

3262

STATUS OF APPLICATION

Change in place of use
Date filed 6-11-75
Date of hearing _____
Place of hearing _____
Date of order 11-14-75 Vol. 26, page 191
Date for application of water 10-1-76
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 40
Name of ditch Livally
Date of priority Sept 1, 1899
In name of M. Merg
Deschutes Adjudication, Vol. 16, page 166
App. No. _____ Per. No. _____ Cert. No. 29054
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-11-75</u>	<u>25.00</u>	<u>47510</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

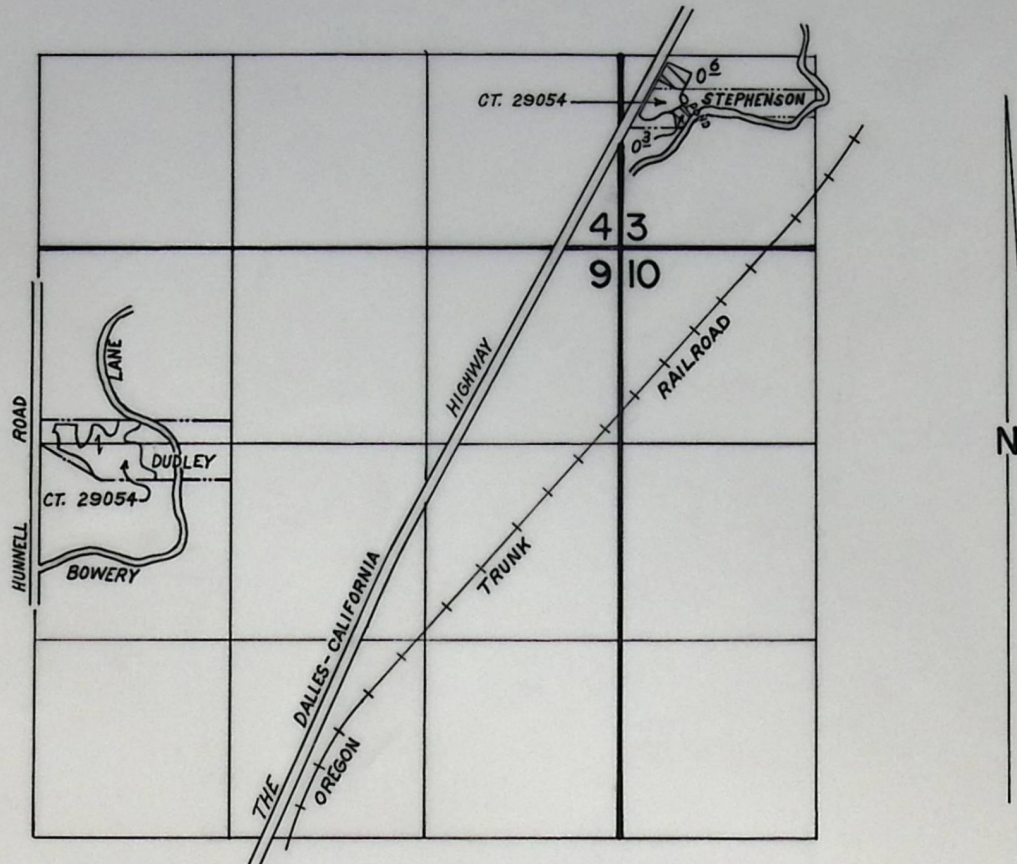
Date	Amount	Check No.

REMARKS

Surveyed 5/29/84 (Dadley, Stephenson)

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

T.17S., R.12E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 3262
Application No. Permit No.
IN NAME OF

GEORGE STEPHENSON & JAMES DUDLEY/D.R.I.C.

Surveyed MAY 29 19 84, by LESLIE OLSON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF KEITH RAMSEY, SR. (DESCHUTES
RECLAMATION AND IRRIGATION COMPANY)
FOR THE APPROVAL OF A CHANGE IN PLACE
OF USE OF WATER FROM DESCHUTES RIVER

ORDER APPROVING
TRANSFER NO. 3262

On June 11, 1975, Keith Ramsey, Sr., 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 Deschutes Reclamation and Irrigation Company for the use of the waters of Deschutes River for the irrigation of, among other lands, 4.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 17 South, Range 12 East, W.M., being tabulated in the name of M. Merg, with a date of priority of September 1, 1899, as evidenced by certificate of water right recorded at Page 29054, Volume 21, State Record of Water Right Certificates. These lands are irrigated by means of the Swalley Canal.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 1.0 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.0 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, and 2.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 17 South, Range 12 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 Deschutes Reclamation and Irrigation Company and the Board of Directors of said Company approved the proposed change in place of use of water at a regular meeting held February 3, 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 proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 4.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 17 South, Range 12 East, W.M., with a date of priority of September 1, 1899, be severed therefrom and simultaneously and without loss of priority transferred to 1.0 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.0 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, and 2.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 17 South, Range 12 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 Deschutes Reclamation and Irrigation Company confirming this and prior changes within the Company.

