

2726

STATUS OF APPLICATION

Change in Place of Use
Date filed Oct 26, 1972
Date of hearing _____
Place of hearing _____
Date of order 11-16-76 Vol. 28, page 126
Date for application of water 10-1-78
Proof mailed SEP 3 1986 NOV 14 1986 DEC 29 1986
Proof received Exercd Nov 7, 1986. Bartlemay Jan 19, 1987
loss of right letter to Stengel Sep 3, 1986.
Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Squaw Creek
Trib. of _____ County of Deschutes
Use Irrigation
Quantity of water _____ No. of acres 10³
Name of ditch Squaw Creek Irrigation District ditch
Date of priority 1895 and 1904
In name of _____
Squaw Creek Adjudication, Vol. 1, page 471
App. No. _____ Per. No. _____ Cert. No. 850
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-26-72</u>	<u>15.00</u>	<u>31237</u>
<u>11-12-76</u>	<u>5.00</u>	<u>56837</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
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Fees: EXAM 15.00
Rel POW 5.00
(under 80Ac)
\$ 20.00

REMARKS

Form 130 Sent, NOV 3 1986

Right Lost Sp Or V40, p 467, 3.0 acres (Mary Stengel)
Proofs signed — finis

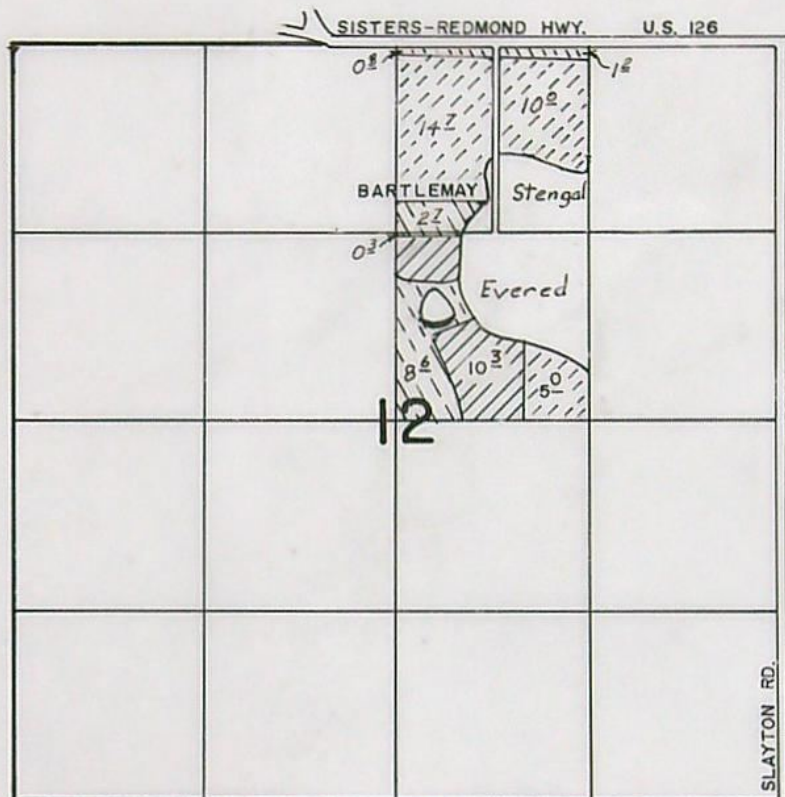
TO BE ENTERED WHERE CHECKED

INDEX CARDS:		Entered	Checked
WH	Name	✓	eq
WH	Stream	✓	eq
WH	Pt. of Div.	✓	
	Calendar	✓	
CHECKED TO RECORDS:			
✓	Twp. & Rge.	WH	806
✓	Decree-vault	WH	806
✓	Decree-safe	WH	806
✓	Cert. of W/R	WH	806
	Per. Folder		
	Chaindex		
	Cross Ref.		
	Power Claim		
	Abstracts		
✓	Squaw Cr.	WH	eq

Owner as of 7-15-77

Robin Miller
Star Route Box 17045
Sisters, OR 97759

T.15S. R.10E. W.M.



