

3334

3334 Milo B. Mc Cright
Annette O. Mc Cright
Parvill Butte, Or. 97153

STATUS OF APPLICATION

Change in place of use
Date filed 12-15-75
Date of hearing _____
Place of hearing _____
Date of order 1-23-76 Vol. 26, page 307
Date for application of water 10-1-76
Proof mailed May 11, 1988 21 Jun 88
Proof received _____
Certificate issued _____ Vol. _____, page _____
Surveyed May 23, 1980 Survey 6/76

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R
Trib. of _____ County of Crook
Use irrigation
Quantity of water _____ No. of acres 22.0
Name of ditch COC
Date of priority Oct 31, 1900 & Dec. 2, 1907
In name of Central Oregon Irrigation District
Deschutes Riv. Adjudication, Vol. 16, page 151
App. No. _____ Per. No. _____ Cert. No. 29052
Certificate cancelled _____
Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>12-15-75</u>	<u>50.00</u>	<u>50686</u>
<u>1-26-76</u>	<u><20.00></u>	<u>50686</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

7-11-88 AF

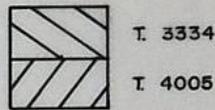
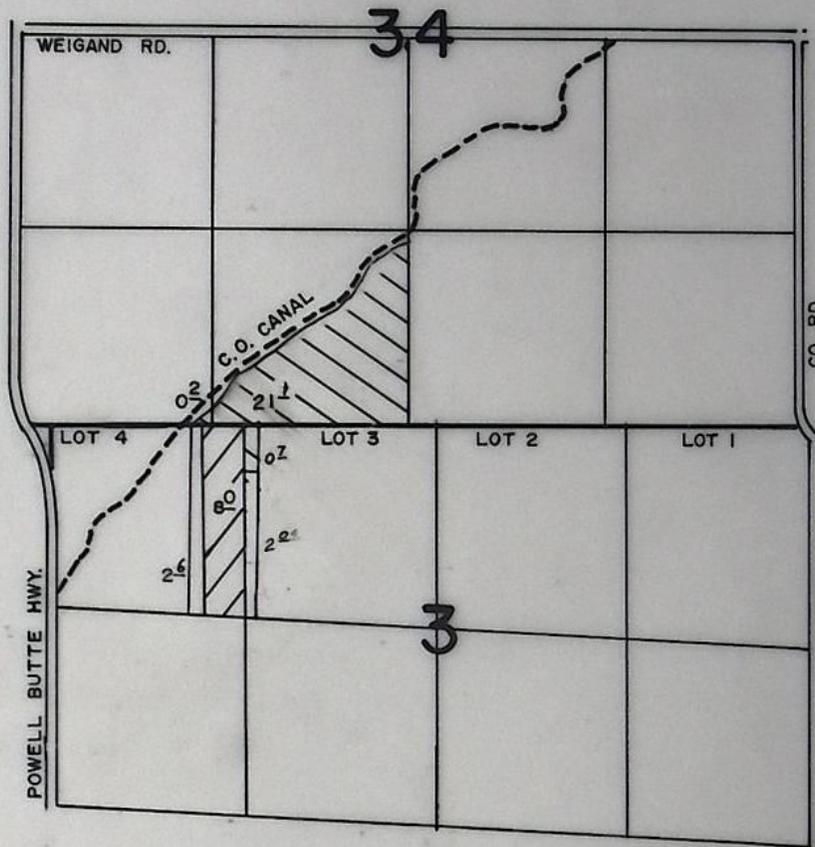
REMARKS

finis

Retransferred (part) see T. 6112

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

T.15 & 16S. R.14E. W.M.



FINAL PROOF SURVEY UNDER

TRANSFER NO. 3334 & 4005

Application No. Permit No.
IN NAME OF

..... **JAMES L. BUSSETT**

Surveyed MAY 22, 1980, by L.H. NUNN.....

