

3594

STATUS OF APPLICATION

Change in place of use
Date filed 3-21-77
Date of hearing _____
Place of hearing _____
Amending Order 11-14-79, U32, P503
Date of order 5-18-77 Vol. 29, page 44
Ext 10-1-81 10-1-79
Date for application of water _____
Proof mailed Not necessary - Found
Proof received correct acreage & location
Certificate issued _____ Vol. _____, page _____

to survey 1/82

Surveyed 8/25/86 (Terrill, Loomis, & Hoisington)

REMARKS

— finis —

DESCRIPTION OF WATER RIGHT

Name of stream Tumalo Creek, et al
Trib. of _____ County of Oeschute
Use irrigation
Quantity of water _____ No. of acres 2.2
Name of ditch Tumalo Feed Canal
Date of priority _____
In name of William Kirkpatrick
Tumalo Cr. Adjudication, Vol. 15, page 323
decree 16 193
App. No. _____ Per. No. _____ Cert. No. 26508
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-21-77</u>	<u>\$ 30.00</u>	<u>59175</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

INDEX CARDS:		Entered	Checked
<u>WA</u>	Name	<u>✓</u>	<u>lg</u>
<u>WA</u>	Stream	<u>✓</u>	<u>lg</u>
<u>WA</u>	P. of Div.	<u>✓</u>	<u>lg</u>
<u>WA</u>	Calendar	<u>✓</u>	<u>lg</u>
CHECKED TO RECORDS:			
<u>✓</u>	Twp. & Rge.	<u>lg</u>	
<u>✓</u>	Decree-vault	<u>lg</u>	
<u>✓</u>	Decree-safe	<u>lg</u>	
<u>✓</u>	Cert. of W/R	<u>lg</u>	
	Per. Folder		
	Chaindex		
	Cross Ref.		
	Power Claim		
<u>✓</u>	Abstracts	<u>lg</u>	

amending order

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION)
OF WALL INVESTMENT COMPANY)
(TUMALO IRRIGATION DISTRICT) FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER _ _ _ _ _)

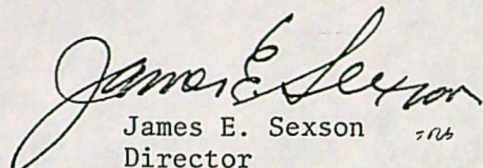
ORDER AMENDING
ORDER APPROVING
TRANSFER NO. 3594

The Order of the Water Resources Director entered May 18, 1977, recorded at pages 44 and 45, Volume 29, Special Order Record, approving water right transfer application No. 3594 in the name of Wall Investment Company, was in error in paragraph 2 on page 45 in stating the location of the property to be irrigated under the subject water right. The order described the proposed place of use as being a certain 3.0 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 16 South, Range 11 East, W. M., when it should have stated: "a certain 1.0 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ (G. Terrill), 1.0 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ (C. Loomis), and 1.0 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Hoisington), Section 19, Township 16 South, Range 12 East, W. M."

NOW, THEREFORE, it is ORDERED that paragraph 2 on page 45 of the Order of the Water Resources Director entered May 18, 1977, approving water right transfer application 3594, in the name of Wall Investment Company, be, and the same hereby is, amended to read:

"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 1.0 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ (G. Terrill), 1.0 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ (C. Loomis), and 1.0 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Hoisington), Section 19, Township 16 South, Range 12 East, W. M."

Dated at Salem, Oregon, this 14th day of November, 1979.


James E. Sexson
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF WALL INVESTMENT COMPANY (TUMALO
IRRIGATION DISTRICT) FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE OF WATER
FROM TUMALO CREEK, DESCHUTES RIVER,
CRATER CREEK, LITTLE CRATER CREEK,
AND THREE SPRINGS AND CRESCENT LAKE
RESERVOIR

ORDER APPROVING
TRANSFER NO. 3594

On March 21, 1977, Wall Investment Company filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Tumalo Creek, Deschutes River, Crater Creek, Little Crater Creek and Three Springs and Crescent Lake Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Deschutes County, Oregon, entered August 27, 1958, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Tumalo Creek, a tributary of Deschutes River, a water right was established in the name of Tumalo Irrigation District, tabulated in the name of Wm. Kirkpatrick for the irrigation of, among other lands, 3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 16 South, Range 12 East, W.M., with a date of priority of ^{OK} September, 1900, as evidenced by certificate recorded at Page 26508, Volume 18, State Record of Water Right Certificates.

These lands also have supplemental rights evidenced by certificate recorded at Page 31412, Volume 23, State Record of Water Right Certificates, to the use of water from Deschutes River, with a date of priority of 1905; certificate recorded at Page 26050, Volume 18, State Record of Water Right Certificates, to the use of water from Tumalo Creek, Crater Creek, Little Crater Creek and Three Springs, with a date of priority of October 29, 1913; certificate recorded at Page 26051, Volume 18, State Record of Water Right

Certificates, to the use of the waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911; and permit No. 27841 for the use of waters of Crescent Lake Reservoir, with a date of priority of December 8, 1961.

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, to a certain 3.0 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, Township 16 South, Range 11 East, W.M.

The lands involved herein are within the boundaries of the Tumalo 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 March 8, 1977.

No objection 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 as described herein, 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 Tumalo Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 18th day of May, 1977.

/s/ JAMES E. SEXSON
Director