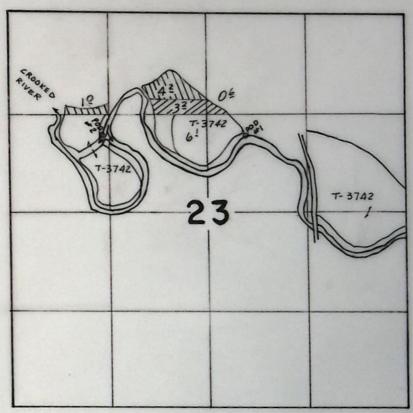
3742

STATUS OF APPLICATION	DESCRIPTION	FEES PAID			
Change in POD & POU	Name of stream CROO		7 - 28 -77	Amount 75 90	Receipt No. 62815
Date filed July 28, 1977 Date of hearing 2- 14- 78	Trib. of	County of CRODK	1-18-78	10.60	Trast & 3743
Place of hearing Prineville		No. of acres	TOTAL	No Cert. Fee	
Date of order 2-23-78 Vol. 30 page 422 Date for application of water Completed	Name of ditch Peop Date of priority 190	Central Oregoniau	FEES REFUNDEL		
Proof mailed		ication, Vol. / Peoples Irr. Co.)	Date	Amount	Check No.
Certificate issued 814-84 Vol. 47 page 52183	App. No		Exam 20- POD 15- POU 5062. 45- PON 4150 8650		
REMARKS INDEX CARDS: Entered Checked See J-5005 Name Stream					Checked
New Owner: Brooks Resources Corp. POBOX 6119 Bend, Or. 97708		W.R.IS. Assembled 6-19-85 by 200 Entered by Verified by	Pt. of Div. Caiendar CHECKED Twp. & Rg Decree-van Decree-saf Cert. of V Per, Folde Chaindex Cross Ref Power Cle Abstracts	TO RECORDS: ge. Cox alt fe	9 ej.



POD NO.1: 1020'N \$ 500'E } from C/4 cor. Sec 23
POD NO.2: 1000'N \$ 1400'W)
POD NO.3: 450'W from E/4 cor Sec. 24

FINAL PROOF SURVEY

A	TRANSFER TRANSFER	5005 3742	
Applicati	IN NAM	EOF	•
Surveyed	July 27, 19.79	bv	H.NUNN

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF THE APPLICATION)
OF BOSTON RANCH COMPANY FOR AP-)
PROVAL OF CHANGES IN PLACE OF USE)
AND POINT OF DIVERSION OF WATER)

ORDER APPROVING TRANSFER NO. 3742

On July 28, 1977, an application was filed in the office of the Water Resources Director by Boston Ranch Company for approval of changes in place of use and point of diversion from Crooked River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 638, Volume 1, State Record of Water Right Certificates, in the name of The Peoples Irrigation Company, describes a right tabulated in the name of Deschutes Fine Wool Company, which includes the use of water from Crooked River for irrigation of a certain 5.3 acres in SW4 NE4, 20.9 acres in SE4 NE4, 11.4 acres in SW4 NW4, 16.1 acres in SE4 NW4 and 9.5 acres in NE4 SE4 of Section 23, Township 14 South, Range 14 East, W.M., with dates of priority of 1904 and 1910.

The authorized point of diversion of record for the said right is located 744 feet South and 321 feet East from the West Quarter Corner of Section 8, being within the NW4 SW4 of Section 8, Township 15 South, Range 16 East, W.M. (Peoples Ditch).

The applicant herein, owner of the lands above described, proposes the following changes in place of use and point of diversion, without loss of priority:

(a) Change the place of use from a certain 3.8 acres of the said lands in SE4 NW4 of Section 23, and to irrigate in lieu thereof a certain 1.1 acres in NW4 NE4 and 2.7 acres in NE4 NW4 of said Section 23;

- (b) Change from the said point of diversion of record to an existing point of diversion located 2650 feet South and 4535 feet East from the Northwest Corner of Section 24, being within the NE% SE% of Section 24, Township 14 South, Range 14 East, W.M., for irrigation of said 20.9 acres in SE% NE% and 9.5 acres in NE% SE% of Section 23;
- (c) Change from the said point of diversion of record to an existing point of diversion located 1750 feet South and 1960 feet West from the Northeast Corner of Section 23, being within the SW4 NE4 of Section 23, Township 14 South, Range 14