Dated at Salem, Oregon, this 14th day of November, 1975.

JAMES E. SEXSON
Director

5-29-84
174-150-74
L.G.D.

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR
change in place of use from Deschutes River

PARTIALLY
SURVEYED

Geo. W. Stephenson ✓
64070 Hwy 97 N

6-1-78

Transfer No. 3262

Geo. W. Marshall % James E. Dudley ✓
382-3360
2305 E.W.
15th St
Bent 804 77201

County DESCHUTES

1. Name Ben Brewer & George Marshall ✓ Address c/o Deschutes Reclamation & Irr. Co. ✓
2. Source of Supply Deschutes River ✓, Trib. of DRIC
3. Amount of Water _____ Priority Date Sept 1, 1899
4. Use irrigation of 0.9 ACRES ✓
5. Proposed Point of Diversion _____

6. Place of Use C Date: 10-1-76

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
17S	12E	9	NE NW	1.0	Dudley
			SE NW	1.0	Dudley
		3	SW SW	2.0	Stephenson
17S	12E	9	NE NW	0.0 COVERED UNDER CT. 29054	DUDLEY ✓
		9	SE NW	0.0	DUDLEY ✓
		3	SW SW	0.9	STEPHENSON ✓

17-12-9 NE NW
14.5 29054 ✓
1.0 TR.3262 ✓

17-12-9 SE NW
28.5 29054
1.0 TR.3262

17-12-3 SW SW
2.5 29054 ✓
3.5 " ✓
0.2 " ✓
1.0 " ✓
1.0 " ✓
2.0 T-3262 ✓
5.0 T-2578 ✓

Owner: George W. Stephenson

Info: Mr. Stephenson

Remarks: on the application map the subject land is bounded on the east by the canal which flows in a northerly direction, then turns easterly. On the application map the land to be watered is on the east portion, just north of the easterly ditch.

The land actually water is west and northwest of the bend. Essentially between the highway and canal before it bends. The land along the easterly flowing portion of the canal is not watered and is dry.

Also included is a portion of the neighbor's to the north land which is watered by Mr. Stephenson. The neighbor is supposed to have 1 ac.

Ties 41017 179-74

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DEC 19 1984
WATER RESOURCES DEPT
SALEM, OREGON

6-16-83
Larry D. Funn
LURE

Info: Mrs. Marshall (contract holder) 4-17-84

Had a stand of alfalfa on it for 3 yrs. Used the water irrigated. Put in a pond. Corners surveyed in.

No house on property. Dudley bought 12-80. Last irrigated in summer of 1980.

Inspection 5-29-84 (no answer to letter to Dudley)

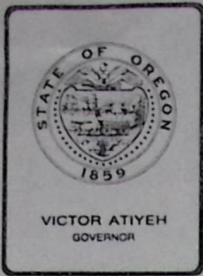
This land is very dry. It is still clear, no sage, but covered with weeds. very marginal. No irrigation equipment, no water in pond. Questionable. Covered with sage rat holes.

Tie: 179-~~106~~ 74

5-29-84

Gerlie Olson
WRE

Note: Show as marginal land on FP



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DEC 19 1984

WATER RESOURCES DEPT
SALEM, OREGON

Water Resources Department

1507 EAST FIRST STREET, BEND, OREGON 97701 PHONE 388-6669

April 17, 1984

James E. Dudley
2305 SW 15th Av.
Portland, OR 97201

Dear Mr. Dudley:

I am attempting to do a survey in connection with a transfer of water rights to your land in T17S., R12E., Sec. 9, near Bend, Or. This is transfer #3262 and is for 2 acres. The Marshalls bought this water in about 1975 to add to the 3 acres of adjudicated water that was already on the lot.

It is necessary on all transfers of water right to have a survey done to show that the water was indeed put to use and to map its location for the record. This is what I am attempting to do. I have spoken with Mrs. Marshall and she said that they had grown alfalfa on the lot until 1980. They sold the lot after that irrigation season. All I need to know from you is what irrigation has been done since then, the method used and the specifications of your irrigation equipment. Also, a rough sketch of the irrigated land would be helpful if you or your irrigator is unable to point out the irrigated ground to me.

