

T10 3305 Mexican Valley
17919 Pipe Line
Bend 1967 on

% Tumalo I.D.

3305

STATUS OF APPLICATION

Change in place of use
Date filed 8-25-75
Date of hearing _____
Place of hearing _____
Date of order 9-22-77 Vol. 29, page 355
Date for application of water 10-1-79
Proof mailed NONE
Proof received _____
Certificate issued FINIS Vol. _____, page _____

Surveyed 9/21/84 (Moore)

Survey 3/70

DESCRIPTION OF WATER RIGHT

Name of stream Tumalo Ch, Deschutes R, General Lake Res
Trib. of _____ County of Deschutes
Use irrigation
Quantity of water _____ No. of acres 2^c
Name of ditch Bend & for Columbia Southern Canal
Date of priority _____
In name of _____
_____ Adjudication, Vol. 1, page 139
App. No. _____ Per. No. _____ Cert. No. 31410
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8-25-75</u>	<u>30.00</u>	<u>49138</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

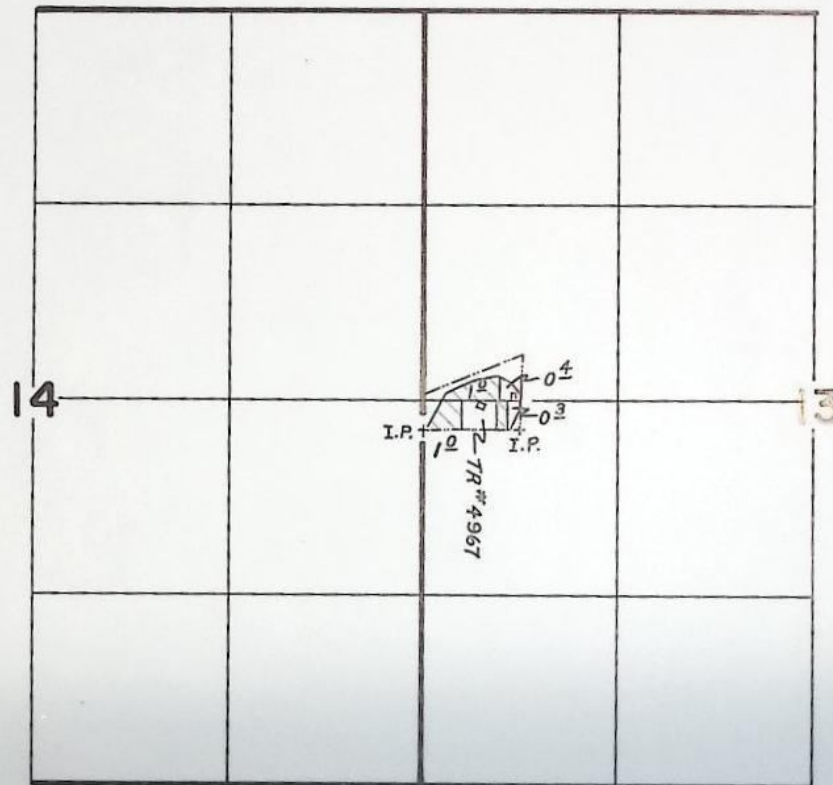
REMARKS

CARD FOR C. DEC. 26 1979

FINIS

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

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



SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 3305

Application No. Permit No.
IN NAME OF

BILL MOORE

Surveyed AUG. 21, 1984, by LESLIE OLSON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

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

ORDER APPROVING
TRANSFER NO. 3305

On August 25, 1975, Marian Allen filed an application in the office of the Water Resources Director for 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 11, 1911, 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 for the irrigation of, among other lands, 2.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 16 South, Range 11 East, W.M., with a date of priority of September, 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 priority date 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 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.

1059
1935-354

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, to 1.0 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.0 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 17 South, Range 11 East. W.M. (B. K. Shahrokh).

The lands involved herein are within the boundaries of Tumalo Irrigation District and the Board of Director of said District approved the proposed change in place of use at a regular meeting.

