

2665 LeRoy T. Mize  
Rt. 2, Box  
Bend, Ore. 97701

2665

### STATUS OF APPLICATION

Change in Place of Use  
Date filed June 19, 1972  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order Nov. 21, 1972 Vol. 22, page 320  
Date for application of water October 1, 1973  
Proof mailed Sept 10-1-75  
Proof received \_\_\_\_\_  
Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

Survey 11/76

Surveyed 5/21/85 (Coffey)

### REMARKS

### DESCRIPTION OF WATER RIGHT

Name of stream Tumalo Creek  
Trib. of \_\_\_\_\_ County of Deschutes  
Use Irrigation  
Quantity of water \_\_\_\_\_ No. of acres 60  
Name of ditch Columbia Southern  
Date of priority Aug. 5, 1900  
In name of Mrs. Frances Rippen (DCMID)  
Tumalo Creek Adjudication, Vol. 16, page 197  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 26508 (8)  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

### FEES PAID

Date	Amount	Receipt No.
<u>6/19/72</u>	<u>20.00</u>	<u>29130</u>
TOTAL . . .		
	\$1 Cert. Fee	

### FEES REFUNDED

Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
	Name			
	Stream			
	Pt. of Div.			
	Calendar			
	CHECKED TO RECORDS:			
	Twp. & Rge.		<u>WAE</u>	
	Decree-vault		<u>WAE</u>	<u>WAE</u>
	Decree-safe		<u>WAE</u>	<u>WAE</u>
	Cert. of W.		<u>WAE</u>	<u>WAE</u>
	Per. Folder			
	Chainindex			
	Cross Ref.			
	Power Claim			
	Abstracts			

0010



BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION )  
OF LEROY T. MIZE (TUMALO IRRIGA= )  
TION 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 )  
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ORDER APPROVING  
TRANSFER NO. 2665

On June 19, 1972, Leroy T. Mize 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 Deschutes County, Oregon, entered August 27, 1958, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Tumalo Creek, a tributary of Deschutes River, a water right was established in the name of Tumalo Irrigation District, tabulated in the name of Mrs. Frances Rippen, for the irrigation of, among other lands, 6.0 acres in NE¼, Section 28, Township 16 South, Range 11 East, W.M., with a date of priority of August 5, 1900, as evidenced by certificate recorded at page 26508, Volume 18, State Record of Water Right Certificates.

These lands also have supplemental rights evidenced by certificate recorded at page 31412, 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 6.0 acres in NW¼ SE¼, Section 28, 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 6.0 acres in NE¼ SE¼, Section 28, Township 16 South, Range 11 East, W.M., as evidenced by certificate recorded at page 26508, with a date of priority 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 6.0 acres in NW¼ SE¼, Section 28, 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, 1973.



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, a certificate of water right will be issued to the Tumalo Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 21st day of November, 1972.

/s/ CHRIS L. WHEELER  
State Engineer