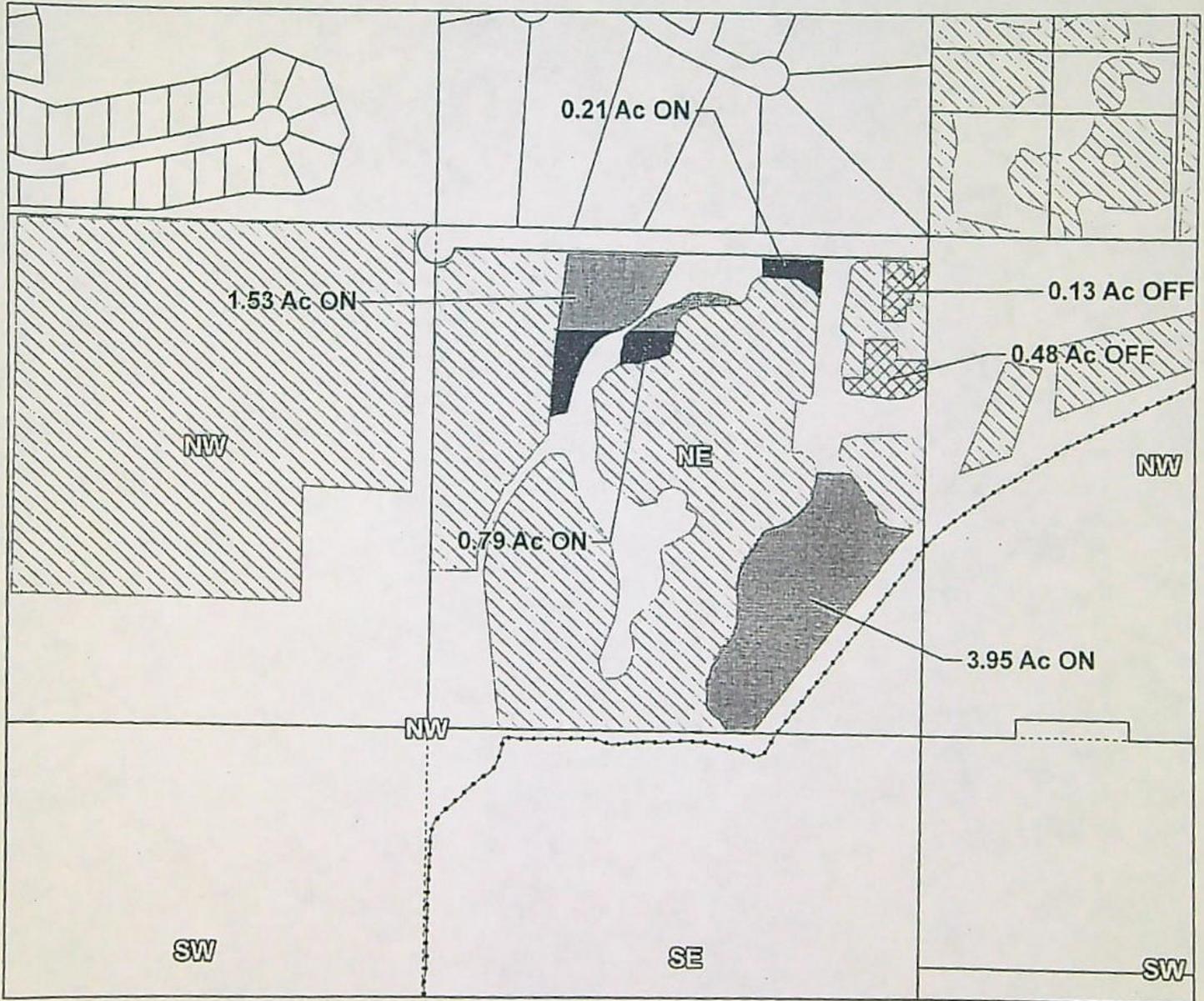
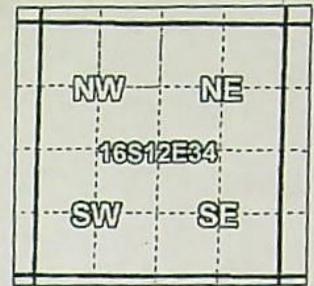
13882

Swalley Irrigation District

2021 District Transfer Application "On" and "Off" Map

Certificates: 74145

for Bret Biedscheld and Tracy Freeman



Taxlot 1612340000300, 16-12-34-NE/NW-00300: 6.48 Acres On, 28.10 AC Total

Taxlot 1612340000300, 16-12-34-NE/NW-00300: 0.61 Acres Off

- Pipelines and Canals
- On Transfer
- Off Transfer
- Primary Water Right
- Taxlots



1 inch = 400 feet

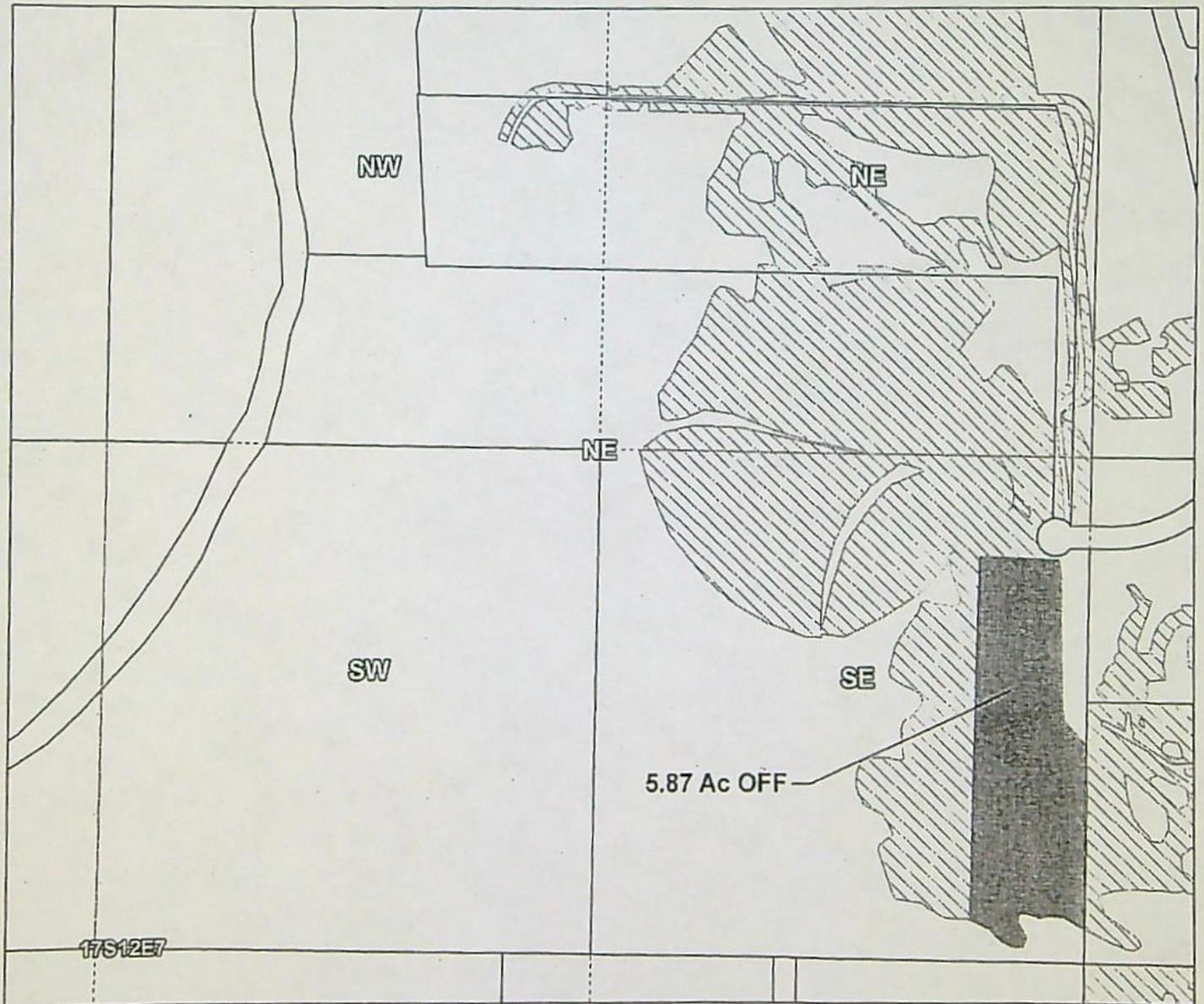
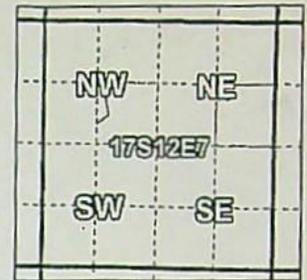
Prepared by Swalley Irrigation District | Dec 2021

Swalley Irrigation District

2021 District Transfer Application "Off" Map

Certificates: 74145

for Q.R.R.



