

3872 Allen (Cook)

Name Marian A Allen (Cook)

By _____

Address 18849 Tumalo Res. RdBend, ORChange in POUDate filed January 30, 1978

Date of hearing _____

Place of hearing _____

Date of order 9-25-81 Vol. 35 page 236Date for application of water 10-1-83 Ext. 84 85Proof mailed JUN 26 1986 JUN 29 1987

Proof received _____

Certificate issued _____ Vol. _____, page _____

To Survey 12-7-84

To Survey 10-7-85

REMARKS

T-5568 A POU 0⁶ ac, Bend Canal PortionProof signed Wagon portion 10.1.86sent 130 Rose Rotundi, Bell, Allen Moore

3872

DESCRIPTION OF WATER RIGHT

Name of stream Tumalo Creek et alTrib. of _____ County of DeschutesUse IrrQuantity of water _____ No. of acres 20⁰

Name of ditch _____

Date of priority _____

In name of _____

Adjudication, Vol. _____, page _____

App. No. _____ Per. No. 19628 Cert. No. 26050

Certificate cancelled _____

Notation made on record by HB 3111

FEES PAID

Date	Amount	Receipt No.
<u>1-30-78</u>	<u>\$ 55-</u>	<u>884</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

INDEX CARDS: Entered Checked

<input checked="" type="checkbox"/>	Name	<u>cg</u>	_____
<input checked="" type="checkbox"/>	Stream	<u>cg</u>	_____
<input checked="" type="checkbox"/>	Pl. of Div.	<u>cg</u>	_____
<input checked="" type="checkbox"/>	Calendar	<u>cg</u>	_____
<input checked="" type="checkbox"/>	Trans. at Int.	_____	_____
<input checked="" type="checkbox"/>	Inter-vault	_____	_____
<input checked="" type="checkbox"/>	Inter-vault	_____	_____
<input checked="" type="checkbox"/>	Cert. of W/R	_____	_____
<input checked="" type="checkbox"/>	Per. Foliar	_____	_____
<input checked="" type="checkbox"/>	Chainage	_____	_____
<input checked="" type="checkbox"/>	Cross Ref.	_____	_____
<input checked="" type="checkbox"/>	Power Claim	_____	_____
<input checked="" type="checkbox"/>	Abstracts	_____	_____

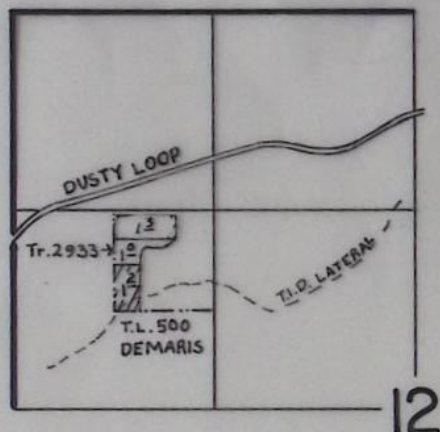
W.R.I.S.

Assembled 12-6-84 by S/N

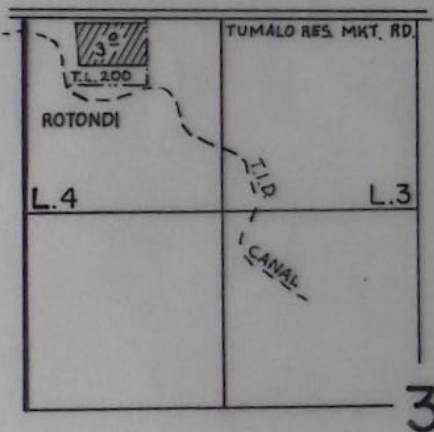
Entered _____ by _____

Verified _____ by _____

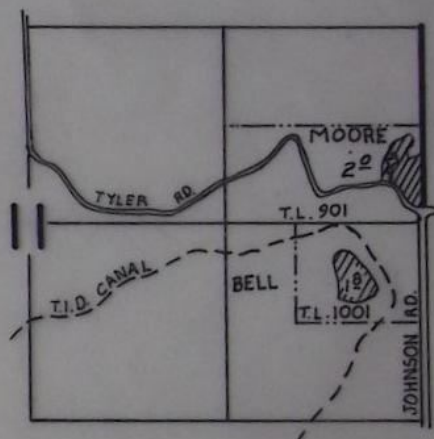
T.16S.,R.IIE.



