

Walter B. Schrock
c/o Deschutes Reclamation & Irrigation Co.
#2 NW Greenwood Ave, Bend, OR 97701

STATUS OF APPLICATION

Change in place of use
Date filed 6-11-75
Date of hearing _____
Place of hearing _____
Date of order 11-29-77 Vol. 30, page 98
Date for application of water 10-1-79
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R.
Trib. of _____ County of Deschutes
Use irrigation
Quantity of water _____ No. of acres 3²
Name of ditch Swalley
Date of priority September 1, 1899
In name of James Elder
Deschutes R. Adjudication, Vol. 16, page 162
App. No. _____ Per. No. _____ Cert. No. 29054
Certificate cancelled _____
Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>6-11-75</u>	<u>25.00</u>	<u>47509</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

Survey 3/80

Re final proof - see also T-3777

REMARKS

This is a retransfer of lands under T# E-26 & T# S-186

CARD FOR C DEC 2 6 1979

Surveyed 3/20/84 (Foster)

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

T-3261

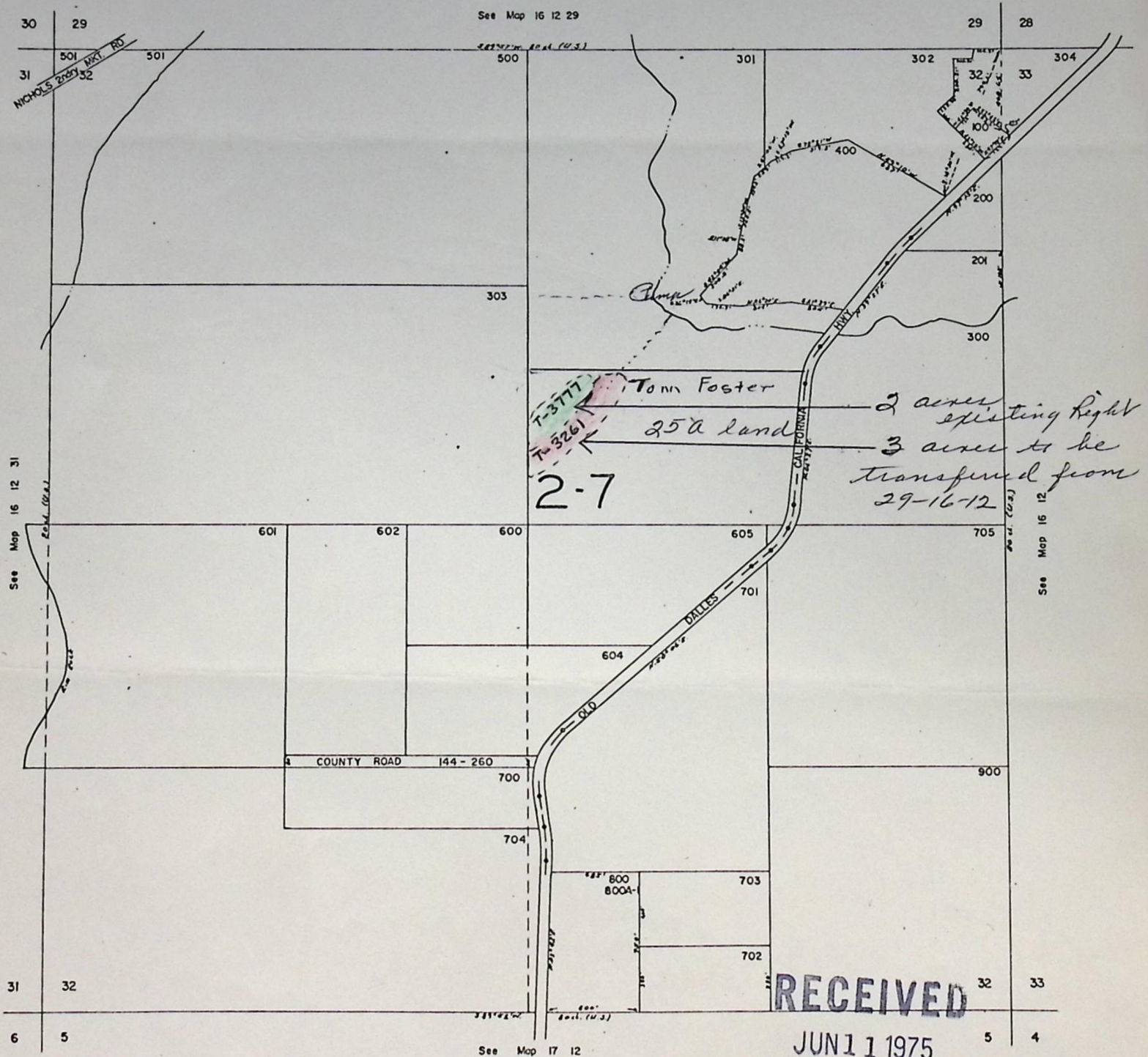
Tom Foster
3 acres going on

Section 32, T.16S. R.12E.W.M.
DESCHUTES COUNTY

1" = 400'

dead numbers
603

16 12 32



"TO"

T-3261

Shack B. Dehrock

3 acres coming off

1" = 800'

Section 29, T.16S, R.12E, W.M.
DESCHUTES COUNTY

16 12
Tad Lot 401 Dred

= Starting at point
East 401.84' from Hwy.;
thence 114' West,
thence 372' North,
thence 114' East,
thence 372' South to
starting point.

Includes 42,408 sq. ft.

= East easement on East
line of SW 1/4 of Sec. 29.
2060.67' x 30' wide =

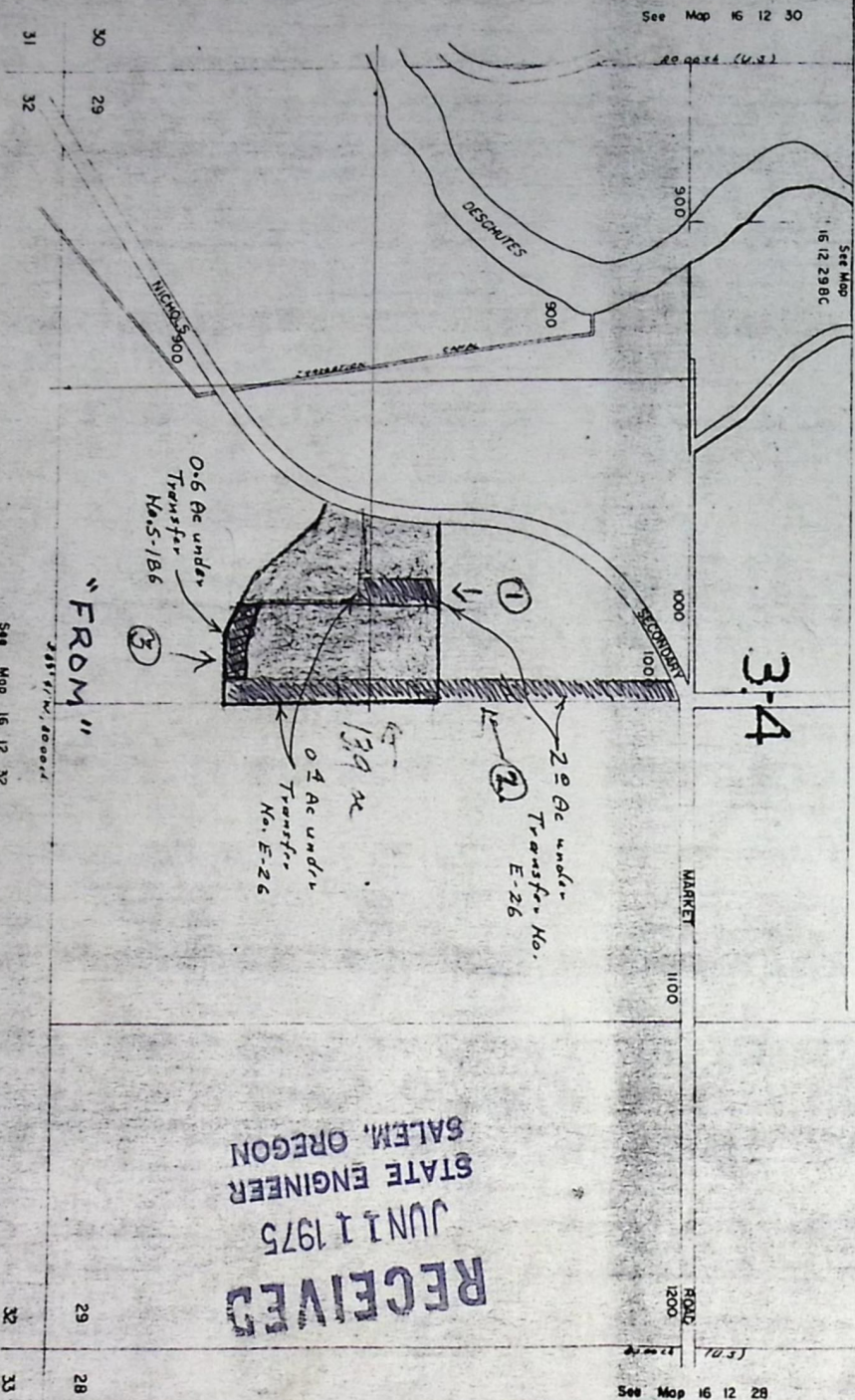
② 60,387.60 sq. ft.