Taxlot 1712070000100, 17-12-70-SE/NE-00100: 5.87 Acres Off, 13.61 AC Remaining

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots



1 inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

2021 District Transfer Application "On" and "Off" Map

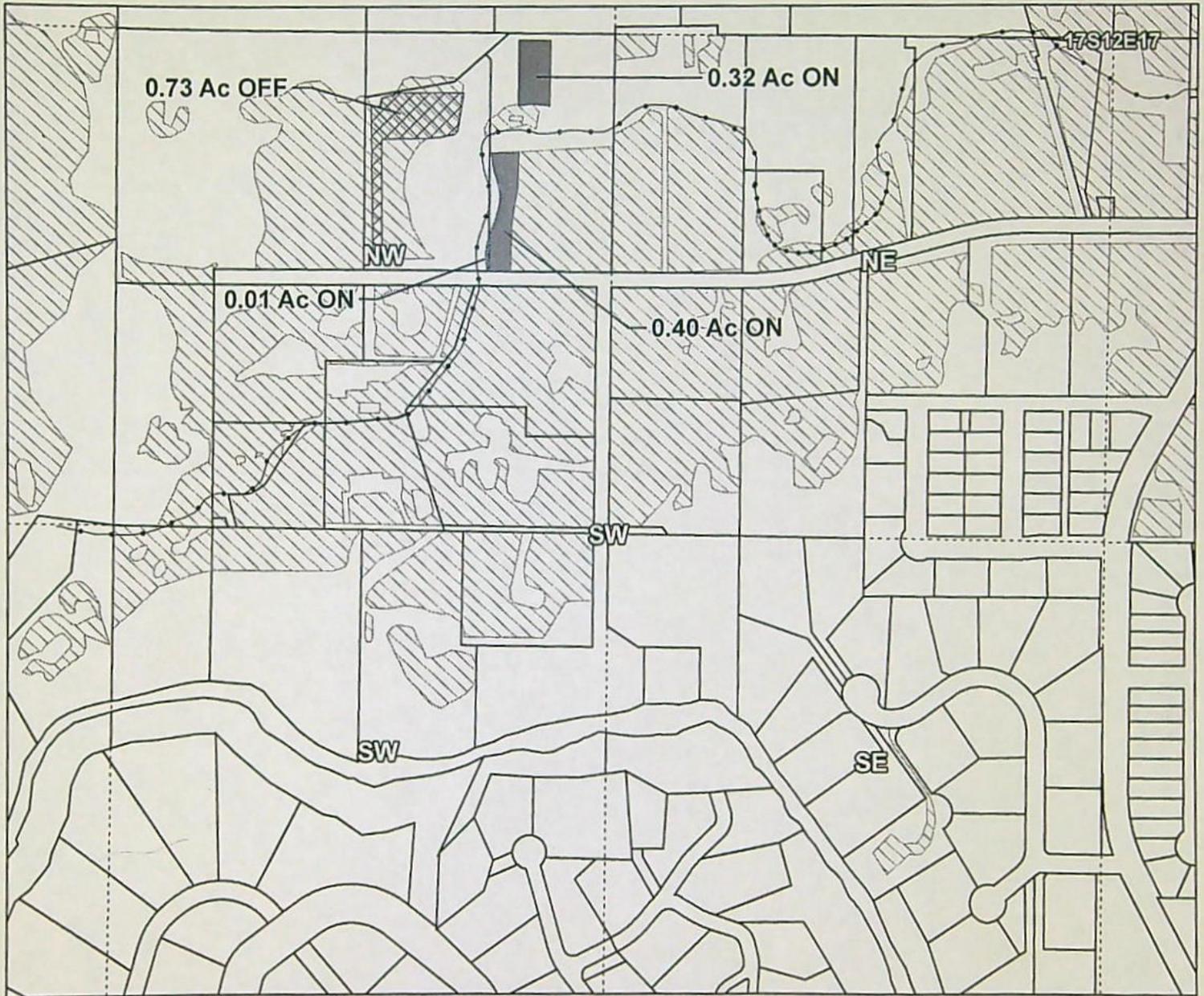
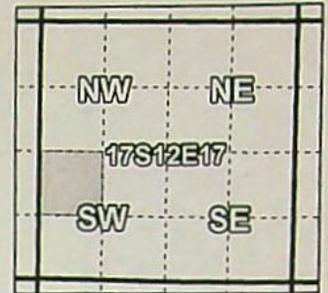
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Certificates: 74145

for Mark and Suzanne Peterson



Taxlot 171217C000302, 17-12-17-NW/SW-00302: 0.73 Acres Off, 3.1 AC Remaining
Taxlot 171217C000302, 17-12-17-NW/SW-00302: 0.01 Acres On, 3.11 AC Total
Taxlot 171217C000300, 17-12-17-NW/SW-00300: 0.72 Acres On, 3.83 AC Total

- Pipelines and Canals
- On Transfer
- ▨ Off Transfer
- ▩ Primary Water Right
- Taxlots



1 inch = 400 feet

13882

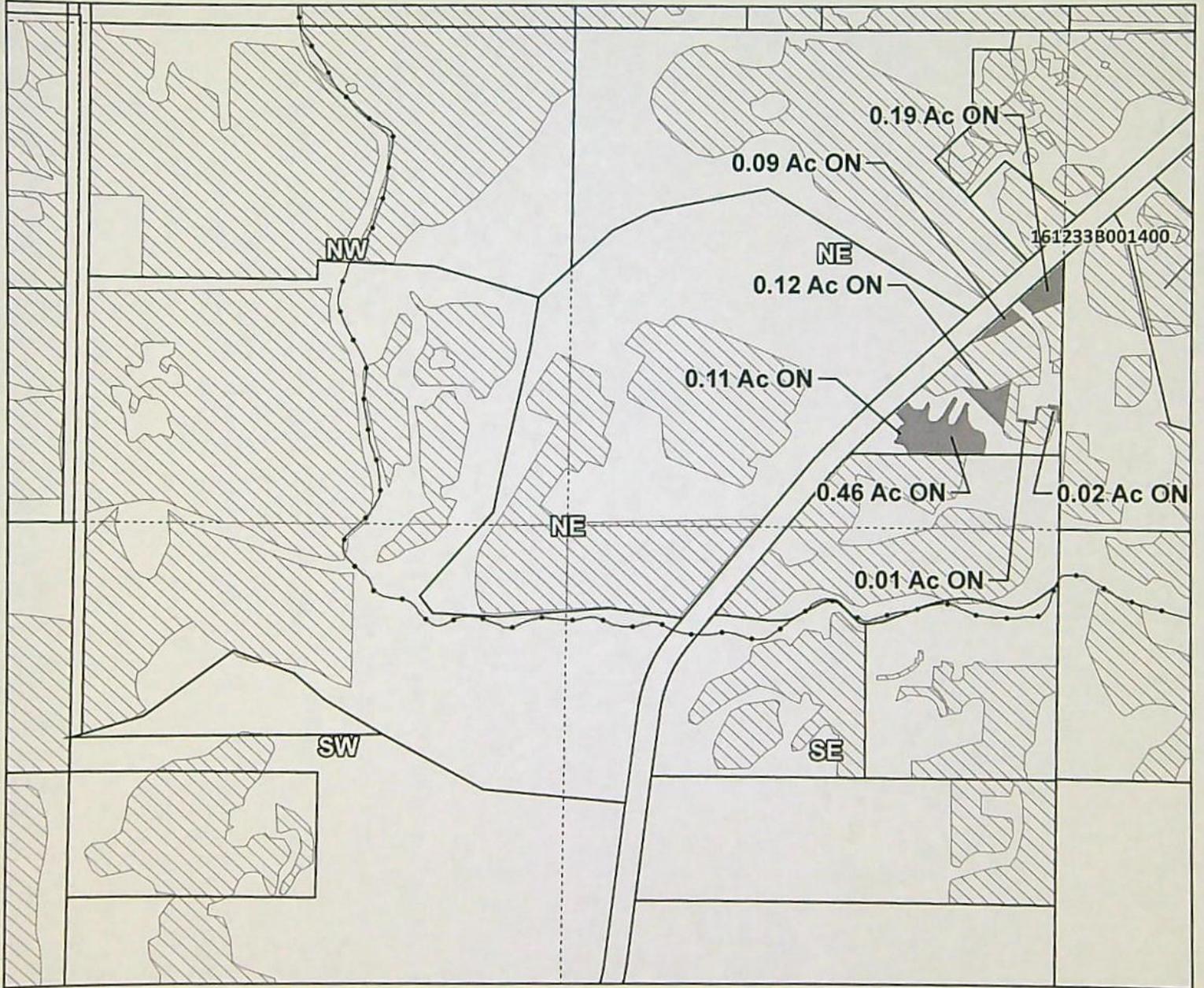
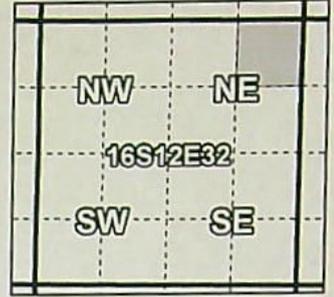
Prepared by Swalley Irrigation District | Dec 2021

Swalley Irrigation District

2021 District Transfer Application "On" Map

Certificates: 74145
for Alexander and Christy Chang

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DEC 29 2021
OWRD



Taxlot 1612320000200, 16-12-32-NE/NE-00200: 1.0 Acres On, 3.0 AC Total

13882

- Pipelines and Canals
- Transfer
- Primary Water Right
- Taxlots



1 inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

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Ann Reece, 4/26/2022, 10:58:27 AM

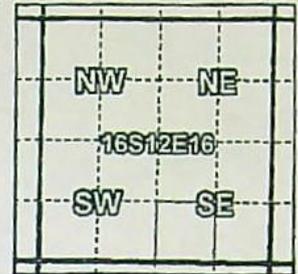
Swalley Irrigation District

2021 District Transfer Application "On" Map

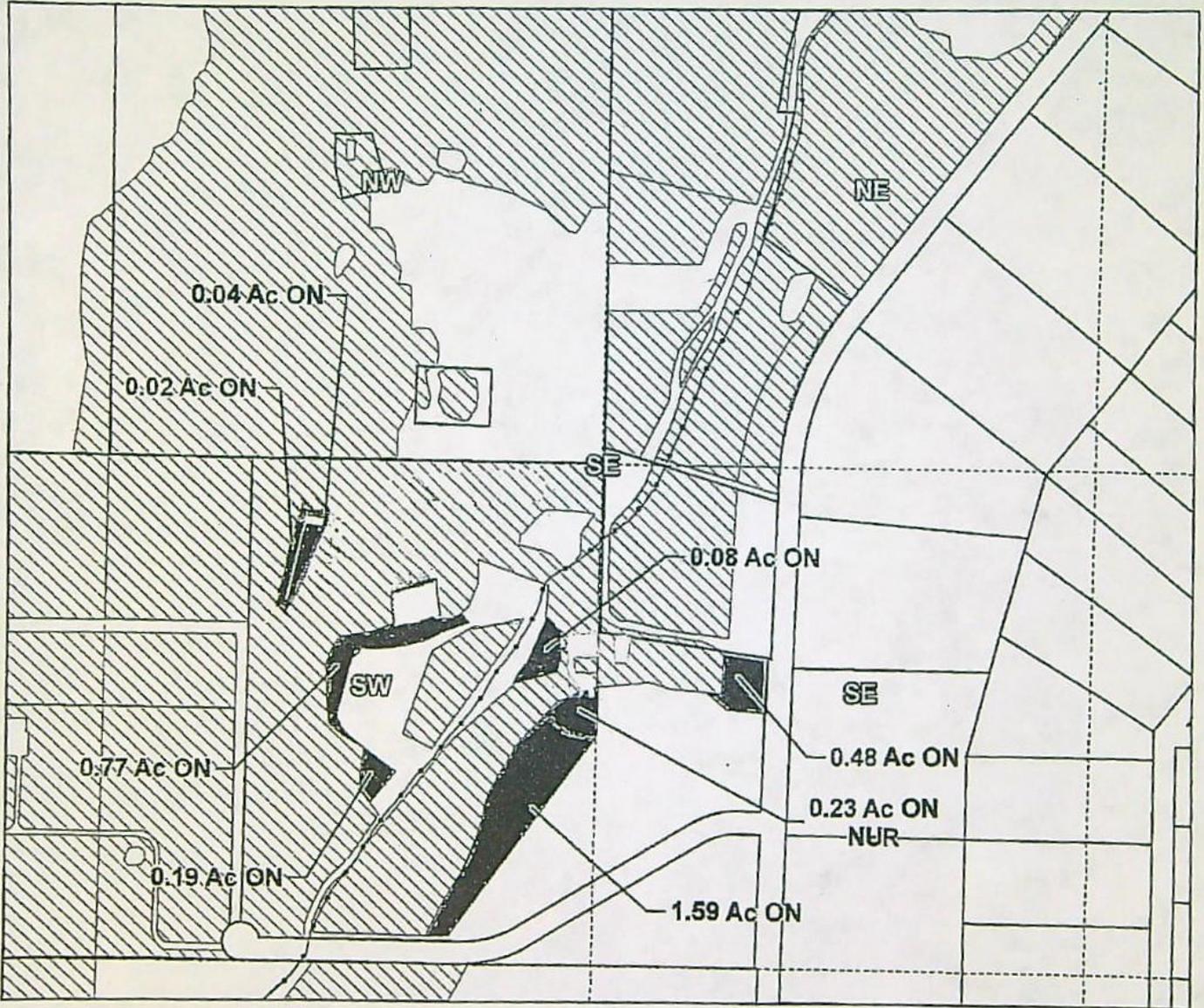
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DEC 29 2021