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF MILO B. AND ANNETTA O. McCRIGHT)
(CENTRAL OREGON IRRIGATION DISTRICT))
FOR THE APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 3334

On December 15, 1975, Milo B. and Annetta O. McCright filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Deschutes County, Oregon, entered September 30, 1958, In the Matter of the Determination of the Relative Rights to the Use of the Deschutes River and its Tributaries, a water right was established in the name of Central Oregon Irrigation District for the use of the waters of Deschutes River for the irrigation of, among other lands, 18.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 3.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 1.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 15 South, Range 14 East, W.M. being tabulated in the name of Central Oregon Irrigation District, with dates of priority of October 31, 1900, and December 2, 1907, as evidenced by certificate of water right recorded at Page 29052, Volume 21, State Record of Water Right Certificates. These lands also have a supplemental right under permit No. 23256 to the use of the water stored in Crane Prairie Reservoir with a date of priority of February 28, 1913. These lands are irrigated by means of the Central Oregon Canal.

The applicants herein, contract purchasers of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 22.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 15 South, Range 14 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 Central Oregon 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 December 15, 1975.

Farmers Home Administration, holder of the title of the lands involved, has submitted a statement advising that they have no objection to the change in place of use.

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 18.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 3.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 1.0 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 15 South, Range 14 East, W.M., with dates of priority of October 31, 1900, and December 2, 1907, be severed therefrom and simultaneously and without loss of priority transferred to 22.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, Township 15 South, Range 14 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1976.

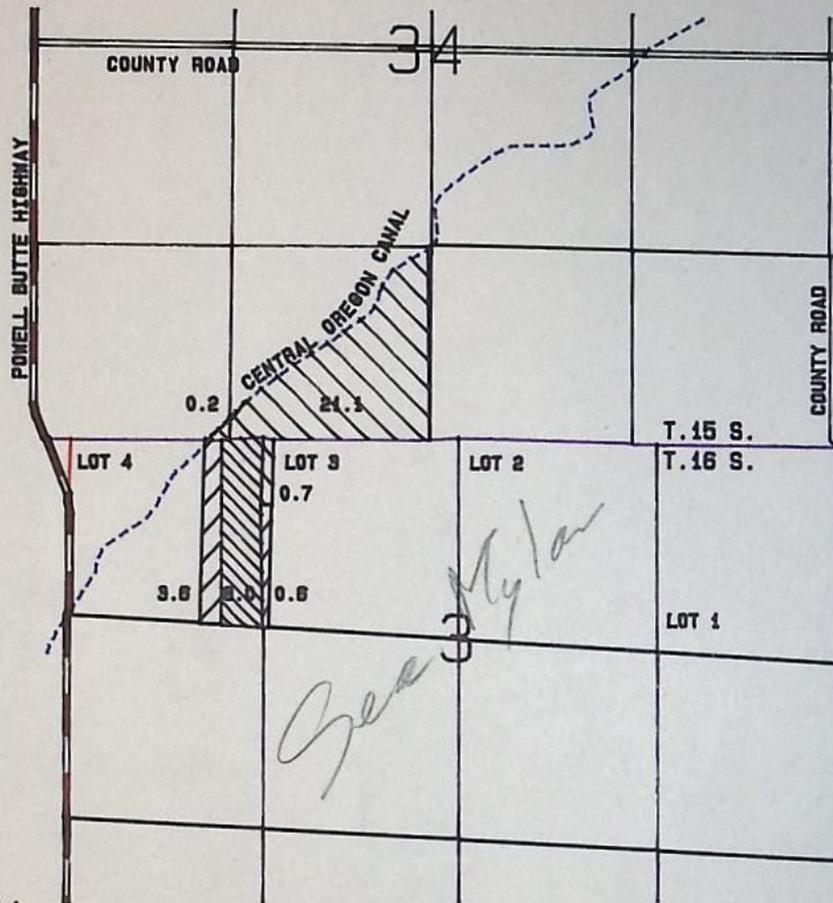
It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of complete application of water to

beneficial use on the lands to which the water is transferred hereby, a certificate of water right will be issued to the Central Oregon Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 23rd day of January, 1976.