East, W.M., for irrigation of said 1.1 acres in NW4 NE4, 5.3 acres in SW4 NE4, 2.7 acres in NE4 NW4 and 6.1 acres in SE4 NW4 of Section 23;

(d) Change from the said point of diversion of record to an existing point of diversion located 1806 feet South and 3940 feet West from the Northeast Corner of Section 23, being within the SE¼ NW¼ of Section 23, Township 14 South, Range 14 East, W.M. for irrigation of said 11.4 acres in SW¼ NW¼ and 6.2 acres in SE¼ NW¼ of Section 23.

Notice of the application, pursuant to ORS 540.510, was published in the Central Oregonian, a newspaper printed and having general circulation in Crook County, Oregon for a period of three weeks in the issues of December 21 and 28, 1977 and January 4, 1978.

Mr. Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new points of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new points of diversion as herein confirmed:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that no time need be fixed for completion as the changes in place of use and point of diversion are completed.

It is FURTHER ORDERED that 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, the certificate of water right heretofore issued to The Peoples Irrigation Company and recorded at page 638, Volume 1, State Record of Water Right Certificates, be canceled, and in lieu thereof a new certificate of water right be issued to comfirm this and prior transfers.

Dated at Salem, Oregon, this 23rd day of February, 1978.

James E. Sexson

Director

STATE OF OREGON
WATER DIVISION NO. 2. COUNTY OF CROOK

C E R T I F I C A T E O F W A T E R R I G H T (For Rights which have been confirmed by the Courts)

Oregon, has a right to the use of the waters of Grooked River, a tributary of Deschutes River, for the purpose of irrigating 2,5132 acres of land and stock and domestic use, and that said right has been confirmed by decree of the Gircuit Court of the State of Oregon for Grook County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of Oregon, in Volume 1, at page 449; that the priority of the right hereby confirmed dates from 1880 for the irrigation of eighty acres of land, and from 1891 for the irrigation of £,1332 acres of land; that the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed £7.67 cubic feet per second for irrigation, the total cuantity being limited to four acre feet per acre during each year, and a reasonable amount for domestic and stock use. The use hereunder shall conform to any reasonable rotation system ordered by the proper state officer.

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

(The name of the owner of the land is listed herein for convenience only)

User through Company's Works.	Date	Acres	Description of lands
A. T. Bogue, Prineville, Ore.	1893	160	40 acres in SW2 of NW2; 37 acres in SE2 of NW2; 40 acres in NE2 of SW2; 40 acres in NW2 of SW2; 3 acres in SW2 of SW2; Section 36, Tp. 14 S.R. 15 E.W.M., in Crook County, Oregon.
Rova Brink, Prineville, Ore.	1900	12	12 acres in SE ¹ of SE ¹ ; Section 20, Tp. 14 S. R. 15 E. W. M., in Crook County, Oregon.
F. T. Cox, Prineville, Ore.	1895	70	20 acres in SW- of SW-; 20 acres in SE- of SW-; 20 acres in SW- of SE-; 10 acres in SE- of SE-; Section 26, Tp. 14 .S. R. 15 E. W.M., in Crook County, Oregon.
E. A. Davenport, Prineville, Ore.	1900	50	5 acres in NET of NET; 10 acres in SWI of NET; 30 acres in SE of NET; 5 acres in NVI of NVI; Section 27, Tp. 14 S. R. 15 E. W.M., in Crook County, Oregon.
Deschites Fine Wool Co. by Thos. Sharp, Secy., Prineville, Ore. 2742 a Pod 32 to an Wilnest to Wing. * Progrative Character of Sp. Co. Vol. 7, p. 470 Ch. Pt. of Div. Sp. Ov. Vol. 7, p. 5 Sp. Ov. Vol. 7, p. 5	1910 . sec 23. . sec 23. . celation	210. 800	30 acres in NW of SW1; 40 acres in SW1 of SW2; 40 acres in SW2 of SE1; 40 acres in SW2 of NE2; 40 acres in SW2 of NE2; 40 acres in SW2 of NW2; 40 acres in SW2 of NW2; 40 acres in SW2 of NW2; 30 acres in NW2 of SW2; 30 acres in NW2 of SE2; 30 acres in NW2 of NE2; 30 acres in NW2 of NW2; 40 acres in NW2 of NW2; 15 acres in NW2 of NW2; 10 acres in SW2 of NW2; 40 acres in SW2 of NW2; 30 acres in NW2 of NW2; 30 acres in NW2 of SW2; 30 acres in NW2 of SW2; 30 acres in NW2 of SW2; 40 acres in SW2 of SW2; 40 acre
Martha A. Dodson, Prineville, Ore.	1893	130	35 acres in NV of SW; 30 acres in SW of SE; 25 acres in SW of SW; 40 acres in SE of SW; Section 20, Tp. 14 S. R. 15 E. W. M., in Crook County, Oregon.
Princes Forrest, Princesille, Ore. Princesille, Ore.	1692 # .for	85	10 acres in NE of NE; Section 30: 5 acres in NE of NV1; 38 acres in NV1 of NV1; 3 acres in SW1 of NV1; 8 acres in SE of NV1; Section 29: 21 acres in SW1 of SW2; Section 20: all in Township 14 S. R. 14 Z.W.M., in Crook Jounty, Oregon.