OWRD



Certificates: 74145
for OBR Land Management LLC



Taxlot 1612160001700, 16-12-16-SW/SE-01700: 2.92 IRR Acres On, 19.23 IRR AC Total
Taxlot 1612160001700, 16-12-16-SW/SE-01700: 0.23 NUR Acres On, 0.23 NUR AC Total
Taxlot 1612160001700, 16-12-16-SE/SE-01700: 0.48 IRR Acres On, 3.77 IRR AC Total

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots

13882



1 Inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

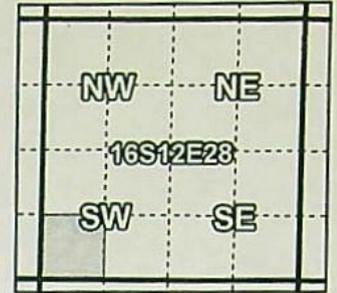
2021 District Transfer Application "Quitclaim" Map OFF

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Certificates: 74145



Taxlot 161228C005101, T16S R12E 28 SW/SW: 0.22Acres Off, 4.78 Acres Remaining

13882

- Pipelines and Canals
- Transfer
- Taxlots
- Primary Water Right



1 inch = 400 feet

Prepared by Swalley Irrigation District | DEC 2018

Swalley Irrigation District - Quitclaim

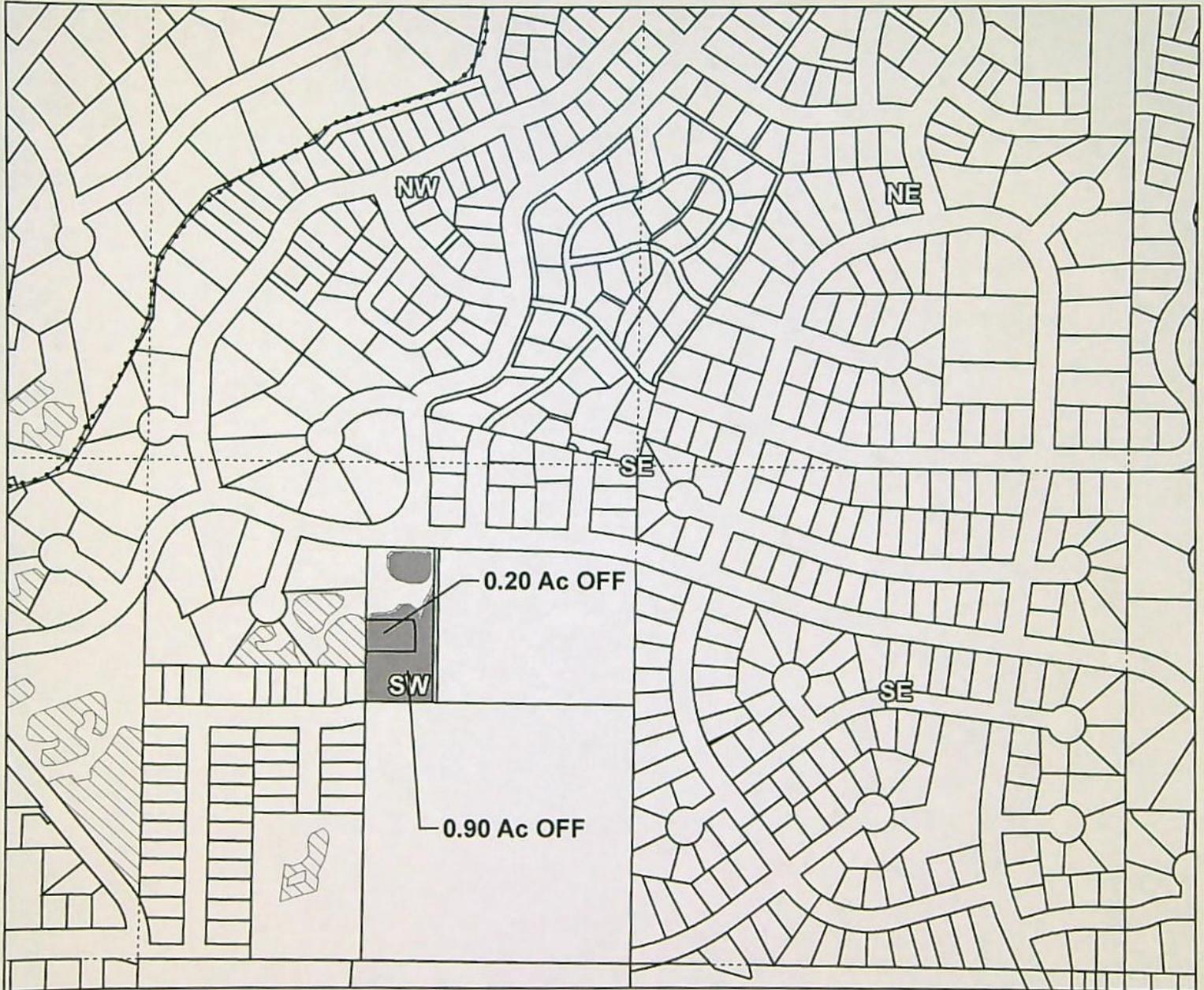
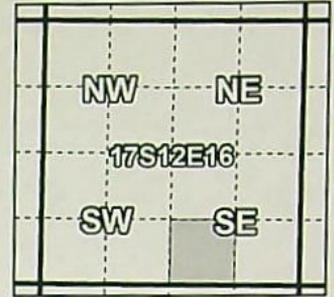
2021 District Transfer Application "Off" Map

Certificates: 74145

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Taxlot 171216DC01500, 17-12-16-SW/SE-01500: 0.90 Acres Off, 0.0 AC Remaining

Taxlot 171216DC01600, 17-12-16-SW/SE-01700: 0.20 Acres Off, 0.0 AC Remaining

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots

13882



1 inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District Application

2021 District Transfer

Cert #: 74145

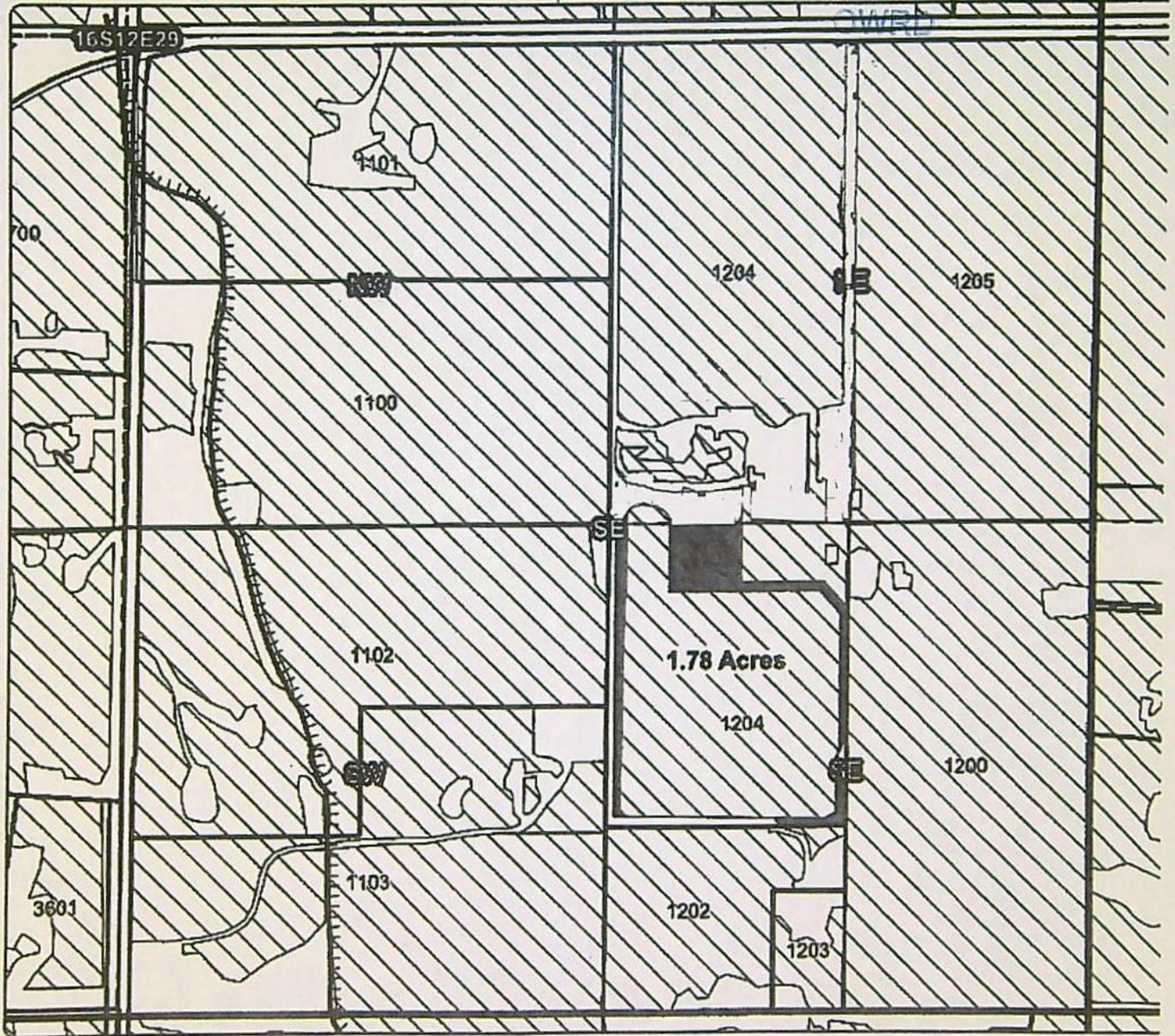
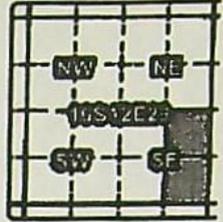
RECEIVED

