

2926

Bend, Ore

2926

STATUS OF APPLICATION

Change in Place of Use
 Date filed Nov. 19, 1973
 Date of hearing _____
 Place of hearing _____
 Date of order 5-28-74 Vol. 24, page 456 ^{ext}
 Date for application of water 10-1-75 10-1-83
 Proof mailed SEP 3 1982
 Proof received APR 27 1987 Scott only
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Tumalo Creek, Deschutes R. & Crescent Lake
 Trib. of _____ County of Deschutes
 Use Irrigation
 Quantity of water _____ No. of acres _____
 Name of ditch _____
 Date of priority April, 1905
April, 1911, Oct. 1913
 In name of _____
Tumalo Creek Adjudication, Vol. 1, page 138 ³¹⁴¹⁰
 App. No. _____ Per. No. _____ Cert. No. 26050
26051
31412
 Certificate cancelled _____
 Notation made on record by 10-14-87 BT

FEES PAID

Date	Amount	Receipt No.
<u>11-20-73</u>	<u>25.00</u>	<u>37495</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

— finis —

Heiman proof signed 9 Sep 82

Form 130 sent OCT 4 1982 Sent to Bartholomew, Wampler, & McFerran proof not necessary from 5-10-85 survey from Bartholomew, Wampler, or McFerran

T-5852 Re transfer 1.0 acre

Form 130 sent JUL 27 1987

130 sent 9-14-87 - Scott

Chad Vell

INDEX CARDS:

Entered

Checked

Name

Stream

Pt. of Div.

Calendar

CHECKED TO RECORDS:

Twp. & Rec.

Decree-vault

Decree-safe

Cert. of W/R (+)

Per. Folder

Chainindex

Cross Ref.

Power Claim

Abstracts

TO BE ENTERED WHEN CHECKED

T.16S., R.11E., W.M.

SECTION 36

SE 1/4, SE 1/4

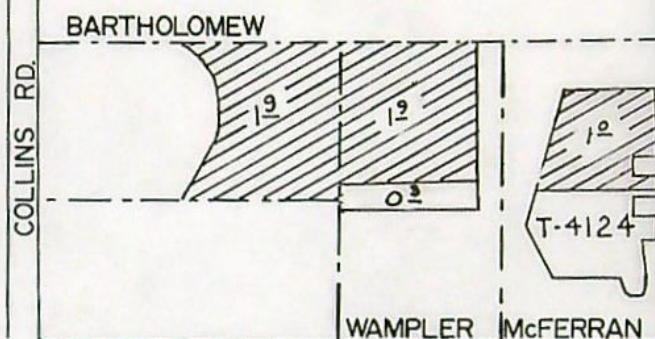


TUMALO RES. RD.

T.16S., R.11E., W.M.

SECTION 34

SW 1/4, SW 1/4



TUMALO RES. RD.

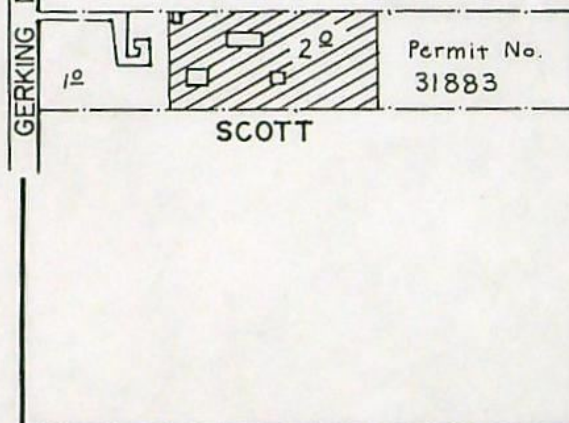


SCALE : 1" = 400

T.16S., R.12E., W.M.