= Starting at East line of
SW 1/4 thence 335.38' plus
86.17' x 70' width =

③ 29,508.50 sq. ft.

Total = 132,304.10 sq. ft.

= Transfer 3 ac or 130,680 sq. ft.



RECEIVED
JUN 11 1975
STATE ENGINEER
SALEM, OREGON

T-3261

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
WALTER B. SCHROCK (DESCHUTES RECLA-)
MATION & IRRIGATION COMPANY) FOR AP-)
PROVAL OF A CHANGE IN PLACE OF USE)
OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 3261

On June 11, 1975, an application was filed in the office of the Water Resources Director by Walter B. Schrock for approval of a change in place of use of water from Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

The 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 Waters of Deschutes River and its Tributaries, a water right was established in the name of Deschutes Reclamation and Irrigation Company for the use of the waters of Deschutes River for irrigation of certain lands, with a date of priority of September 1, 1899, by diversion through the Swalley Canal.

As modified in accord with the provisions of the order of the State Engineer, entered on March 12, 1954, approving transfer application No. E-26, a certain portion of the right tabulated in said decree under the name of James Elder, now exists for the irrigation of, among other lands, 2.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.4 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 16 South, Range 12 East, W.M., described by the certificate recorded at page 29054, Volume 21, State Record of Water Right Certificates.

As modified in accord with the provisions of the order of the State Engineer entered April 5, 1971, approving transfer application No. S-186, a certain portion of the right tabulated in said decree under the name of D. L. Farleigh, now exists for the irrigation of, among other lands, 0.6 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 29.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 3.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, Township 16 South, Range 12 East, W.M. (Tom Foster)

The lands involved herein are within the boundries of the Deschutes Reclamation and Irrigation Company and the Board of Directors of said Company approved the proposed change in place of use at a meeting held June 2, 1975.

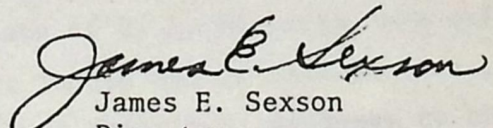
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use of water from Deschutes River, 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, a certificate of water right shall be issued to Deschutes Reclamation and Irrigation Company at the time certificate is issued to the Company confirming other transfers within the Company.

Dated at Salem, Oreogn, this 29th day of November, 1977.


James E. Sexson
Director

RECEIVED

T-3261

JUN 11 1975

STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Walter B. Schrock

(Name of applicant)

of Rte. 3 Box 1395 Bend, OR
(Postoffice)

County of Deschutes

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 Swalley

4. The point of diversion is located 300 ft. So and 580 ft. West from the NE
(N. or S.) (E. or W.)

corner of SENE

(Section or subdivision)

being within the SENE

of Section 29 Tp. 17S R. R12E W. M., in the County of Deschutes
(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
<u>16</u>	<u>12</u>	<u>29</u>									<u>2°</u>			<u>0.4</u>				
		<u>29</u>												<u>0.6</u>				

LW36

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? 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? Sept. 1, 1899

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? Yes If so, give number of certificate #29054
(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 In the Matter of the Determination of the Water
Rights of the Deschutes River and its Tributaries. (Transfer No E-26)

12. Is the water right recorded in your name? No. James Elder pg 152 & Averil Mitchell
(If not, give name) (transfer S-186)

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
16	12	32			3													

(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 place of use proposed point of diversion is to be located? No

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.