Name of

Name of User through	Doto	Agree	Description of Lands.
Company's Works.	Date	Acres	Description of Lands.
C. J. Johnson, Prineville, Ore.	1893	140	23 acres in SE ¹ of NW ¹ ; 35 acres in NE ¹ of SW ¹ ; 17 acres in SE ¹ of SW ¹ ; 24 acres in NW ¹ of SE ¹ ; 33 acres in SW ¹ of SE ¹ ; 8 acres in SE ¹ of SE ¹ ; Section 6, Tp. 15 S. R. 16 E. W.M., in Crook County, Oregon.
I. L. Ketchum, Prineville, Ore.	1893	75	5 acres in SW- of NE1; 10 acres in SE1 of SE1; 40 acres in NW1 of SE1; 20 acres in SW- of SE1; Section 36, Tp. 14 S. R. 15 E. W.M., in Crook County, Oregon.
D. A. McDowell, Princville, Ore. Oh. Pt. of Div. Sp. D. Val. 10,	1898	70	40 acres in NE of NE; 30 acres in NF of NE; Section 29, Tp. 14 S. R. 14 E. W. M., in Crook County, Oregon.
Lucy Hessinger, Prineville, Ore. Admrx. Hessigner Estate	1897	76	l acre in NE1 of NE1; 15 acres in NW1 of NE1; 20 acres in NE1 of NW1; 20 acres in NW1 of NW1; Section 26, Tp. 14 S. R. 14 E. W.M., in Crook County, Oregon.
Chas. Montgomery, Prineville, Ore.	1906	160	30 acres in SW2 of ME2; 30 acres in SE1 of ME2; 30 acres in SW2 of MV2; 30 acres in SW2 of MV2; 50 acres in SE2 of MV2; 5 acres in ME2 of SV2; 15 acres in MV2 of SW2; 15 acres in MV2 of SE2; 5 acres in MV2 of SE2; Section 19, Tp. 14 S.R. 15 E. W. H., in Crook County, Oregon.
J.M. Montgomery, Prineville, Ore.	1904	20	20 acres in ST of SW4; Section 24: Tp. 14 S.R. 14 E. W. M., in Crook County, Oregon.
Geo. 7. Noble, Prine ville, Ore.	1910	40	8 acres in NE1 of SE1; 3% acres in SE1 of SE1; Section 36, Tp. 14 S.R. 15 E.W.M., in Crook County, Oregon.
J. F. Taylor, Prineville, Ore.	1880	80	36 scres in NE of SW1; 15 scres in NE of SE1; 29 scres in NV of SE1; Section 20, Tp. 14 S.R. 15 E. W.M., in Crook County, Oregon.
David Weaver, Prineville, Ore.	1898	31/2	3½ acres in NE2 of NE4; Section 28: Tp. 14 S. R. 14 E. V.M., in Crook County, Oregon.
B. F. Wilhoit, Prineville, Ore.	1904	32	20 acres in NE1 of NE1; 12 acres in NV1 of NE1; Section 28, Tp. 14 S.R. 15 E.W.M., in Crook County, Oregon.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

WITNESS the Seal and Signature of the STATE WATER BOARD affixed this 21st day of September, 1914.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By ______ JOHN H. LEWIS _____ State Engineer, President.