I appreciate the time you could spare to provide me with this information. If I do not hear from you in 30 days, I will go ahead and do the survey based on my own observation.

Thank you,

Leslie Olson
Water Rights Examiner

Part of Section 9. 17-12
George Marshall
1720 E 6th Band

County Road

Lot 3 Rock O'Range

6 acres land
3 existing water

And



house

←→
Applying
for transfer
of 2 acres
from Ramsey
8-17-12

202

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JUN 11 1975
STATE ENGINEER
SALEM, OREGON

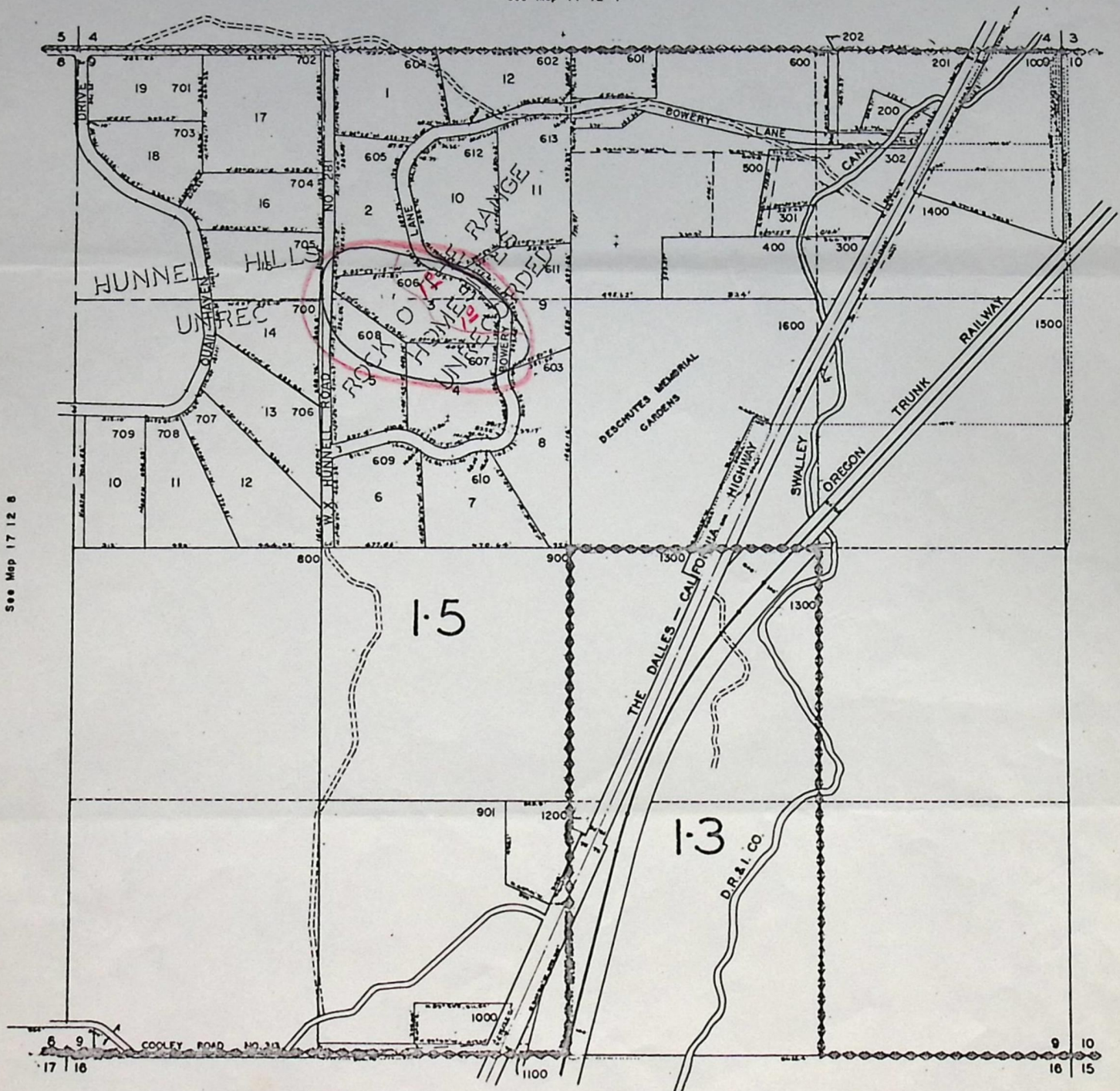
SEC. 9 T.17 S. R.12 E.W.M.