- ☒ Existing 1895
- ☒ 1895 Transferred in
- ☒ Existing 1904
- ☒ 1904 Transferred in

Scale: 4" = 1 mile

FINAL PROOF SURVEY UNDER

TRANSFER NO. 2726

Application No. Permit No.

IN NAME OF
ANITA BARTLEMAY,

..... Mary Stengal and James & Patricia Exred

Surveyed APR. 30. 1980., by L.H. NUNN.....

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF TRANSFER)	
APPLICATION 2726 IN THE)	
NAME OF E. BARTLEMAY)	LOSS OF RIGHT

Transfer Application 2726, in the name of E. Bartlemay, proposed a change in place of use of water from Squaw Creek under a certain right with a priority date of 1904, for irrigation of, among other lands, a certain 3.0 acres in NW 1/4 NE 1/4, Section 12, Township 15 South, Range 10 East, WM.

The order of the Water Resources Director, entered November 16, 1976, approving Transfer Application 2726, provided: "...that said water so transferred shall be applied to beneficial use on or before October 1, 1978."

The recipient of the transferred water right has failed to make proof to the satisfaction of the Water Resources Director that the proposed change was accomplished within the provisions of the order, therefore, the subject water right has been lost.

Dated at Salem, Oregon this 25th day of November, 1986.

William H. Young
WILLIAM H. YOUNG, _{no}
Director

0337/d
7558D

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
 DESCHUTES COUNTY

IN THE MATTER OF CANCELLATION)
 OF A WATER RIGHT IN THE NAME) O R D E R
 OF SQUAW CREEK IRRIGATION DISTRICT)

On November 7, 1986, James V. and Patricia A. Evered submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question was established by Decree of Circuit Court for Deschutes County, entered November 19, 1913, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Squaw Creek, tabulated in the name of G.W. Slayton, and is described by the certificate recorded at page 850, Volume 1, State Record of Water Right Certificates, in the name of Squaw Creek Irrigation District, and is for the use of not to exceed 0.03 cubic foot per second of water from Squaw Creek, with a date of priority of 1904, for irrigation of 1.6 acres in SW 1/4 NE 1/4, Section 12, Township 15 South, Range 10 East, WM.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 850, Volume 1, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 25th day of November, 1986.

William H. Young

WILLIAM H. YOUNG, JR.
 Director

1475A
 7558D

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF E. BARTLEMAY FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE OF WATER
FROM SQUAW CREEK

ORDER APPROVING
TRANSFER NO. 2726

On October 26, 1972, E. Bartlemay filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Squaw Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Deschutes County, Oregon, in determination of the relative rights to the use of the waters of Squaw Creek and its Tributaries, predating the effective date of the Water Rights Act, as modified by administrative orders of the Water Resources Department recorded at Pages 132, 432 and 438, Volume 3, Special Order Record, rights exist within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 15 South, Range 10 East, W.M., for irrigation of 10.0 acres with a priority date of November 11, 1895, 25.0 acres with a priority date of 1895, and 5.0 acres with a priority date of 1904; and within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 12 for irrigation of 5.0 acres with a priority date of 1895 and 20.5 acres with a priority date of 1904.

These lands are within the Squaw Creek Irrigation District and are irrigated from the waters of Squaw Creek through the canal system of the said District.

The applicant herein, owner of the lands above described, proposes to change the place of use for a part of the said lands, to wit:

Sever the 1895 right from a certain 10.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and, in lieu thereof, irrigate a certain 10.3 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 12; and

Sever the 1904 right from a certain 3.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 10.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and, in lieu thereof, irrigate a certain 9.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 4.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 12.

The Squaw Creek Irrigation District, by action of the Board of Directors on October 3, 1972, has stated its approval of the proposed changes in place of use.

Mr. Bruce Estes, Watermaster of District No. 11, has filed a statement to the effect that the proposed changes in place of use may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use described herein, without loss of priority, are approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, a certificate of water right will be issued to the Squaw Creek Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 16th day of November, 1976.

/s/ JAMES E. SEXSON
Director