SECTION 30

LOT 3 (NW 1/4, SW 1/4)

**FINAL PROOF SURVEY**

UNDER

TRANSFER NO. 2926

IN NAME OF

J. BARTHOLOMEW, H. HEIMAN, D. McFERRAN, C. SCOTT, & R. WAMPLER

Surveyed MAY 10..... 1985., by LESLIE OLSON.....
 and JAN 29, 1982, by L.H. NUNN

T.16S. R.11E. W.M.

SECTION 36

SE 1/4 SE 1/4

*This 12 transferred
off by T.-5852*

HEIMAN



TUMALO RES. RD.

T.16S. R.11E. W.M.

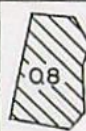
SECTION 34

SW 1/4 SW 1/4

These extended

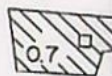


BARTHOLOMEW



WAMPLER

McFERRAN



COLLINS RD.

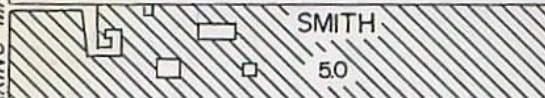
TUMALO RES. RD.

T.16S. R.12E. W.M.

SECTION 30

LOT 3 (NW 1/4 SW 1/4)

GERKING MKT. RD.



SCALE 1" = 400'

FINAL PROOF SURVEY UNDER

TRANSFER 2926

Application No. Permit No.
IN NAME OF

J. BARTHOLOMEW, H. HEIMAN, D. McFERRAN, G. SMITH, & R. WAMPLER

Surveyed JAN. 29. 1982., by L.H. NUNN.....

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF
RICHARD THOMSON, (TUMALO IRRIGATION
DISTRICT) FOR THE APPROVAL OF A CHANGE
IN PLACE OF USE OF WATER FROM TUMALO
CREEK, DESCHUTES RIVER, CRATER CREEK,
LITTLE CRATER CREEK, AND THREE SPRINGS
AND CRESCENT LAKE RESERVOIR

ORDER APPROVING
TRANSFER NO. 2926

On November 20, 1973, Richard Thomson filed an application in the office of the State Engineer for the approval of a change in place of use of water from Tumalo Creek, Deschutes River, Crater Creek, Little Crater Creek and Three Springs and Crescent Lake Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Crook County, Oregon, entered May 1, 1911, In the Matter of the Determination of the Relative Rights to the use of the Waters of Tumalo Creek, a tributary of the Deschutes River, a water right was established in the name of Tumalo Irrigation District for the irrigation of, among other lands, 7.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 16 South, Range 11 East, W.M., with a date of priority of August 5, 1900, as evidenced by certificate recorded at page 31410, Volume 23, State Record of Water Right Certificates.

These lands also have supplemental rights evidenced by certificate recorded at page 31412, Volume 23, State Record of Water Right Certificates, to the use of water from Deschutes River, with a date of priority of 1905; certificate recorded at page 26050, Volume 18, State Record of Water Right Certificates, to the use of water from Tumalo Creek, Crater Creek, Little Crater Creek and Three Springs, with a date of priority of October 29, 1913; certificate recorded at page 26051, Volume 18, State Record of Water Right Certificates, to the use of the waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911; and permit No. 27841 for the use of waters

of Crescent Lake Reservoir, with a date of priority of December 8, 1961.

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, to 4.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, 1.0 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 16 South, Range 11 East, W.M., and 2.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 16 South, Range 12 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

The lands involved herein are within the boundaries of the Tumalo Irrigation District and the Board of Directors of said District approved the proposed change in place of use of water at a regular meeting held September 5, 1972.

No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 7.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 16 South, Range 11 East, W.M., as evidenced by certificate recorded at page 31410, with a priority date of August 5, 1900, together with the supplemental rights evidenced by certificates recorded at pages 26050, 26051, and 31412, be severed therefrom and simultaneously and without loss of priority transferred to 4.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, 1.0 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 16 South, Range 11 East, W.M., and 2.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 16 South, Range 12 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1975.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water is transferred hereby, certificate of water right shall be issued to Tumalo Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 28th day of May, 1974.

/s/ CHRIS L. WHEELER
State Engineer