ATTEST:

M. 7. Mars.

RECEIVED

Affidavit of Publication

JAN 1 3 1978

WATER RESOURCES DEPT SALEM, OREGON

STATE OF OREGON,

I, James O. Smith being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the CENTRAL OREGONIAN, printer or his foreman of the CENTRAL OREGONIAN, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Prineville, in the aforesaid county and state; that the Notice a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for successive and consecutive weeks in the following issues

Issue date December 21, 1977

Issue date January 4, 1978

Issue date January 4, 1978

Issue date

The fee charged for the above publication was

\$ 41.50

August O Mutto
Publisher

Subscribed and sworn to before me this 4th

day of January 19 78

Bewely & Thomas Notary Public for Oregon

My Commission expires July 13, 1918

NOTICE OF WATER RIGHT
TRANSFER APPLICATION NO. 3742
Notice is given hereby that an application has been filed in the office of the
Water Resources Director by Bostor
Ranch Company for approval of changes
in place of use and point of diversion from
Crooked River, pursuant to the provision
of ORS 50 510 to 50.500.

The certificate recorded at page 638, Volume 1, State Record of Water Right Certificates, in the name of Deschutes Fine Wool Company, describes a right which includes the use of water from Crooked River for irrigation of a certain 5.3 acres in SW/4 NE/4, 20.9 acres in SE/4 NE/4, 11.4 acres in SW/4 NW/4, 16.1 acres in SE/4 NW/4 and 9.5 acres in NE/4 SE/4 of Sec 23, T 14 S, R 14 E, WM, with dates of parietity of 1904 and 1910.

The authorized point of diversion or record for the said right is located 744 ft 5 and 321 ft E from the W¼ Corner of Sec 8, being within the NW ¼ SW¼ of Sec 8, T 15 S, R 16 E, WM, (Peoples Ditch).

above described, projects in changes in place of use and point of diversion, without loss of priority:

(a) Change the place of use from a certain 3.8 acres of the said lands in SE¼ NW¼ of Sec 23, and to irrigate in lieu thereof a certain 1.1 acres in NW¼ NE¼ and 2.7

(b) Change from the said point of diversion of record to an existing point of diversion located 2650 ft 5 and 4535 ft E from the NW Corner of Sec 24, being within the NE¼ SE¼ of Sec 24, T 14 S, R 14 E WM, for irrigation of said 20,9 acres in SE¼ NE¼ and 9.5 acres in NE¼ SE¼ of Sec 23:

(c) Change from the said point of diversion of record to an existing point of diversion located 1750 ft S and 1960 ft W from the NE Corner of Sec 23, being within the SW'4 NE'4 of Sec 23, T 14 S, R 14 E, WM, for irrigation of said 1.1 acres in NW'4 NE'4. 5.3 acres in SW'4 NE'4, 2.7 acres in NE'4 NW'4 and 6.1 acres in SE'4 NW'4 of Sec

(d) Change from the said point of diversion of record to an existing point of diversion located 1806 ft S and 3940 ft W from the NE Corner of Sec 23, being within the SE¼ NW¼ of Sec 23, T 14 S, R 14 E, WM, for irrigation of said 11.4 acres in SW¼ NW¼ and 6.2 acres in SE¼ NW¼ of Sec 23.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Prineville, Oregon on February 14, 1978, at 9:30 a.m. All objections to the proposed changes, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Boston Ranch Company, P.O. Box 147. Prineville, OR 97754, and one copy files with the Water Resources Department Salem, OR 97310, together with a \$10 filling fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATES RESOURCES DIRECTOR WITHOUT A HEARING. Instructions regarding the filling of a protest will be furnished by the water Resources Department upon request.

Perember, 1977.

Director 66,68,70 de

Mote: Colled and talked to Beyorly Thomas Feb 15, 1978

She advised that puper is published on Monday & Wednesday.

The paper was in the past delivered the next day