JAMES E. SEXSON
Director

T. 15 & 16 S., R. 14 E., W.



Transfer 3334



Transfer 4005



Transfer 5236

SCALE: 1 = 1320

FINAL PROOF SURVEY
UNDER

Transfer No.s 3334, 4005, & 5236

IN NAME OF

JAMES L. BUSSETT / C.O.I.D.

Surveyed May 22, 1980 By L.H. NUNN

June 19, 1984 By L. OLSON

Photo: COID 158-14E LN

STATE OF OREGON
COUNTY OF CROOK
PROOF OF APPROPRIATION

RECEIVED

JUN 24 1988

WATER RESOURCES DEPT.
SALEM, OREGON

Name: JAMES L. BUSSETT

Address: ROUTE 1, BOX 481, POWELL BUTTE, OREGON 97753

C/O BOB ANDERSON, ASST. MANAGER, CENTRAL OREGON IRRIGATION
DISTRICT, P.O. BOX 548, REDMOND, OREGON 97756

Source of supply: DESCHUTES RIVER AND CRANE PRAIRIE RESERVOIR

Transfer: 3334

Tributary of: COLUMBIA RIVER

Priority date: OCTOBER 31, 1900, DECEMBER 2, 1907, FEBRUARY 28,
1913

Use: IRRIGATION OF 22.0 ACRES

Location of Point of Diversion: CENTRAL OREGON CANAL

The description of land given below and as shown on the attached
map corresponds to that found to be irrigated:

0.2 ACRE SW1/4 SW1/4
21.1 ACRES SE1/4 SW1/4
SECTION 34
TOWNSHIP 15 SOUTH, RANGE 14 EAST, WM

0.7 ACRE LOT 3 (SE1/4 NW1/4)
SECTION 3
TOWNSHIP 16 SOUTH, RANGE 14 EAST, WM

I have read the above and foregoing proof of appropriation of
water defining the extent of use of water under the change in
place of use approved by the order of the Water Resources
Director entered January 23, 1976; I know the contents thereof,
and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hands this 24 day
of June 1988.

James L. Bussett

Legal owner of the above described lands

CO1

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR

CID 15-14-26
 5-22-80 LHM

CENTRAL OREGON IRRIGATION

- Transfer No. 3334 (completion sent in by James L. / County CROOK ~~Deschutes~~)
1. Name Milo B. and Annetta O. McCright Address Bussett, Rt. 1, Box 481, Powell Butte 97753
2. Source of Supply Deschutes R., Trib. of _____
3. Amount of Water _____ Priority Date 10/31/1900 & 12/2/07
4. Use irrigation of 22^o
5. Proposed Point of Diversion _____

6. Place of Use DATE FOR APPLICATION OF WATER: 10/1/76 Hand to Crook Co.

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
15S	14E	34	SE¹/₄ SW¹/₄	22.0 acres
			SW ¹ / ₄ SW ¹ / ₄	0 ^o
			SE ¹ / ₄ SW ¹ / ₄	19 ^o
16S	14E	3	Lot 3	1 ^o
				22 ^o

Info: Mr. Bussett

Pumps Marathon 25 Hp @ 3510

Berkeley CDD 4x3 $\frac{75}{.433} \approx 175'$

75 psi @ pump

rated 400 gpm @ 190'

$$\frac{(6.61)(25)}{175} = .94 \text{ cfs}$$

Pipes: 3000' + 4" alum, 3200' + 3" alum

Heads: 50 ft RB 30 $\frac{5}{32}$ (max this field)