Tom Foster

64635 Redmond Bend Hwy
Bend, Or 97701

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 Put water to beneneficial use--it is being
removed from land where roads and buildings are now being built

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

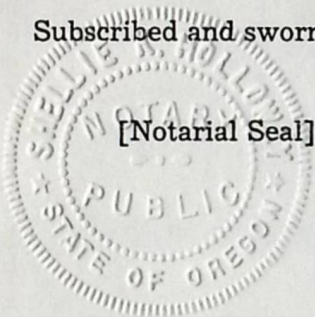
SS.

I, Walt B. Schrock, 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 2nd day of June, 1975.

Walt B. Schrock
(Name of applicant)

Subscribed and sworn to before me this 2nd day of June, 1975.



Shelli K. Holloway
NOTARY PUBLIC FOR OREGON

My commission expires 3/6/78

Remarks OKed at regular Board meeting held June 2, 1975

Chairman

Harry P. Glass

Directors

Walt B. Schrock

Fred C. Sampels

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.

THE DESCHUTES RECLAMATION AND IRRIGATION CO.

#2 NW Greenwood Ave.
BEND, OREGON

RECEIVED

SEP 12 1977

WATER RESOURCES DEPT
SALEM, OREGON

Aug. 17, 1977

Wayne Overcash,
Water Resources Dept.,
1178 Chemeketa St. NE
Salem, OR 97310

T-3261

Dear Mr. Overcash,

Attached find a copy of your letter dated April 8, '76. We are way overdue in finding the answers to your questions, but after digging through the old files, we believe that this application can now be approved.

1. You will find our ditch managers statement attached showing that the water has been in constant beneficial use.

2. On 4/30/59 a transfer was made through your office removing 1.5 acres of water SWNE to SENW 32-16-12 . Mr. McOmie owned lands in the SWNE and NWNE and as he is sprinkling is able to irrigate not only land in the NWNE but also lands in the SWNE. When he sold his lands in the SWNE we overlooked transfer two acres of water to that forty. Attached find application for the transfer of this 2 acres, and also check covering cost of transfer.

We sincerely hope that this will clear the way for you to complete the transfers.

Yours very truly,

THE DESCHUTES RECLAMATION & IRRIGATION CO.

BY

Laura Honser

Sec.-Treas.

SECTION 29[illegible]