17 12 9

DESCHUTES COUNTY

SCALE: 1" = 400'

See Map 17 12 4



See Map 17 12 16

17 12 9

T-3262

Swally

S. W. S. W.

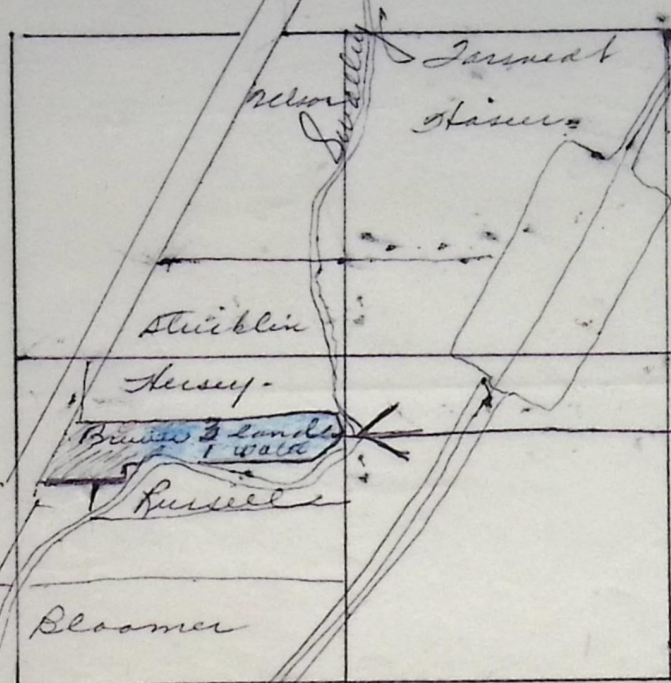
Sec Tp R
3-17-12

Ben Brewer

64070 N. Hwy 97

Band

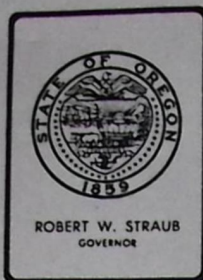
200



CEN.
COR.
Sec. 3

Brewer 3 acres of
land w/ 1 acre of
water -
application for
transfer 2 acres of
water -

1" = 800'



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

June 1, 1978

Benny Brewer & George Marshall
c/o Deschutes Reclamation & Irrigation Co.
2 NW Greenwood Avenue
Bend, Oregon 97701

RE: File No. T-3262

Gentlemen:

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application No. 3262, in the name of Keith Ramsey, Sr., for a change in place of use of water from Deschutes River, was received and, in line with the general practice of this office, a survey will be made at a later date.

After the survey, proof may be made and certificate of water right issued covering the actual use of water as found by the engineer. (In case of irrigation, any lands described in the order that have not been irrigated will be automatically eliminated from the water right.)

In the meantime, the order will be evidence of the water right in question as long as the authorized beneficial use of water is continued.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj

cc: Robert F. Main, Jr., Watermaster

Brewer Marshall

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Benny Brewer and George Marshall

Transfer No. 3262

I, _____, hereby certify that
on April 1, 1976, 19____, the water has been applied to the
lands to which the water right was transferred by an order of the ~~State~~ ^{Water Resources Director}
~~Engineer~~ ⁽¹¹⁻¹⁴⁻⁷⁵⁾ dated Jan. 16, 1976, approving an application for a
change in place of use of water from Ramsey to Brewer and Marshall T-3262

4/1/76
Date

Laura Hansen, Sec. Treas
Signature
*Deschutes Reclamation
& Irrigation Co*

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MAY 22 1978
WATER RESOURCES DEPT.
SALEM, OREGON

OK
ml

RECEIVED

JUN 11 1975

STATE ENGINEER
SALEM, OREGON

T-3262

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Keith Ramsey Sr.

(Name of applicant)

of 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 SE NE

(Section or subdivision)

being within the SE NE

of Section 29 Tp. 17S R. 12E 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 $\frac{1}{4}$	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 $\frac{1}{4}$
17	12	8					4											

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? September 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
(Yes or No)
12. Is the water right recorded in your name? No M Merg Page 156
(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 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
17	12	9					1			1	(Mushue Lot 3)							
17	12	3											2					

(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? 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.

George & Florence Marshall

1720 E. 6th

Bend, OR 97701

Ben Brewer

64070 N Hwy '97

Bend, OR 97701

Rock 0' the Range Lot 3

6 acres of land

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 Due to wells being used in 8-17-12 and a shortage of water on lands where water is to be transferred the water will be used to a better advantage.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

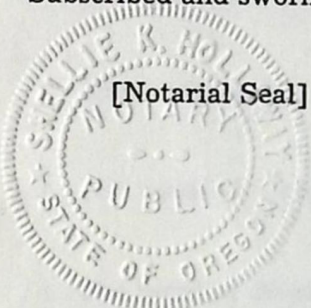
ss.