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, 1979.

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

Dated at Salem, Oregon, this 22nd day of September, 1977.

/s/ James E. Sexson
Director

RECEIVED

AUG 30 1984

WATER RESOURCES DEPT
SALEM, OREGON

REPORT ON INSPECTION UNDER TRANSFER OF WATER RIGHT FOR CHANGE IN:

POD
POU
USE
Add'l POD

8-21-84
PR 11-1984-A
L60

Transfer NO. 3305

County Deschutes

Old Certificate NO. 31410-31412, 26050, 26051

1. Name Marianne Allen Bill Moore
Address _____

2. Source of Supply Tumalo Creek, Trib of _____

3. Use irrigation

4. Amount of Water _____ Priority Date 12-8-1961

5. Proposed Point of Diversion _____

6. Completion Date 10-1-1979

7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
<u>17S</u>	<u>11E</u>	<u>13</u> <small>pt</small>	<u>SW⁴ NW⁴</u>	<u>1.0 AC</u> ✓ <u>B.K. Shahrokh</u>
<u>17 S.</u>	<u>11E</u>	<u>13</u> ✓	<u>NW⁴ SW⁴</u>	<u>1.0 AC</u> ✓
<u>17S</u>	<u>11E</u>	<u>13</u>	<u>SW⁴ NW⁴</u>	<u>0.4</u> <u>OVER ACREAGE</u>
<u>17S</u>	<u>11E</u>	<u>13</u>	<u>NW⁴ SW⁴</u>	<u>0.3</u> " "

[Handwritten signature]

Info: Bill Moore

Pump: 2 hp

Hds: buried RB's

Crop: grass & small fir trees.

He is watering an area from E PL to Fawn Ln. except for NE corner. There is a large lawn & a garden. ~~At~~ About $\frac{1}{2}$ of the property is in small fir trees amongst native vegetation and grasses.

See also TR 4967.

TG: PTS 11-1984-A

8-21-84

Jessie Olson

WRE

T-3305

Section 13 Twp. 17 Range 11 EWM

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SEP 20 1977

WATER RESOURCES DEPT
SALEM, OREGON

Primary right

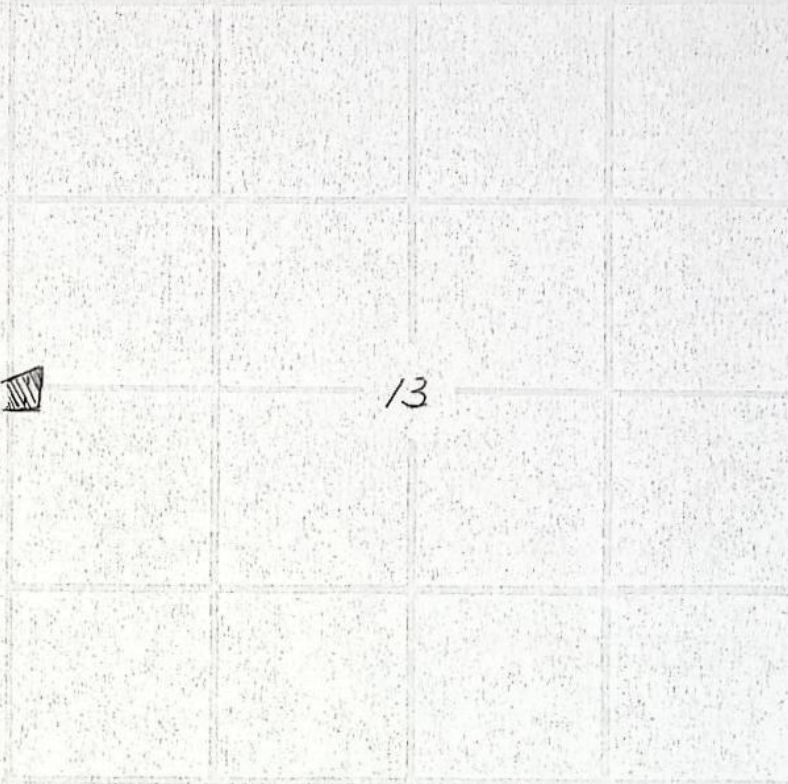
Cert. # 31410 - 23.0
priority dates from
1905