For: Swalley Irrigation District

OFF MAP

Quitclaim

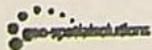
DEC 29 2021



Taxlot 1204, 16S12E29SESE: 1.78 Acres OFF - 9.67 Acres Remaining

- Point of Diversion
- TTT Canals
- Taxlots
- Transfer
- ▨ Cert 74145

13882



1 inch = 400 feet
April 2015



Swalley Irrigation District

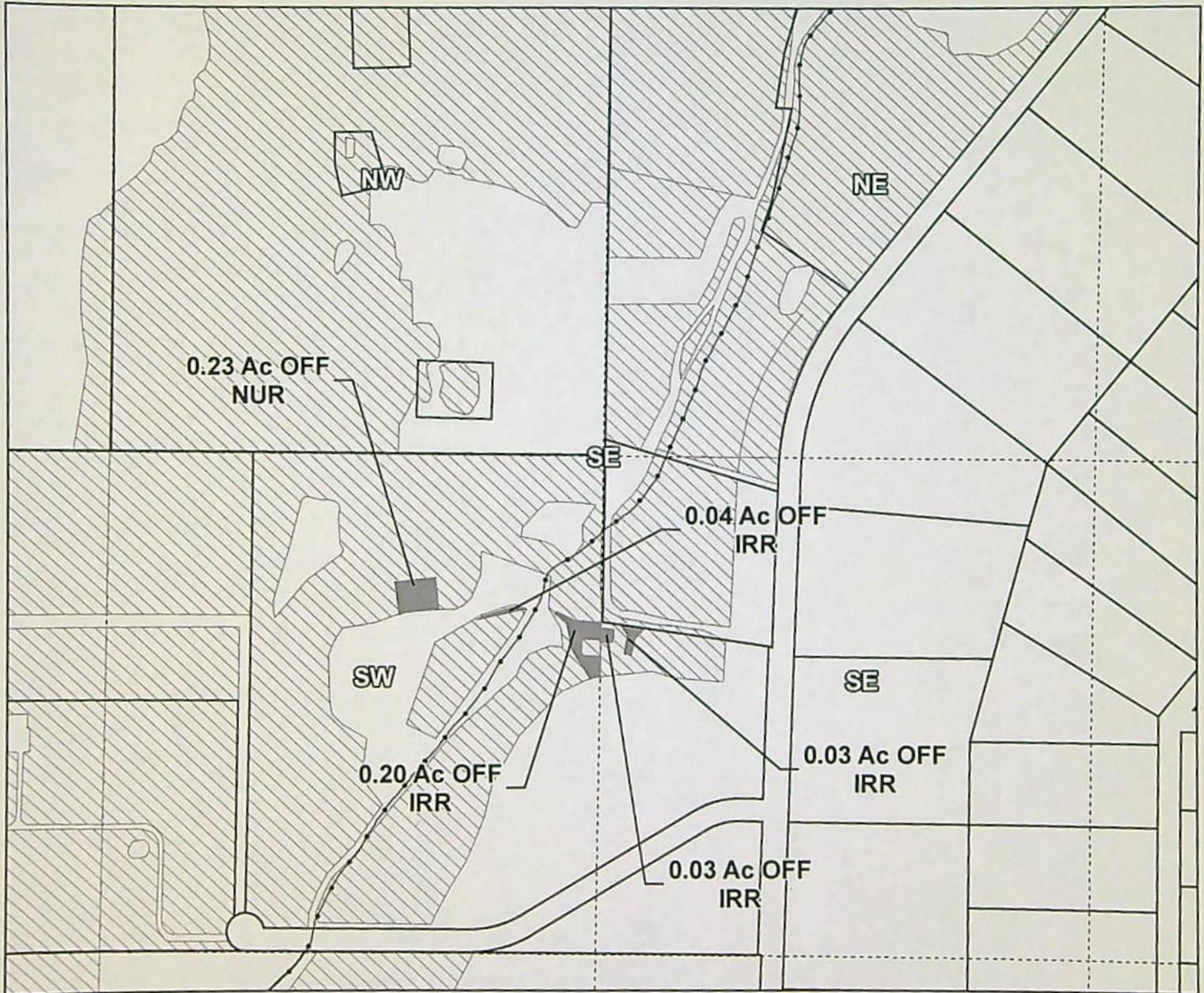
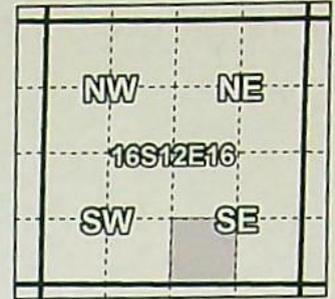
2021 District Transfer Application "Off" Map

Certificates: 74145
for OBR Land Management LLC

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DEC 29 2021

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Taxlot 1612160001700, 16-12-16-SW/SE-01700: 0.23 NUR Acres Off, 0.0 NUR AC Remaining
 Taxlot 1612160001700, 16-12-16-SW/SE-01700: 0.23 IRR Acres Off, 19.60 IRR AC Remaining
 Taxlot 1612160001700, 16-12-16-SE/SE-01700: 0.06 IRR Acres Off, 3.24 IRR AC Remaining

- Pipelines and Canals
- Transfer
- Primary Water Right
- Taxlots



1 inch = 400 feet

13882

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

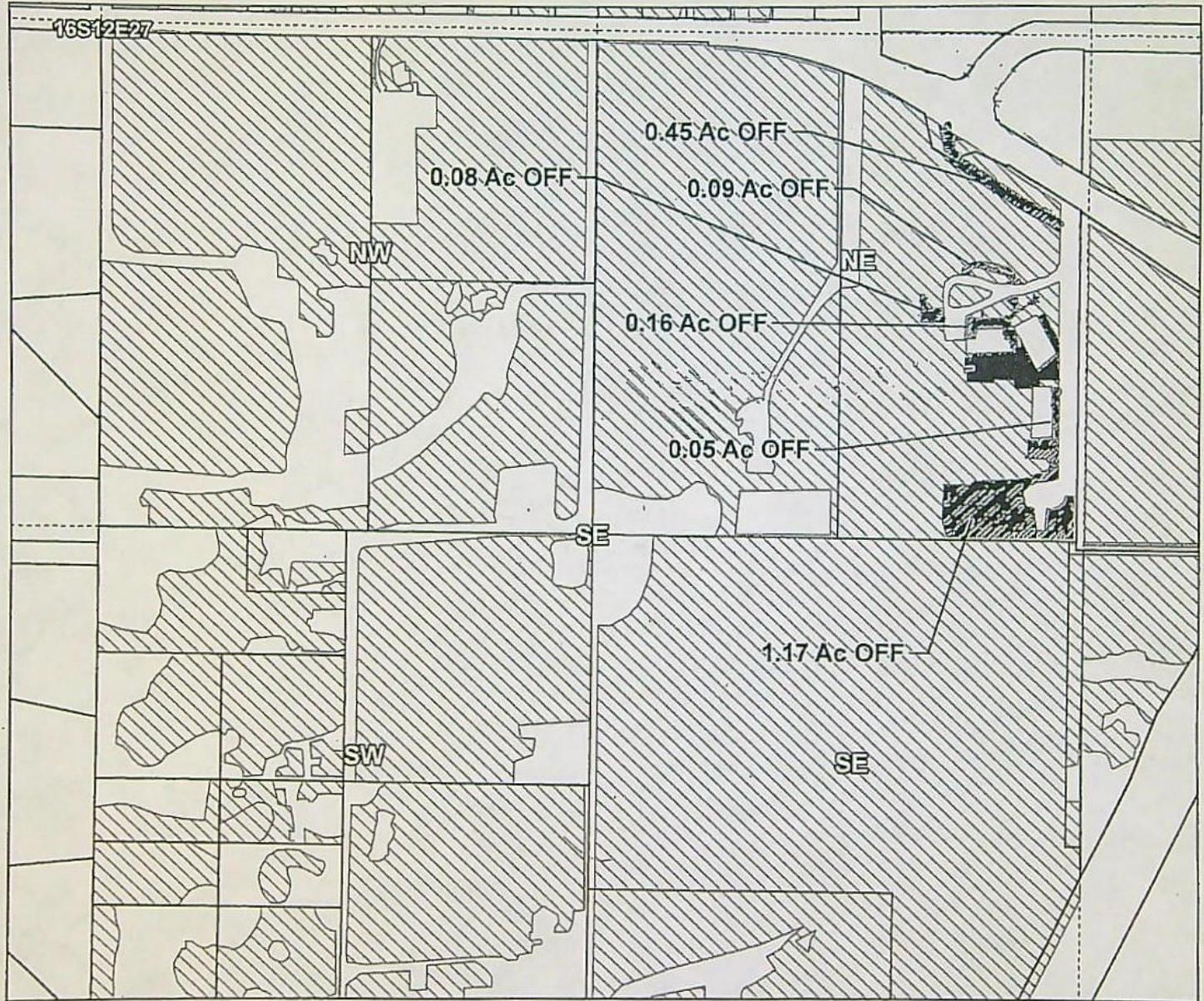
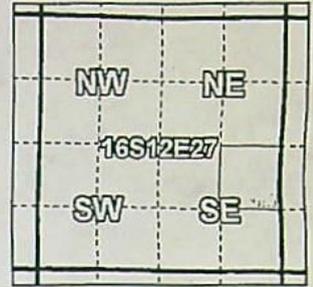
2021 District Transfer Application "Quitclaim" Map

