

3483

142 95 22

STATUS OF APPLICATION

Change in place of useDate filed 11-3-76

Date of hearing

Place of hearing

Date of order 12-16-76 Vol. 28, page 189Date for application of water EXT 10-1-82
10-1-78-10-1-81Proof mailed **NOV 27 1998**

Proof received

Certificate issued **FEB 24 1999**, page 76006

DESCRIPTION OF WATER RIGHT

Name of stream Dry CreekTrib. of Deschutes County of DeschutesUse irrigationQuantity of water 50² No. of acres

Name of ditch

Date of priority

In name of Squaw CreekAdjudication, Vol. 1, page 123App. No. 10936 Per. No. 10936 Cert. No. 10936

Certificate cancelled

Notation made on record by

FEES PAID

Date	Amount	Receipt No.
<u>11-3-76</u>	<u>35.00</u>	<u>56713</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS ASSIGNED

Black Butte Ranches) Corp.P.O. Box 6119Bend Or. 97708

ASSIGNED

Brooks Resource Corp.P.O. Box 6119 - Bend, Or. 97708(New Owner)Black Butte Ranch PropertyMgmt Corp.

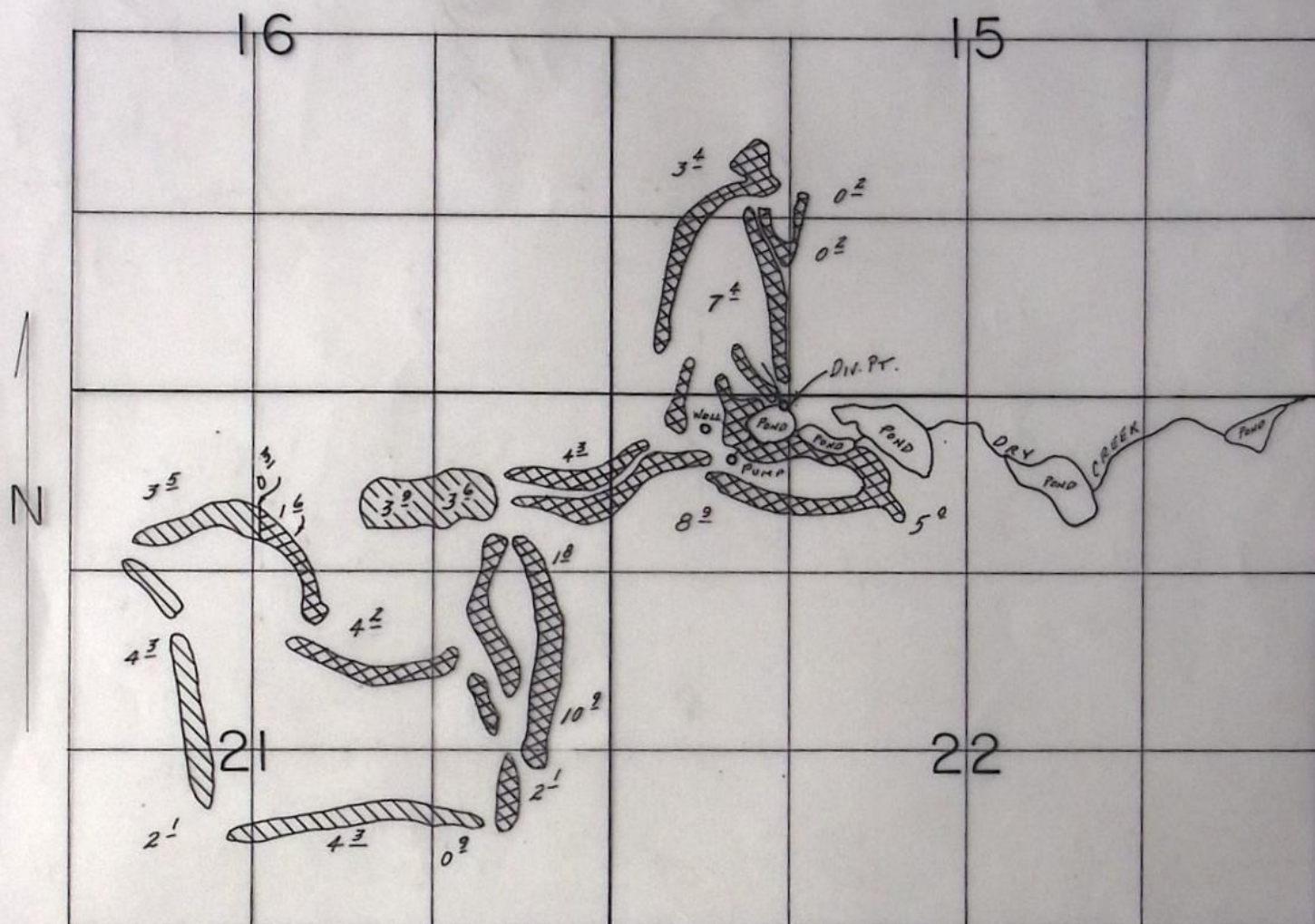
INDEX CARDS:

Entered

Checked

<u>WH</u>	Name	<u>✓</u>	
<u>WH</u>	Stream	<u>✓</u>	
<u>WH</u>	Pt. of Div.	<u>✓</u>	
<u>WH</u>	Calendar	<u>✓</u>	
<u>✓</u>	Trn. & Rpt.	<u>GLS</u>	
<u>✓</u>	Decree-vault	<u>lg</u>	
<u>✓</u>	Decree-safe	<u>lg</u>	
<u>✓</u>	Cert. of W/R		
<u>✓</u>	Per. Folder		
<u>✓</u>	Chaindex		
<u>✓</u>	Cross Ref.		
<u>✓</u>	Power Claim	<u>✓</u>	
<u>✓</u>	Abstracts		

T.14S., R.9E., W.M.



Div. Pt. Loc.: 70'S. & 1280'E.; WELL #3 Loc.: 250'S. & 700'E.; BOTH FROM NW COR. SEC. 22.



Primary- Permit G-8503



Tr. 3483 & Supplemental Permit G-8503

SCALE: 1"=1320'

FINAL PROOF SURVEY UNDER

Transfer No. 3483

Application No. G-9119... Permit No. G-8503.....
IN NAME OF

BLACK BUTTE RANCH ASSOCIATION

Surveyed JULY 27, 1988, by B.W. BISHOP.....

REVISED 11/14/91 BUB
11/30/88

41017-279-173C BUB

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BLACK BUTTE RANCH ASSOCIATION
PO BOX 8000
BLACK BUTTE RANCH, OREGON 97759

confirms the right to use the waters of DRY CREEK (NOW KNOWN AS GLAZE MEADOWS FORK OF INDIAN FORD CREEK), a tributary of INDIAN FORD CREEK, for THE IRRIGATION OF 50.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 1, at Page 120. The date of priority is 1880.

The use is limited to 1.0 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NW 1/4, SECTION 22, T 14 S, R 9 E, W.M.; 70 FEET SOUTH AND 1280 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 22.

A description of the place of use to which this right is appurtenant is as follows:

NE 1/4 SW 1/4	0.2 ACRE
NW 1/4 SW 1/4	3.4 ACRES
SW 1/4 SW 1/4	7.4 ACRES
SE 1/4 SW 1/4	0.2 ACRE

SECTION 15

NE 1/4 NE 1/4	6.1 ACRES
NW 1/4 NE 1/4	1.6 ACRES
SW 1/4 NE 1/4	4.2 ACRES
SE 1/4 NE 1/4	10.9 ACRES
NE 1/4 SE 1/4	2.1 ACRES

SECTION 21

NE 1/4 NW 1/4	5.0 ACRES
NW 1/4 NW 1/4	8.9 ACRES

SECTION 22

TOWNSHIP 14 SOUTH, RANGE 9 EAST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered DECEMBER 16, 1976 and supersedes Certificate 10936, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

SEE NEXT PAGE

T-3483.SB

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION }
OF BROOKS RESOURCES CORPORATION }
FOR THE APPROVAL OF A CHANGE IN }
PLACE OF USE OF WATER FROM DRY }
CREEK }

ORDER APPROVING
TRANSFER NO. 3483

On November 3, 1976, Brooks Resources Corporation filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Dry Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 10936, Volume 10, State Record of Water Right Certificates, in the name of E. A. Graham, describes an existing right of record for the use of not to exceed 1.0 cubic foot per second from Dry Creek for irrigation of 20.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 20.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and 10.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 14 South, Range 9 East, W.M., with a date of priority of 1880.