Supplemental Right

Cert. # 26050 - 31.8
Permit #19628
priority date Oct. 29
1913

Cert. #31412 priority
dates from 1905 - 31.8

Crescent Lake cert. #
26051 priority April
7, 1911, permit 624



1 acres to SWNW and 1 acres to NWSW section 13, Twp. 17, Range 11 EWM
to B. K. Shahrokh

from SESW Sec. 23, Twp 16S Range 11 EWM (Allen)

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AUG 25 1975

WATER RESOURCES DEPT.
SALEM, OREGON

T-3305

RECEIVED

SEP 30 1977

WATER RESOURCES DEPT
SALEM, OREGON

Section 23, TWP 16S, Range 11 EWM

Primary right

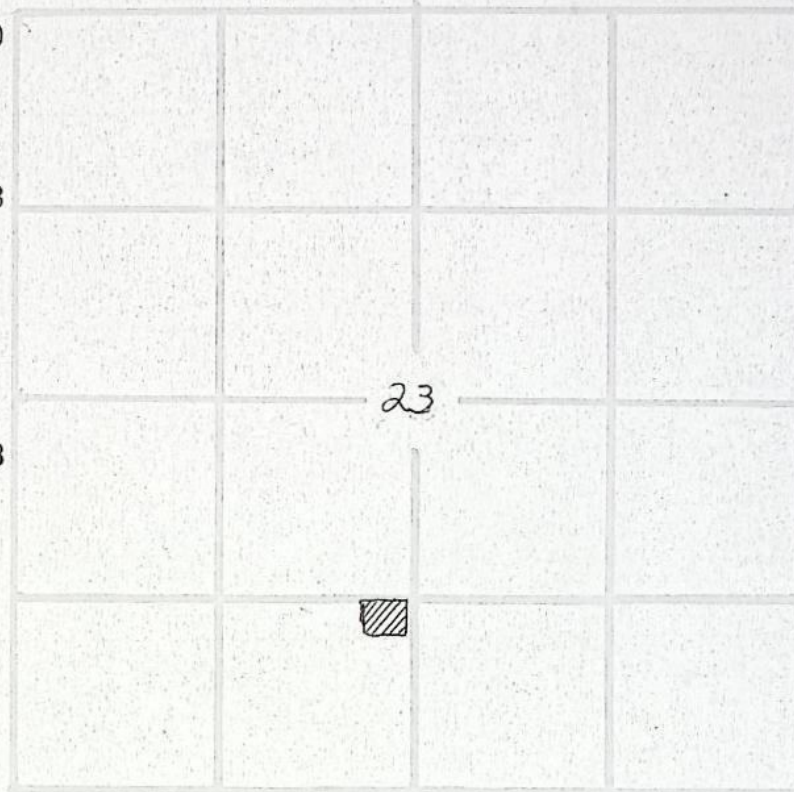
Cert. # 31410 - 23.0
priority dates from
1905

Supplemental Right

Cert. # 26050 - 31.8
Permit #19628
priority date Oct.29
1913

Cert. #31412 priority
dates from 1905 - 31.8

Crescent Lake cert. #
26051 priority April
7, 1911, permit 624



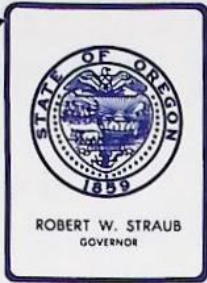
2 acres from SESW Sec. 23, Twp 16S, R11 EWM (Marian Allen)

to SWNW and NWSW Sec. 13, Twp 17, R. 11 EWM (B.K. Shahrokh)

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AUG 25 1975

WATER RESOURCES DEPT.
SALEM, OREGON



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

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SEP 20 1977

WATER RESOURCES DEPT

SALEM, OREGON

PHONE 378-3066

T-3305

Shoreline, ?