I, Archie Ramsay Jr, 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 28th day of February, 19 75.

(Name of applicant)

Subscribed and sworn to before me this 28th day of February, 19 75.



[Notarial Seal]

NOTARY PUBLIC FOR OREGON

My commission expires 3/6/78

Remarks OKed by the Board of Directors at the meeting held Feb. 3, 1975

Walt Schrock, Chairman

Harry Chess, director

Fred Sampels, director

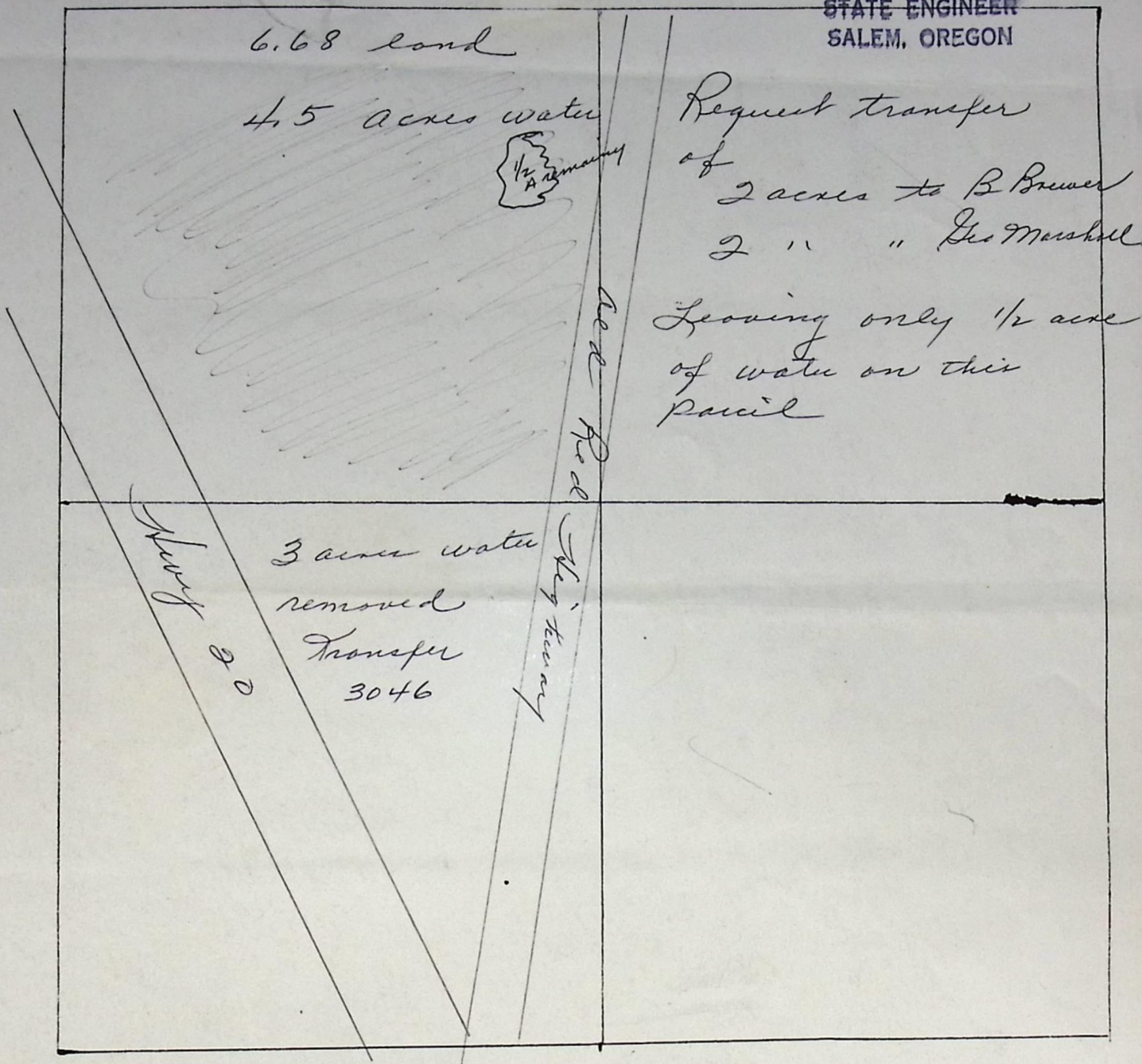
THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

M. E. M. H. 8-17-12
Transfer —

RECEIVED

JUN 11 1975

STATE ENGINEER
SALEM, OREGON



4 coming off

T-3262