Certificates: 74145

OFF
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DEC 29 2021

OWRD



Taxlot 161227D000100, T16S R12E 27 NE/SE: 2.00 Acres Off, 10.41 Acres Remaining

13882

- Pipelines and Canals
- Transfer
- Taxlots
- Primary Water Right



1 inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

2021 District Transfer Application "On" Map

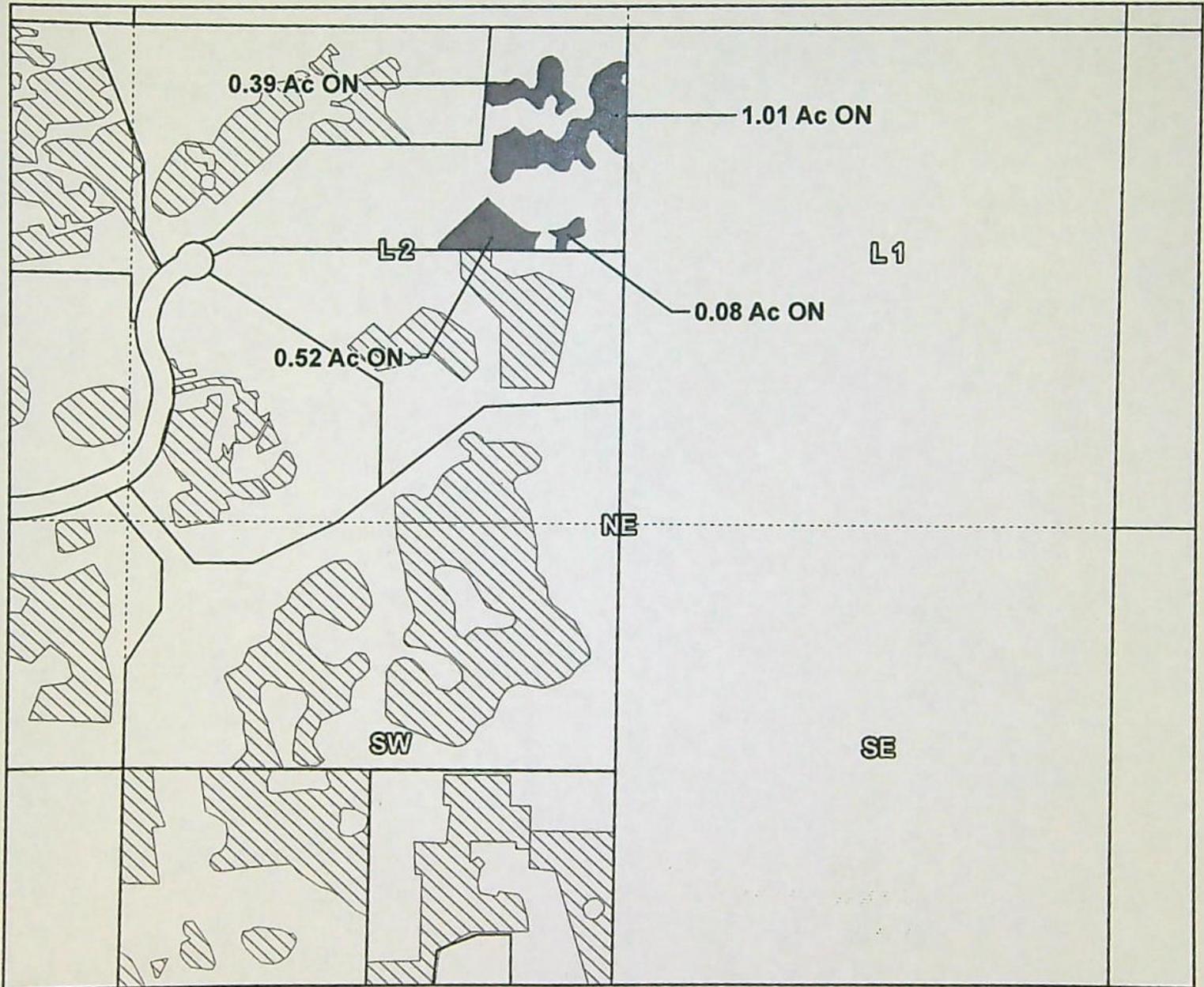
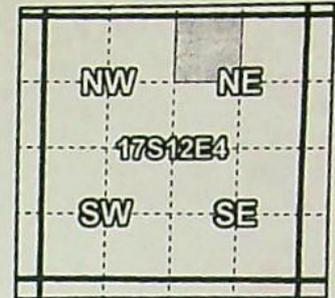
Certificates: 74145

for Robert and Marlene Groscup

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DEC 29 2021

OWRD



Taxlot 1712040000228, T17S R12E 04 NW/NE: 2.00 Acres On, 2.00 Acres Total

- Pipelines and Canals
- Transfer
- Taxlots
- Primary Water Right

13882



1 inch = 400 feet

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Swalley Irrigation District

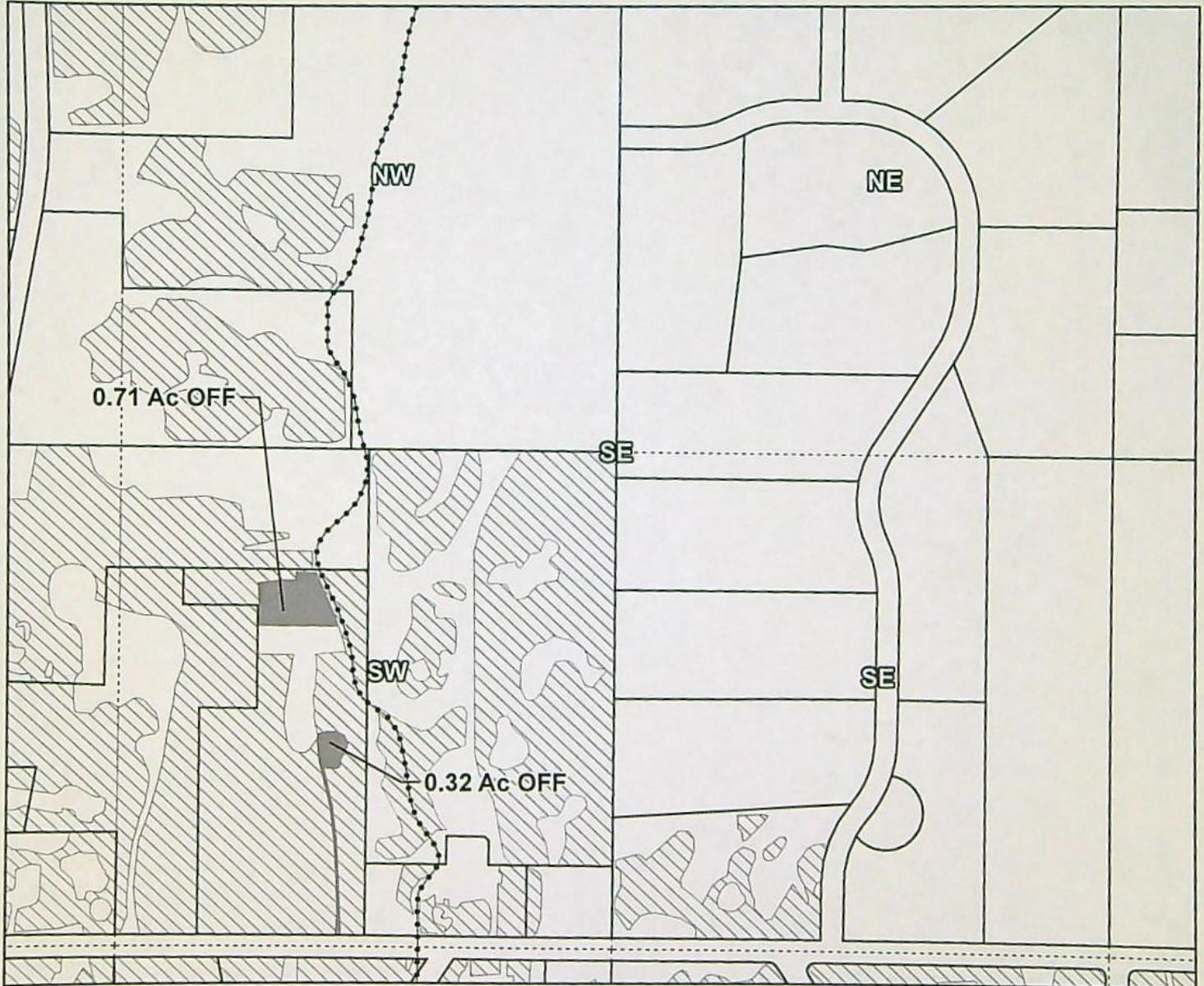
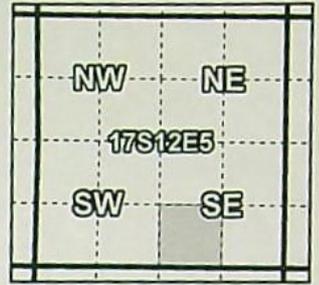
2021 District Transfer Application Quitclaim "Off" Map

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DEC 29 2021

OWRD

Certificates: 74145



Taxlot 171205D001901, T17S R12E 05 SW/SE: 1.03 Acres Off, 7.20 Acres Remaining

- Pipelines and Canals
- Transfer
- Taxlots
- ▨ Primary Water Right



1:4,800

13882

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

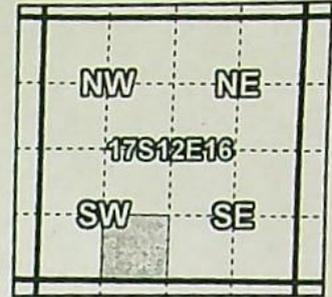
2021 District Transfer Application Quitclaim "Off" Map