July 20, 1977

Tumalo Irrigation District
Route 2, Box 615
Bend, Oregon 97701

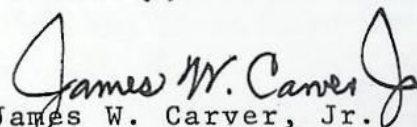
Gentlemen:

Pending water right transfer application No. 3305, in the name of Marion Allen to change the place of use from 2.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 16 South, Range 11 East, W.M. to 1.0 acre in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.0 acre in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 17 South, Range 11 East, W.M. was returned to you on April 19, 1976 for additional information. It appears from the file that we have not heard from you in regard to the matter since then.

If the applicant is no longer interested in the change proposed by the application, we will close the file and refund unearned fees we are holding in the amount of \$10.00.

If we do not hear otherwise within 60 days from the date of this letter, we will assume you do not wish to proceed with the application.

Sincerely,


James W. Carver, Jr.
Engineer

JWC:lcj

TUMALO IRRIGATION DISTRICT

Route 2, Box 615 -- Bend, Oregon 97701

RECEIVED

JUL 26 1977

WATER RESOURCES DEPT
SALEM, OREGON

T-3305

Water Resources Department
555 - 13th Street
Salem, Oregon 97310

Attention: James W. Carver, Jr.
Engineer

Dear Mr. Carver:

In answer to your letter of July 20 concerning the transfer application of Mamian Allen she processed the transfer personally and has the returned papers in her possession. As I understand it, she is now living in Ontario, Oregon. I forwarded your letter on to her on July 22 and hope she responds.

Sincerely,

Tumalo Irrigation District

Del Crilly
Del Crilly

DFC/dc

June 19, 1979

Jan Boettcher
Tumalo Irrigation District
64697 Cook Avenue
Bend, Oregon 97701

RE: File No. T-3305

Dear Ms. Boettcher:

If the map submitted with your letter dated May 31, 1979, correctly represents the lands to which the rights should have been transferred by approval of the transfer No. 3305, the order approving the transfer would be correct instead of in error as indicated in your letter.

According to the map you submitted, a copy of which is enclosed, the place of use is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, T 17S, R 11E, WM, which is in agreement with the order dated September 22, 1977, approving transfer application No. 3305.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj

TUMALO IRRIGATION DISTRICT

64697 COOK AVE.
BEND, OREGON 97701
Phone 382-3053

May 31, 1979

RECEIVED
JUN 4 1979
WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Wayne Overcash
Water Resources Department
555 13th Street N. E.
Salem, Oregon 97310

RE: Transfer 3305
September 22, 1977
Marian Allen to B. K. Shahrokh

Dear Mr. Overcash:

In attempting to process a new transfer, I came across an error in one already processed. The legal description incorporated in that transfer regarding the area where the water is to be placed is incorrect.

It reads:

"1.0 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.0 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 17 South, Range 11 East W. M."

but it should have read:

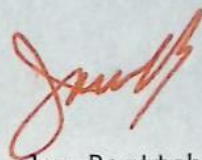
"1.0 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 1.0 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ " of that section; or the first $\frac{1}{4}$ listed in each description should have been deleted.

I cannot locate the maps here in the office to verify if the maps were correct and the description incorrect, but the water should have been adjudicated to tax lot #2400 on the attached map in the areas shown as that it the only property Mr. Shahrokh owned in the section. Since that time ownership has passed on to Larry Forester and now to Bill Moore, whom I am in the process of completing a requested transfer application for which will allocate another acre to tax lot 2400.

Please advise what procedure would be preferable to make this correction.