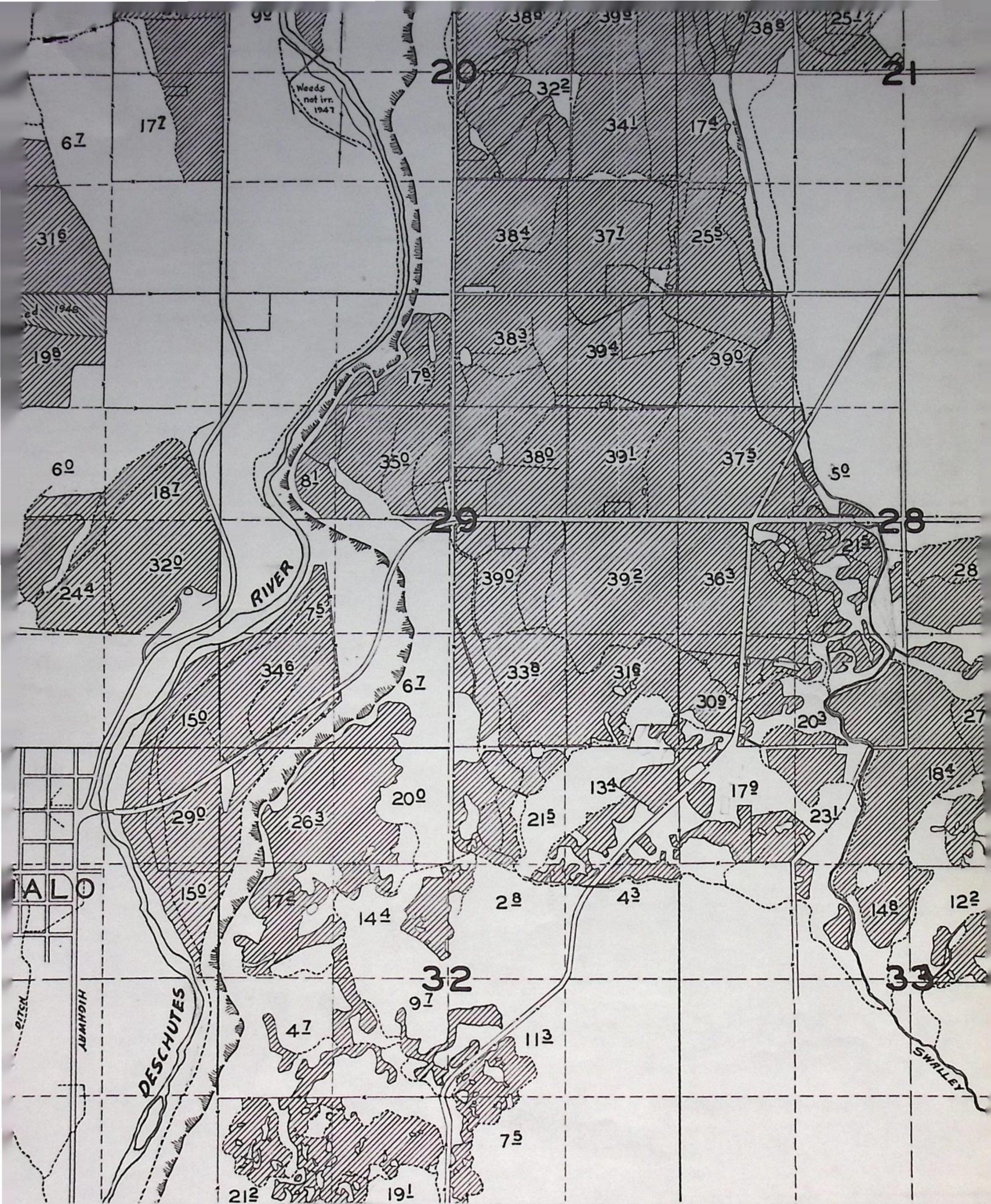
✓ not involved
west of Nichols Road

SECTION 32

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
7°																Findings, Vol. 16	162	29054
15°	21°	15°	35°	20°	18°	16°	14°	10°	5°	21°	19°	11°	8°			Findings, Vol. 16	162	29054
6°	05°	15°	10°													Findings, Vol. 16	163	29054
																Findings, Vol. 16	163	29054
																Trs. Sp. Or. Vol. 8	130	29054
																Trs. Sp. Or. Vol. 10	90	29054
																Trs. Sp. Or. Vol. 10	90	29054
																Trs. Sp. Or. Vol. 10	153	29054
																Trs. Sp. Or. Vol. 12	289	
																Trs. Sp. Or. Vol. 12	289	
																K-56	X.18, P.238	
																X-8	X.18, P.236	
																S-225	V.20, P.39	
																S-186	X.21, P.5	
																B-179	V.21, P.336	
																OUT	V.21, P.413	
																IN	V.21, P.413	

~~out~~ E-32 (no maps)

SECTION 32[illegible]



NE 1/4 SW 1/4

SE 1/4 SW 1/4

Center Section D1
47.75' P.T.

Scale 1" = 200'

SE 1/4 SW 1/4 Sec 29
T14S, R12E, W4
RECEIVED
FEB 16 1971
STATE ENGINEER
SALEM, OREGON

RECEIVED
MAY 19 1969
STATE ENGINEER
SALEM, OREGON

10.0 ACRES
More or Less.

E-26 12.0 AC

4.9 ACRES
More or Less.

E-26 8.0 AC

13.9 ACRES
More or Less.

2 ACRES

4 ACRES

S-186

S-186

0.6 AC T-S-186

Bearing established
by Hawthorne.