Certificates: 74145

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DEC 29 2021

OWRD



Taxlot 171216CD02200, T17S R12E 16 SE/SW: 0.38 Acres Off, 0.0 Acres Remaining

13882

- Pipelines and Canals
- Transfer
- Taxlots
- Primary Water Right



1:4,800

Prepared by Swalley Irrigation District | Nov 2021

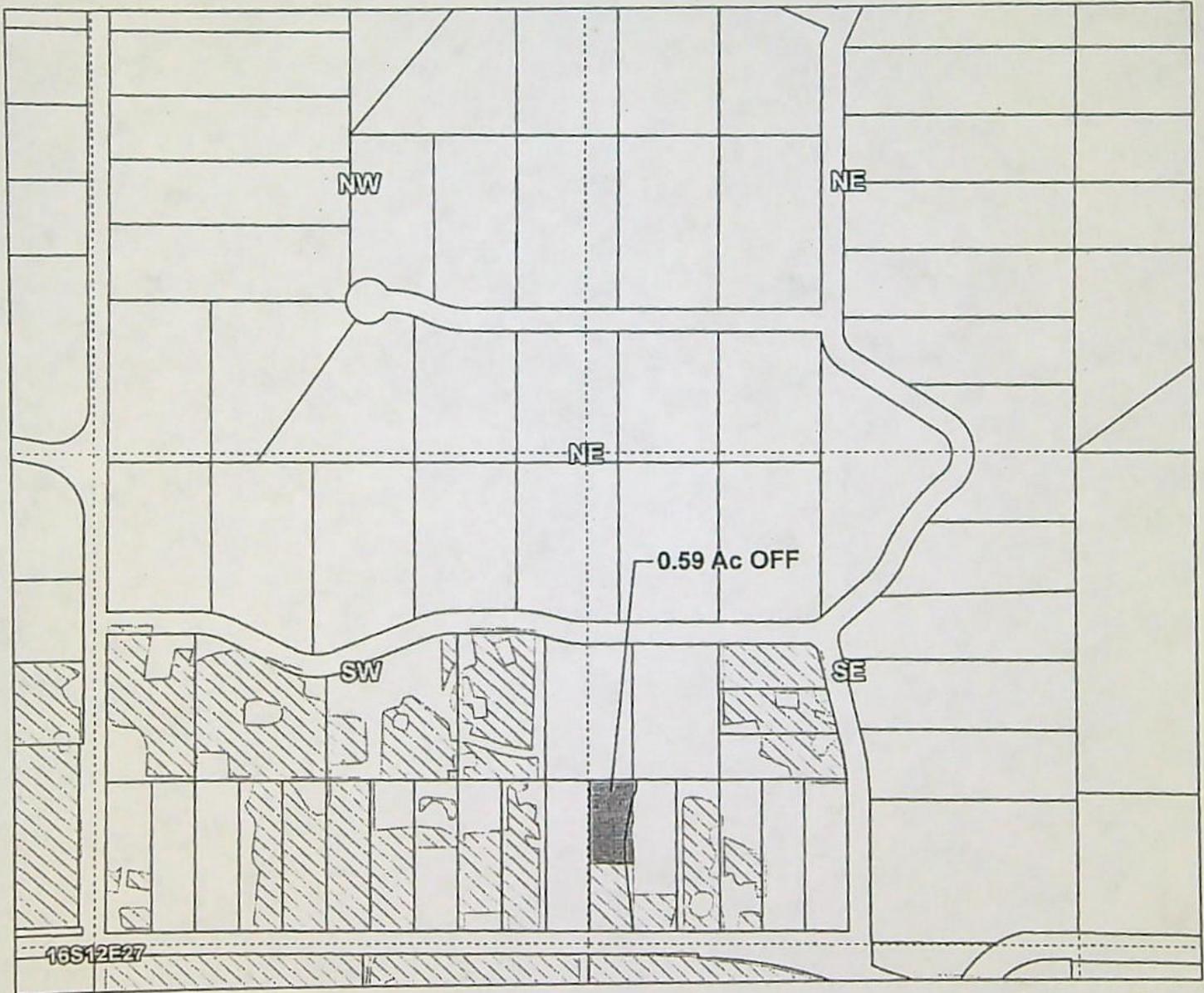
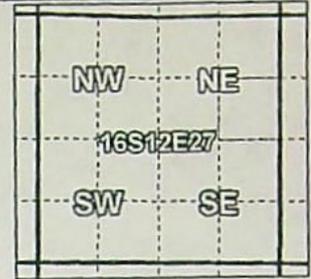
OWRD RECEIVED
Ann Reece, 4/26/2022, 10:58:27 AM

Swalley Irrigation District

2021 District Transfer Application "Off" Map

Certificates: 74145

Outclaim Map Swalley ID



Taxlot 161227A001800, 16-12-27-SE/NE-01800: 0.59 Acres Off, 0.48 AC Remaining

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots



1 inch = 400 feet

Prepared by Swalley Irrigation District | March 2022

Swalley Irrigation District

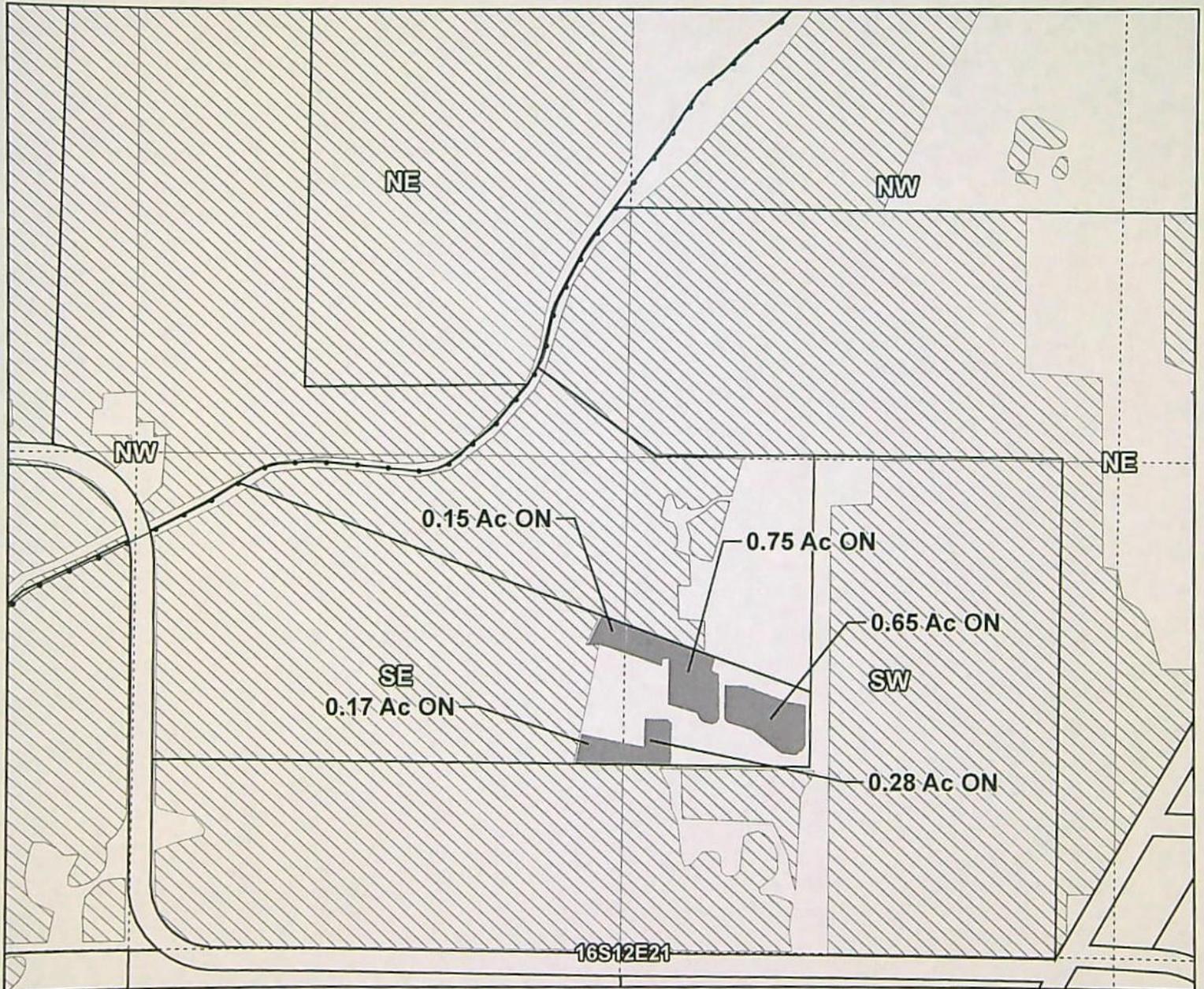
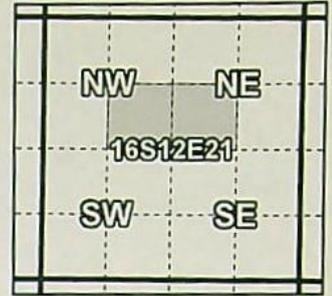
2021 District Transfer Application "On" Map

Certificates: 74145
for Thomas Achille

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DEC 29 2021

OWRD



Taxlot 1612210000103, 16-12-21-SE/NW-00103: 0.32 Acres On, 16.82 AC Total
Taxlot 1612210000103, 16-12-21-SW/NE-00103: 1.68 Acres On, 1.68 AC Total

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots



13882

1:4,800

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

2021 District Transfer Application "On" Map

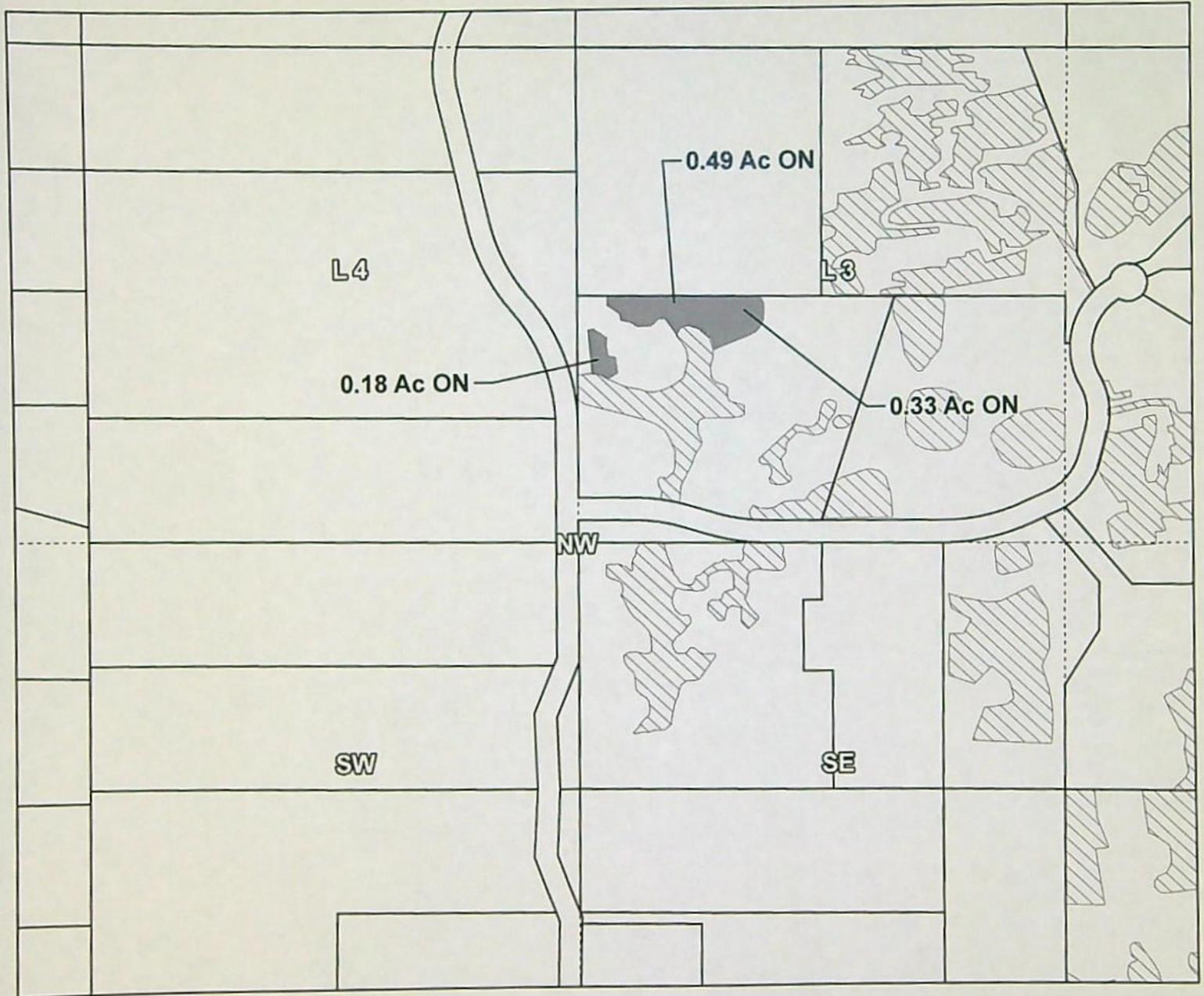
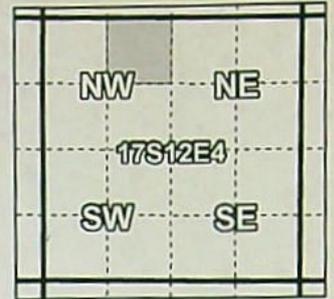
Certificates: 74145