Sincerely,

TUMALO IRRIGATION DISTRICT



Jan Boettcher
Office Manager

Enclosures

TUMALO IRRIGATION DISTRICT

64697 COOK AVE.
BEND, OREGON 97701
Phone 382-3053

October 26, 1979

RECEIVED
NOV - 11979
WATER RESOURCES DEPT
SALEM, OREGON

Sam Allison
Water Resources Department
555 13th Street N.E.
Salem, Oregon 97310

Dear Sam:

At this point we have only four transfers pending at State which have not been resubmitted to you at this time. All four of these transfers require mapping of rights to separate priority dates. I will not be able to complete the mapping until the week of November 12 and request at this time that you would continue to hold these four items:

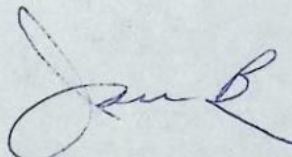
#3872 Marian Allen Cook and Lawrence Allen
#4050 John Platt - amendment required
#4204 Helquist, Suffridge and Maston
#4237 Jack Vogt/Horshoe Acres

All other transfers have not yet been submitted to you and will be accomplished with the use of the mapping system you require. We are in the process of setting up a procedure in cooperation with Sun Country Engineering involving the use of chronaflex maps of each section of our District done in a scale of 1" = 400' and are having the County prepare sepias of the tax lot maps on the same scale. In this manner the tax lot map will be transparent to be used as an overlay over a 1979 aerial of the property so that all of the physical characters of the property will be shown in addition to size. I think this will be helpful to the water-master also in walking the property at a later date. We will provide you with 4 blue-line copies of the tax lot map and one of the chronaflex if this will meet your requirements.

Please let me know if you have any other suggestions on the revision of our transfer process.