Water for the said right is diverted from a point located 140 feet South and 1750 feet East from the Northwest corner of Section 22, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 14 South, Range 9 East, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the place of use and irrigate in lieu thereof 2.54 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 5.05 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 7.82 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 2.36 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15; 4.89 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21; 16.32 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 11.02 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 14 South, Range 9 East, W.M.

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

No objection having been filed and it appearing that the proposed change 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 change in place of use described herein, without loss of priority, is approved.

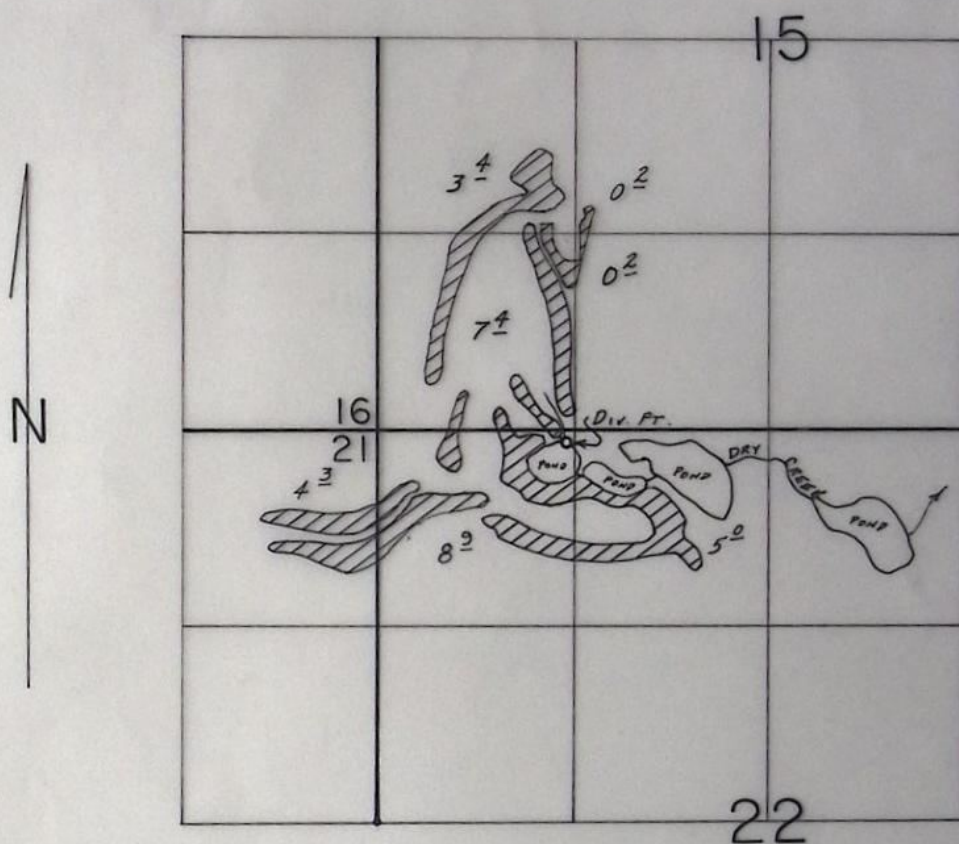
It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to E. A. Graham and recorded at Page 10936, Volume 10, State Record of Water Right Certificates, is canceled, and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to Brooks Resources Corporation.

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

/s/ JAMES E. SEXSON
Director

T.14S., R.9E., W.M.



SUPERSEDED

SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

Transfer No. 3483

IN NAME OF

BLACK BUTTE RANCH ASSOCIATION

Surveyed July 27... 1988, by B.W. BISHOP

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

This is to Certify, That E. A. GRAHAM

of Sisters, State of Oregon, has a right to the use of
the waters of Dry Creek,

for the purpose of irrigation (during the irrigation season)

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
~~Crook~~ Board of Control, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 1, at page 120; that the priority
of the right thereby confirmed dates from 1880;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 1.00 cubic foot per
second.

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

20.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
20.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$
10.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 22,
T. 14 S., R. 9 East, W. M.

NOTE: This certificate is to correct and supersede that certain
Water Right Certificate issued by the Board of Control on
November 29, 1911 to E. A. Graham, and recorded in State
Record of Water Right Certificates at Page 277, Vol. 1,
so as to correctly describe the source of supply as Dry Creek.

The right to the use of the water for irrigation purposes is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer,

affixed this 6th day
of September, 1934.

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 10, page 10,936.