Crop: wheat

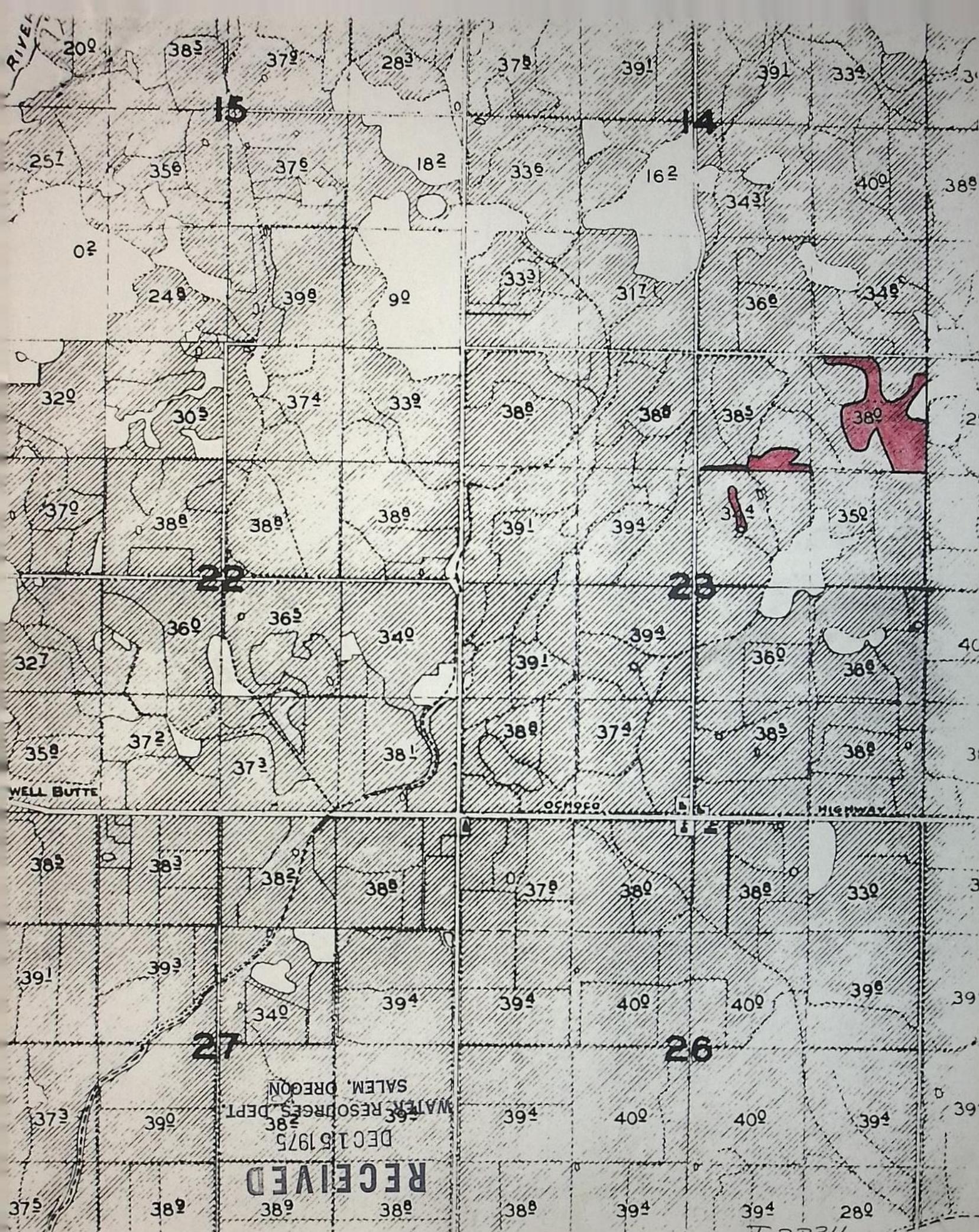
Lift: +0 to +10

$$\frac{(5.0)(50)}{450} = .55 \text{ cfs}$$

Tie: CDD 15-14-26

5-22-80

Jarvis B. Funnell
Field Engineer



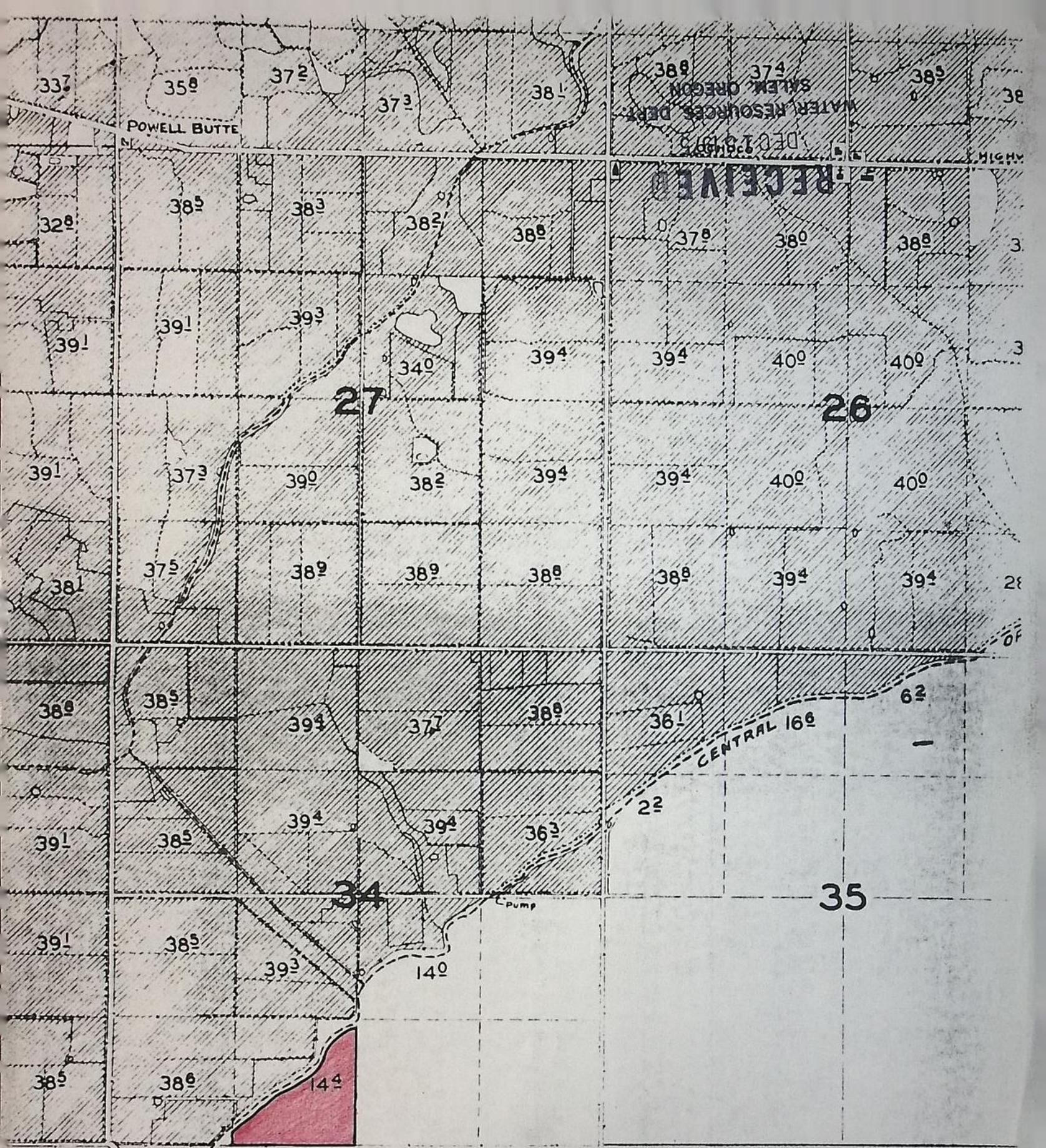
RECEIVED

DEC 15 1975

WATER RESOURCES DEPT.

SALEM, OREGON

T-3334



T-3334

SURVEYED JUNE 28, 29, 30, JULY 1, 2, 6, 1948

June 20, 1988

378-3739

James L. Bussett
Route 1, Box 481
Powell Butte, OR 97753

Dear Mr. Bussett:

Ref. Files: T-3334 & T-5236

As we discussed on the telephone a few weeks ago I adjusted the acreage on your transfer 3334 to include 21.1 acres in the SE1/4 SW1/4 of section 34. That change allowed all the acreage for transfer 5236 to be found in the correct location.