Sincerely,

TUMALO IRRIGATION DISTRICT



Jan Boettcher
District Manager

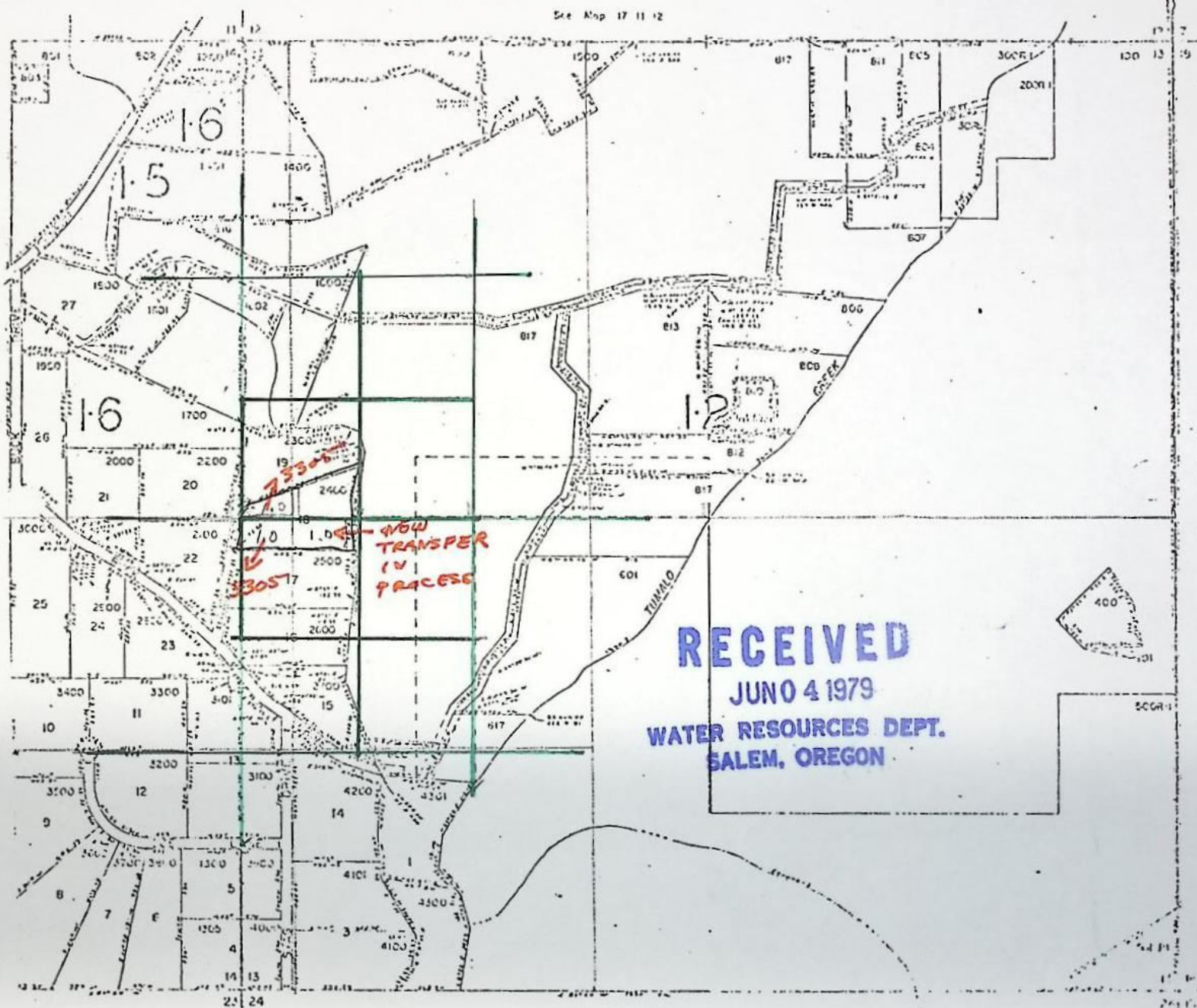
JB:st

1495

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See Map 17 11 12



RECEIVED
JUN 04 1979
WATER RESOURCES DEPT.
SALEM, OREGON

See Map 17 11 24

17 11 13

3.0 acres

5/12 520000

TAX LOT 2400 = 5 ACRES OF LAND
WILL HAVE 3.0 ACRES OF WATER
AFTER TRANSFER OF 1.0 ACRE ADDITIONAL
PENDING BOARD APPROVAL 6/12/79.

RECEIVED

AUG 25 1975

WATER RESOURCES DEPT.
SALEM, OREGON

T-3305

RECEIVED

SEP 20 1977

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Marian Allen

(Name of applicant)

of 19910 Pine Lane, Bend, County of Deschutes

(Postoffice)

State of Oregon, do hereby make application for change

place of use

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Tumalo Creek and/or Deschutes River and/or Crescent Lake Res.

(Name of stream)

2. The use to which the water is applied is Irrigation

(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Bend Canal and/or Columbia Southern Canal

same as present diversion

4. The point of diversion is located ft. and ft. from the

(N. or S.)

(E. or W.)

corner of being within the

(Section or subdivision)

of Section Tp. R. W. M., in the County of

(No. N. or S.)

(No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
16	11	23												2.0				

Priority Sept 1900
under Cert 31410

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? xxxxxx Allen yes

(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? yes

8. What is the date of priority of your water right? Primary Right 23.0, 1900; supplemental Oct. 29, 1913 31.8; 31.8 from April 7, 1911.

9. Was your water right acquired by State Engineer's Permit? If so, give number

(Yes or No)

of permit

31410
26050
31412
26051

10. Do you hold a water right certificate? yes..... If so, give number of certificate
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

..... If so, give title of proceedings
(Yes or No)

12. Is the water right recorded in your name? Allen Tumalo Irrigation Dist.
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
17	11	13							1.0			1.0						

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the of Section Tp. R. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located?

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.
.....
.....
.....

17. Are there any diversions between your present point of diversion and the proposed point of diversion?

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? yes.....
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are
.....sale of property.....
.....
.....

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

ss.

I, Marian Allen, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 3rd day of June, 1975

Marian A. Allen
(Name of applicant)

Subscribed and sworn to before me this 3rd day of June, 1975

[Notarial Seal]

Morgan H. Elliott
NOTARY PUBLIC FOR OREGON

My commission expires March 28, 1979

Remarks

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.