

2560 Marks Donna Cows.
Pt 2, Box 1340
Bend, Ore 97701 (TID)

2560

STATUS OF APPLICATION

Change in Place of Use
Date filed August 23, 1971
Date of hearing _____
Place of hearing _____
Date of order 11-17-71 Vol. 21, page 310
Date for application of water 10-1-72
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

Surveyed 4/11/85 (Sohn & Burnett)

DESCRIPTION OF WATER RIGHT

Name of stream Tumalo Creek
Trib. of _____ County of Deschutes
Use Irrigation
Quantity of water _____ No. of acres 1.9
Name of ditch _____
Date of priority _____
In name of _____
_____ Adjudication, Vol. _____, page _____
App. No. 1343 Per. No. 624 Cert. No. 26051
3263 19628 26050
Certificate cancelled 31412
Notation made on record by sl

FEES PAID

| Date | Amount | Receipt No. |
|----------------|---------------|--------------|
| <u>8-23-71</u> | <u>20.00</u> | <u>25273</u> |
| TOTAL . . . | | |
| | \$1 Cert. Fee | |

FEES REFUNDED

| Date | Amount | Check No. |
|------|--------|-----------|
| | | |

REMARKS

SEE T-4989 A POU

| TO BE ENTERED WHILE CHECKED | INDEX CARDS: | Entered | Checked |
|--|--|-----------|---------|
| | <input checked="" type="checkbox"/> Name | <u>sl</u> | ___ |
| <input checked="" type="checkbox"/> Stream | <u>sl</u> | ___ | |
| <input checked="" type="checkbox"/> Pt. of Div. | <u>sl</u> | ___ | |
| <input checked="" type="checkbox"/> Calendar | <u>sl</u> | ___ | |
| <input checked="" type="checkbox"/> Twp & Rge. | <u>sl</u> | ___ | |
| <input type="checkbox"/> Decree-vault | ___ | ___ | |
| <input type="checkbox"/> Decree-safe | ___ | ___ | |
| <input checked="" type="checkbox"/> Cert. of W/R | <u>WAC</u> | ___ | |
| <input checked="" type="checkbox"/> Per. Folder | <u>WAC</u> | ___ | |
| <input type="checkbox"/> Chainindex | ___ | ___ | |
| <input type="checkbox"/> Cross Ref. | ___ | ___ | |
| <input type="checkbox"/> Power Claim | ___ | ___ | |
| <input type="checkbox"/> Abstracts | ___ | ___ | |

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF MARK AND DONNA COWDREY (TUMALO)
IRRIGATION DISTRICT) FOR THE AP-)
PROVAL 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. 2560

On August 23, 1971, Mark and Donna Cowdrey 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.

Certificate of water right issued to Tumalo Irrigation District and recorded at page 26050, Volume 18, State Record of Water Right Certificates, confirms a right to the use of not to exceed 136.0 cubic feet per second of water from Tumalo Creek supplemented by the use of not to exceed 40.0 cubic feet per second of water from Crater Creek and not to exceed 34.0 cubic feet per second of water from Little Crater Creek and not to exceed 1.0 cubic foot per second from three spring branches for irrigation of, among other lands, 1.9 acres in the SE¼ NW¼, Section 35, Township 16 South, Range 11 East, W.M., with a date of priority of October 29, 1913.

These lands also have supplemental rights evidenced by certificates 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; 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; and permit No. 27841 for the use of waters of Crescent Lake

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

The applicants herein, owners of the lands above described, propose to transfer the water rights therefrom, without loss of priority, to 1.9 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, Township 16 South, Range 11 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.

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 1.9 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35, Township 16 South, Range 11 East, W.M., as evidenced by certificate recorded at page 26050, Volume 18, with a date of priority of October 29, 1913, together with the supplemental rights evidenced by certificates recorded at pages 26051 and 31412, be severed therefrom and simultaneously and without loss of priority transferred to 1.9 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34, Township 16 South, Range 11 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1972.

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 at the

time certificate is issued to the District confirming other transfers within the District.

Dated at Salem, Oregon, this 17th day of November, 1971.

/s/ CHRIS L. WHEELER
State Engineer