You had already signed the proof form for T-3334 and submitted to us so it could not be amended. I waited for an amended copy of the earlier proofs but have not seen them. New proofs have been typed to clear the record. Please look them over along with the map to see if they are correct. If you agree, sign the proofs and return them direct to me. I will deliver them to Don Buell so he can proceed with your new transfers.

The Central Oregon Irrigation District has been informed of the change by telephone and copy of this letter. If you have any questions please call.

Sincerely,

Bruce A. Estes, PLS, CWRE
Senior Water Right Examiner

cc C.O.I.D.

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3334

I, JAMES L. BUSSETT, hereby certify that
on MAY 13, 1976, the water has been applied to the
lands to which the water right was transferred by an order of the State ^{Water Resources Director}
~~Engl~~ dated JANUARY 23, 1976, approving an application for a
change in place of use of water from MILO McGRIGHT.

MAY 13, 1976
Date

James L. Bussett
Signature

RECEIVED
MAY 17 1976
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
DEC 15 1975
WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Milo B. McCright and Annetta O. McCright
(Name of applicant)

of Powell Butte, County of Crook
(Postoffice)

State of Oregon, do hereby make application for change

in place of use

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

1. The source of present water right is Deschutes River
(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 Central Oregon Canal

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

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 $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
15	14	23	18	3	1													

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? No, Contract purchaser
(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? Oct. 31, 1900 and Dec. 2, 1907

9. Was your water right acquired by State Engineer's Permit? No If so, give number
(Yes or No)

of permit

10. Do you hold a water right certificate? No 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?

Yes If so, give title of proceedings Adjudication of the Deschutes River
(Yes or No)

12. Is the water right recorded in your name? No. Cent. Ore. Irrig. Dist., Page 145-F
(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			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
15	14	34															22	

(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.? No
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Title	Farm Home Administration	
NOTE: The Farm Home Administration does not hold a lien on these 22 acres of water right which were awarded in the Supplemental Finding in the Adjudication of the Deschutes River on Page 145-F of the Decree.		

20. Reasons for the proposed changes are more beneficial use

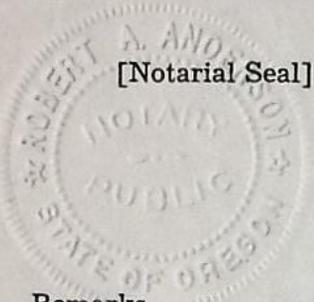
AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Deschutes } ss.

I, Milo B. McCright and Annetta O. McCright, 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 24th day of October, 1975.
Milo B. McCright
Annetta O. McCright
(Name of applicant)

Subscribed and sworn to before me this 24th day of October, 1975.
Robert A. Anderson
NOTARY PUBLIC FOR OREGON



My commission expires September 14, 1979

Remarks: This request for transfer was approved at a meeting of the Board of Directors of Central Oregon Irrigation District, held December 15, 1975.

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.

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
813 W. Highland Avenue
Redmond, Oregon 97756

January 6, 1976

Central Oregon Irrigation Dist.
847 South 6th Street
Redmond, Oregon 97756

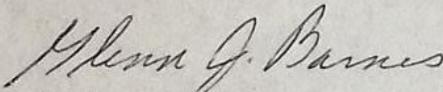
Re: Milo B. McCright

• Dear Sirs:

The 22 acres of water rights, allowed under the supplemental finding of the Central Oregon Irrigation District, and the adjudication of water rights of upper Deschutes River were not considered as valid water rights, at the time Mr. McCright obtained his loan from Farmers Home Administration.

These water rights were not given any value in the appraisal, therefore, the Farmers Home Administration would have no objection to the transfer of these rights.

Sincerely,



GLENN J. BARNES
County Supervisor

RECEIVED
JAN 22 1976
WATER RESOURCES DEPT.
SALEM, OREGON