

5128 back log
Penk,
TID Oregon

3128

STATUS OF APPLICATION

Change in place of use
Date filed 9-12-74
Date of hearing _____
Place of hearing _____
Date of order 12-18-78 Vol. 31, page 487
Date for application of water 10-1-80
Proof mailed APR 27 1987
Proof received May 18, 1987
Certificate issued _____ Vol. _____, page _____

to survey 1/79

Surveyed 7/24/85 - Miller

DESCRIPTION OF WATER RIGHT

Name of stream Tumalo CB, Deschutes R, Crescent Lake
Trib. of _____ County of Deschutes
Use irrigation
Quantity of water _____ No. of acres 20
Name of ditch _____
Date of priority Oct. 29, 1913 (Primary)
In name of Tumalo Irrigation District
_____ Adjudication, Vol. _____, page _____
App. No. 3263 Per. No. 19628 Cert. No. 26050 (Primary)
Certificate cancelled _____
Notation made on record by _____

645-87 BE

Cert No 26051 Supplemental
Cert No 31412 "
Permit No 27841 "

FEES PAID

Date	Amount	Receipt No.
<u>9-12-74</u>	<u>25.00</u>	<u>42897</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

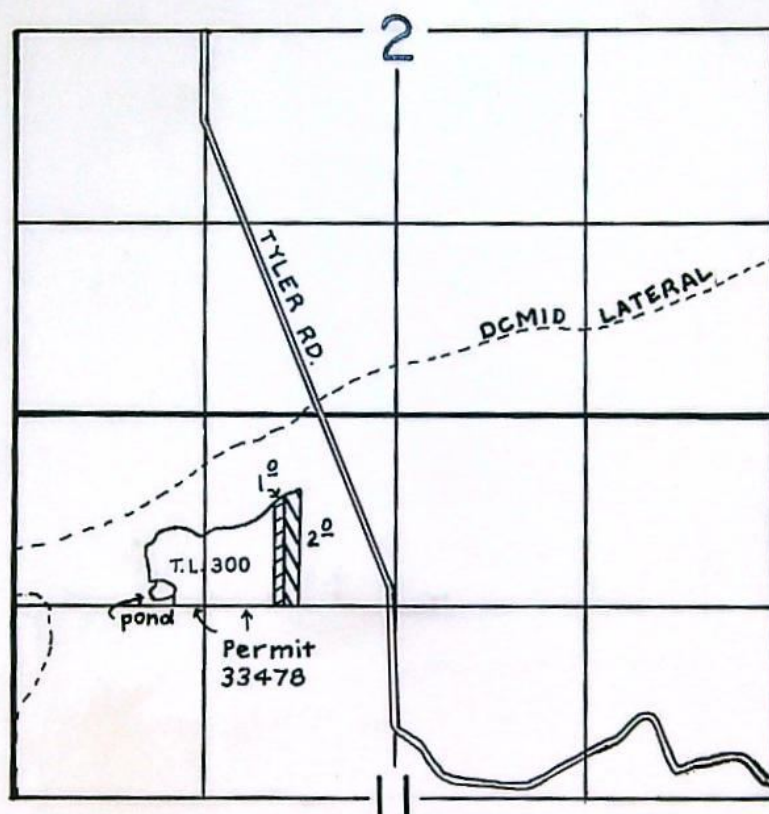
exam 15.00
POU 10.00
25.00

REMARKS

- finish -

TO BE ENTERED WHEN CHECKED	INDEX CARDS:		
		Entered	Checked
<input checked="" type="checkbox"/>	Name	<u>leg</u>	___
<input checked="" type="checkbox"/>	Stream	<u>leg</u>	___
<input type="checkbox"/>	Pt. of Div.	<u>leg</u>	___
<input type="checkbox"/>	Calendar	<u>leg</u>	___
CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.	<u>leg</u>	___
<input type="checkbox"/>	Decree-vault	___	___
<input type="checkbox"/>	Decree-safe	___	___
<input checked="" type="checkbox"/>	Cert. of W/R	<u>leg</u>	___
<input checked="" type="checkbox"/>	Per. folder	<u>leg</u>	___
<input type="checkbox"/>	Chaindex	___	___
<input type="checkbox"/>	Cross Ref.	___	___
<input checked="" type="checkbox"/>	Power Claim	<u>leg</u>	___
<input checked="" type="checkbox"/>	Abstracts	<u>leg</u>	___

T.17S., R.11E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY

UNDER

TRANSFER 3128 AND PART OF 4237 (2/6)

IN NAME OF

KULHMAN J. MILLER

Surveyed JULY 24, 1985, by LESLIE OLSON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
JACK VOGT (TUMALO IRRIGATION DIS-)
TRICT) FOR APPROVAL OF A CHANGE IN)
PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 3128

On September 12, 1974, an application was filed in the office of the Water Resources Director by Jack Vogt for approval of a change in place of use of water from Tumalo Creek, Deschutes River, Crater Creek, Little Crater Creek and three spring branches, and Crescent Lake Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

26050 Certificate of water right issued to Tumalo Irrigation District and recorded at page 26050, Volume 18, State Record of Water Right Certificates, describes 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 from Crater Creek; not to exceed 34.0 cubic feet per second from Little Crater Creek; and not to exceed 1.0 cubic foot per second from three spring branches for irrigation of, among other lands, a certain 2.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, 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 the certificate recorded at page 31412, Volume 23, State Record of Water Right Certificates, for the use of water from Deschutes River, with a date of priority of 1905; and at page 26051, Volume 18, for the use of waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911; and by permit No. 27841 for the use of waters of Crescent Lake Reservoir, with a priority date 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 a certain 2.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 17 South, Range 11 East, W.M. (Kohlman Miller).

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 May 7, 1974.

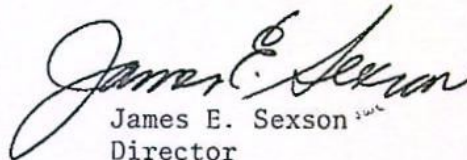
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that upon 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, certificate of water right shall be issued to Tumalo Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon this 18th day of December, 1978.


James E. Sexson
Director