for Craig and Sandra Crenshaw

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DEC 29 2021

OWRD



Taxlot 1712040000223, 17-12-04-NE/NW-00223: 1.0 Acres On, 3.0 AC Total

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots

13882



1 inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

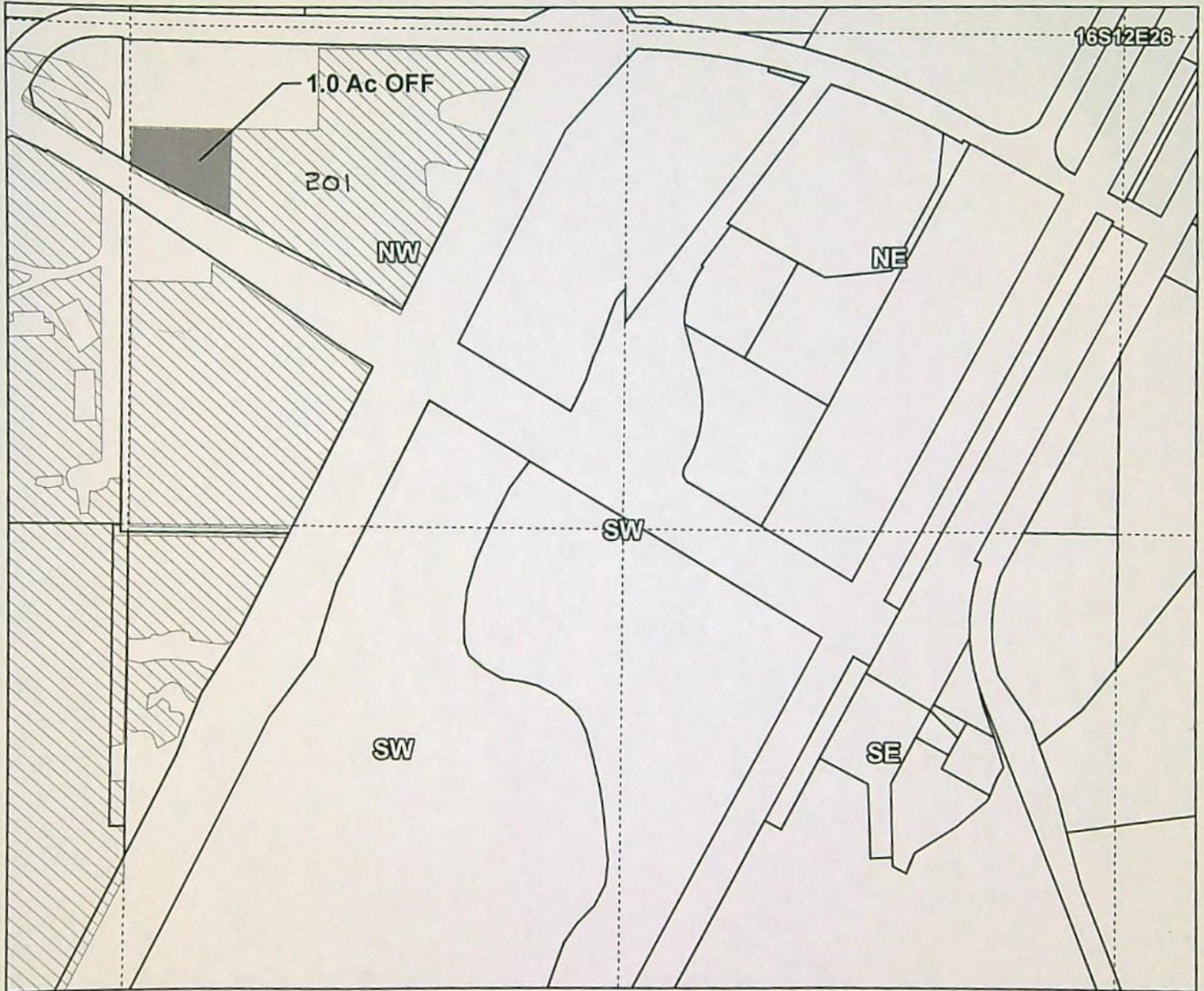
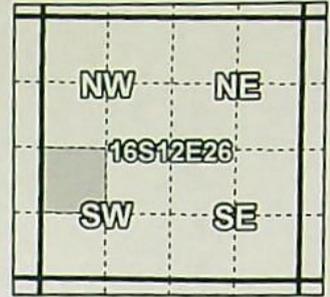
2021 District Transfer Application "Off" Map

Certificates: 74145

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DEC 29 2021

OWRD



Taxlot 161226C000201, 16-12-26-NW/SW-00201: 1.0 Acres Off, 16.0 AC Remaining

- Pipelines and Canals
- Transfer
- ▨ Primary Water Right
- Taxlots



1 inch = 400 feet

13882

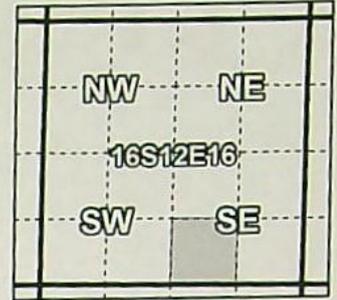
Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

2021 District Transfer Application "On" Map

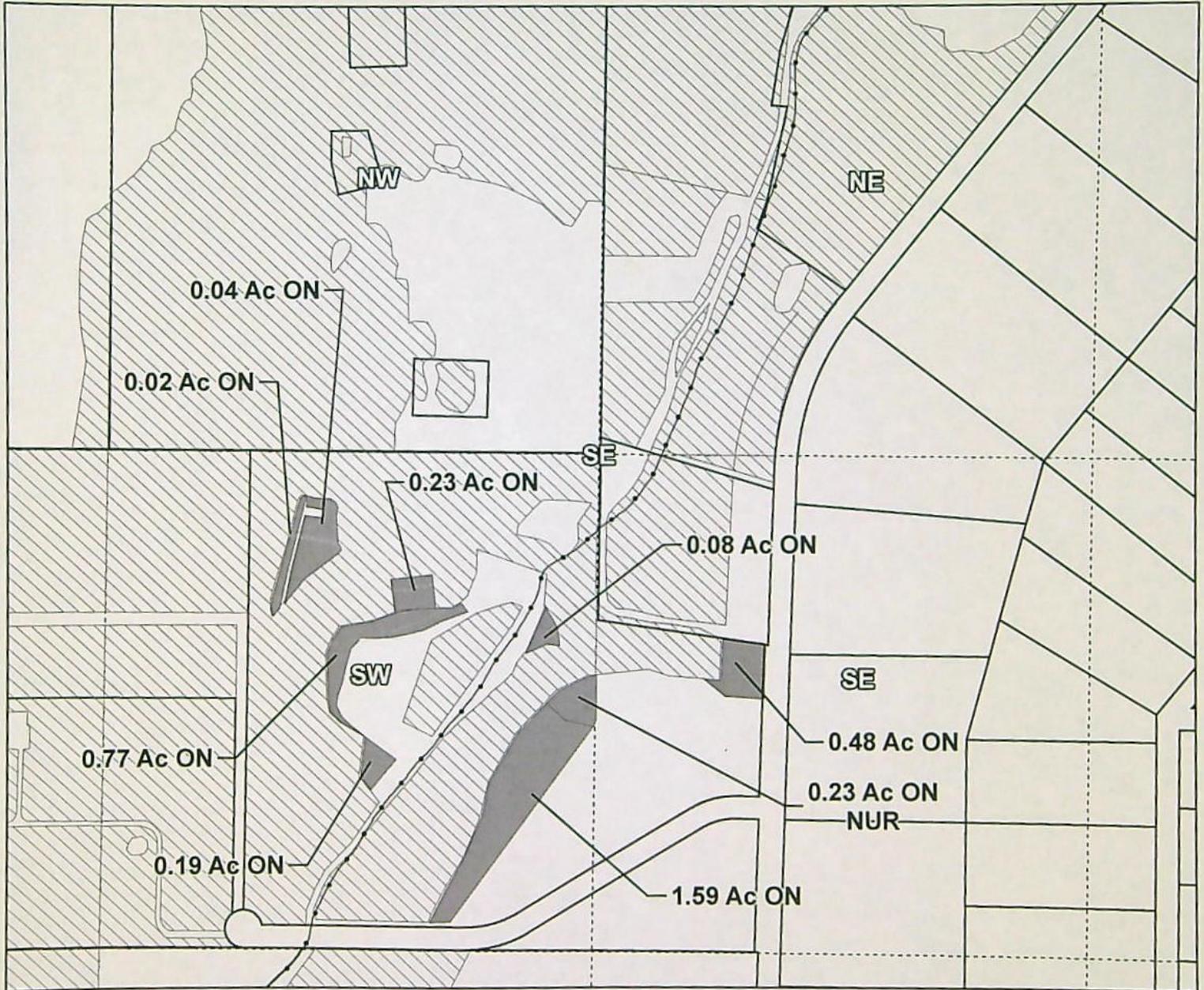
RECEIVED

DEC 29 2021



Certificates: 74145
for OBR Land Management LLC

SUPERSEDED OWRD



Taxlot 1612160001700, 16-12-16-SW/SE-01700: 2.92 IRR Acres On, 19.23 IRR AC Total
 Taxlot 1612160001700, 16-12-16-SW/SE-01700: 0.23 NUR Acres On, 0.23 NUR AC Total
 Taxlot 1612160001700, 16-12-16-SE/SE-01700: 0.48 IRR Acres On, 3.77 IRR AC Total

- Pipelines and Canals
- Transfer
- Primary Water Right
- Taxlots

13882



1 inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

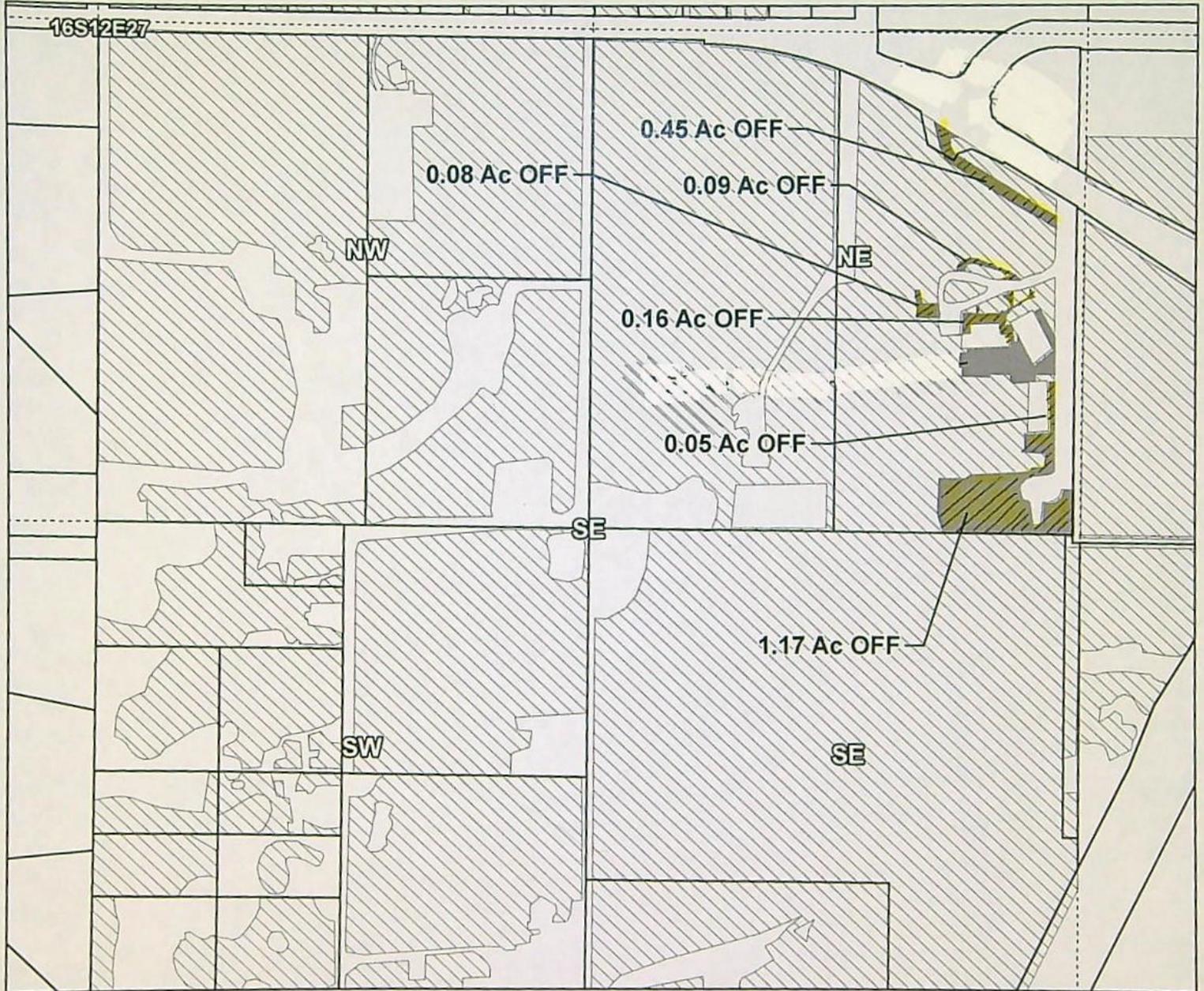
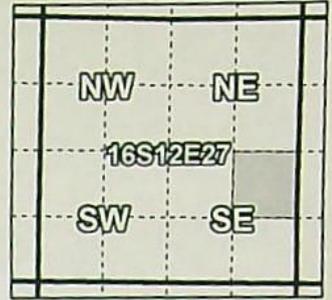
2021 District Transfer Application "Quitclaim" Map

Certificates: 74145

SUPERSEDED

OFF
RECEIVED
DEC 29 2021

OWRD



Taxlot 161227D000100, T16S R12E 27 NE/SE: 2.00 Acres Off, 10.41 Acres Remaining

13882 =

- Pipelines and Canals
- Transfer
- Taxlots
- Primary Water Right



1 inch = 400 feet

Prepared by Swalley Irrigation District | Nov 2021

Swalley Irrigation District

2021 District Transfer Application "Off" Map

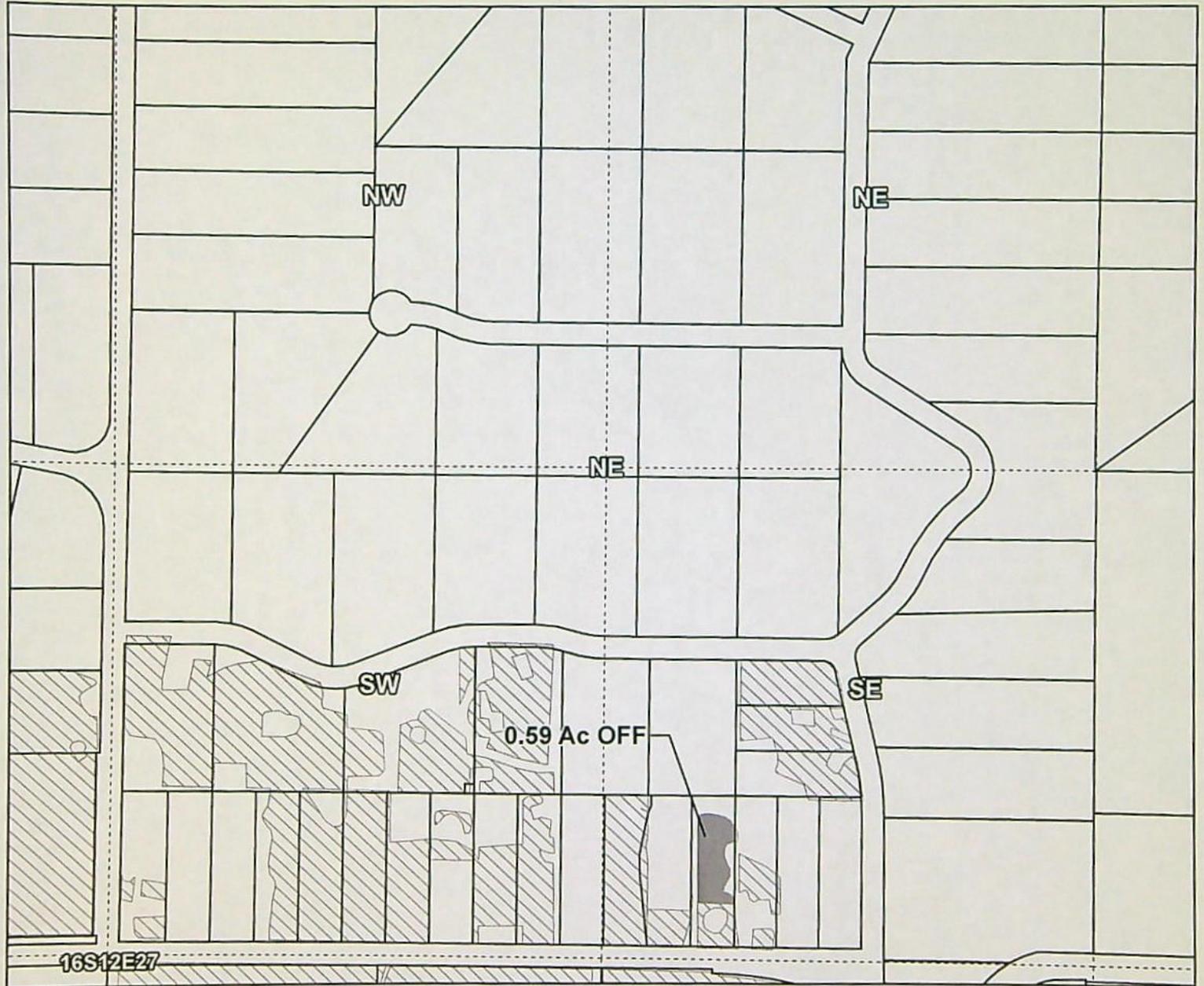
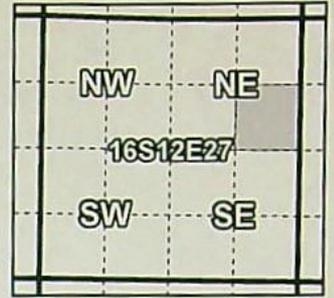
Certificates: 74145

SUPERSEDED

RECEIVED

DEC 29 2021

OWRD



Taxlot 161227A001600, T16S R12E 27 SE/NE: 0.59 Acres Off, 0.41 Acres Remaining (Cert # 74145)

- Pipelines and Canals
- Transfer
- Taxlots
- ▨ Primary Water Right

13882



1:4,800

Prepared by Swalley Irrigation District | Nov 2021

T-13882

Checklist for District Transfer Intake – Division 385

Permanent or Non-Use district transfers are for POU *ONLY*.

Temporary district transfers can include changes in POD/POA (to facilitate a change in POU) and are limited to a single year.

Please assure a “Supplemental Form A” is included for each water right involved, and that all required attachments are completed and included.

Note: Generally speaking, we prefer not to return district applications for deficiencies; if it is questionable, please check with the District Transfer Program advisor before returning the application.

Identify the type of district transfer application. (Note: a “District Notice” is not an application, but at the after the end of the irrigation season, District Permanent Applications may include copies of prior District Notices.)

Sometimes districts inadvertently use parts of two different types of transfer forms when filing. If not sure if a district is submitting a Transfer Notice or a District Transfer, or if not sure if a district is submitting a District Temporary or District Permanent Transfer, or not sure if a district is submitting a regular transfer or a District Transfer, **please contact Ann or Joan.**

Is the use proposed for transfer irrigation or supp'l irrigation? **If not please contact Ann or Joan.**

These items need to be included in the district transfer application:

Transfer Application communicating rights affected and includes signature.

POU listing – both “authorized/from” and “proposed/to”. Multiple formats accepted.

POD/POA listing – if temporary – both “authorized/from” and proposed/to”

Land Use Information Form – Not required if (a) for place of use change only (b) existing and proposed water use is located entirely w/in EFU or w/in an irrigation district (c) The change does not involve the placement or modification of structures, including but no limited to water diversions, impoundments, distribution facilities , water wells and well houses and (d) application involves irrigation water uses **ONLY**.

Maps – both “authorized/from” and “proposed/to” (From and to can be on same map.)
NOTE- districts are authorized to submit the maps in multiple digital formats and often submit maps via email. If maps are not submitted, please contact Ann or Joan.

Appropriate Fees