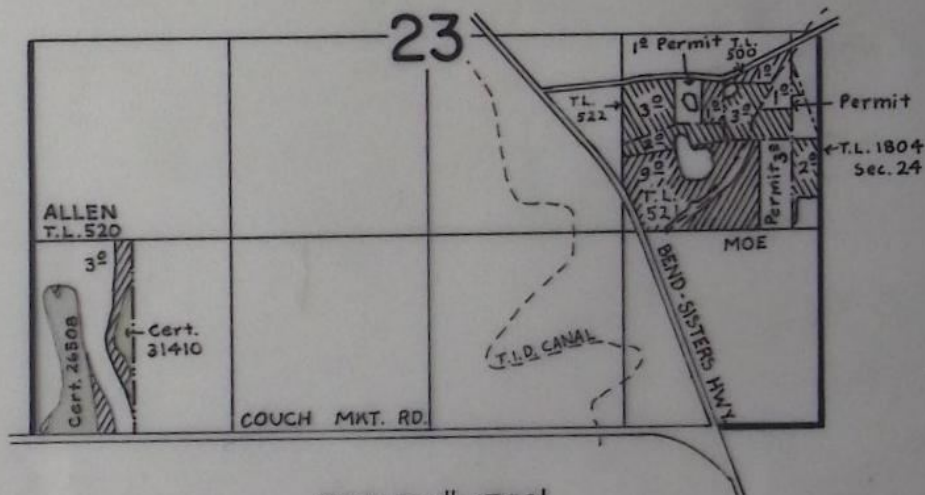
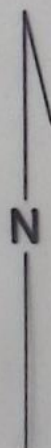
T.17S.,R.IIE.



T.17S.,R.IIE.



T.16S.,R.IIE.,W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY

UNDER

TRANSFER NO. 5640 AND

PART OF TRANSFER NO. 3872 2 of 3

IN NAME OF

TUMALO I.D. & VARIOUS OWNERS

Surveyed APRIL 3, 1986, by LESLIE OLSON and
thru JUNE 16 1986 M. J. MATTICK

v. 35 p. 236
v. 39 p. 244

Revised Mar 23, 1988
279:160R; 161L; 162 L&R; 163R

M&M

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
MARIAN A. ALLEN (COOK) (TUMALO)
IRRIGATION DISTRICT) FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)

ORDER AMENDING
ORDER APPROVING
TRANSFER 3872

The order of the Water Resources Director entered September 25, 1981 at pages 236 and 237, Volume 35, Special Order Record, authorized a change in place of use of a portion of the right described by Water Right Certificate 26050, from Tumalo Creek, et al, to irrigation of 0.4 acre in NW 1/4 NE 1/4, Section 19, Township 17 South, Range 12 East, WM.

The place of use authorized thereunder is located adjacent to Bend Canal of Tumalo Irrigation District. Water distributed through said canal is diverted from Deschutes River. Aforesaid lands cannot be irrigated from Tumalo Creek.

The Board of Directors of Tumalo Irrigation District has petitioned the Water Resources Director to amend the order approving Transfer 3872 to place the 0.4 acre of water right upon land that can be irrigated from Tumalo Creek.

It appearing that the proposed change will allow use of water from the authorized source, the petition should be approved.

NOW, THEREFORE, it hereby is ORDERED that the order approving Transfer 3872 be amended to delete 0.4 acre from NW 1/4 NE 1/4 (Tax Lot 300) Section 19, Township 17 South, Range 12 East, WM, and to place said 0.4 acre in SE 1/4 SE 1/4 (Tax Lot 2400), Section 19, Township 16 South, Range 12 East, WM, (C-5).

Dated at Salem, Oregon, this 17th day of September, 1985.

William H. Young
WILLIAM H. YOUNG, ^{7,124}
Director

0366D

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
MARIAN A. ALLEN (COOK) (TUMALO)
IRRIGATION DISTRICT) FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 3872

On January 30, 1978, an application was filed in the office of the Water Resources Director by Marian A. Allen (Cook) for approval of a change in place of use of water from Tumalo Creek, Deschutes River, Crater Creek, Little Crater Creek and three spring branches, and Crescent Lake Reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Crook County, Oregon, entered May 1, 1911, 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 allowed in the name of Columbia Southern Irrigation Company, tabulated at page 139, Volume 1, for irrigation of, among other lands, a certain 1.0 acre in NW 1/4 SW 1/4 and 3.0 acres in SW 1/4 SW 1/4, Section 23, Township 16 South, Range 11 East, WM, with a date of priority of September, 1900, as now described by certificate issued in the name of Tumalo Irrigation District and recorded at page 31410, Volume 23, State Record of Water Right Certificates.

Certificate of water right issued to Tumalo Irrigation District and recorded at page 26050, Volume 18, State Record of Water Right Certificates, describes a right to the use of not to exceed 136.0 cubic feet per second of water from Tumalo Creek, supplemented by the use of not to exceed 40.0 cubic feet per second from Crater Creek; not to exceed 34.0 cubic feet per second from Little Crater Creek; and not to exceed 1.0 cubic foot per second from three spring branches for irrigation of, among other lands, a certain 1.0 acre in SW 1/4 NE 1/4, 14.4 acres in NE 1/4 SW 1/4, 0.5 acre in NE 1/4 SE 1/4, 11.6 acres in NW 1/4 SE 1/4 and 5.0 acres in SE 1/4 SE 1/4, Section 23, Township 16 South, Range 11 East, WM, with a date of priority of October 29, 1913.

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 26050, Volume 18, to the use of water from Tumalo Creek, Crater Creek, Little Crater Creek and three spring branches, with a date of priority of October 29, 1913; Certificate 26051, Volume 18, to the use of waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911; and

Permit 27841 for the use of waters of Crescent Lake Reservoir, with a priority date 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 the following tabulated lands:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4-1/4 Tax Lot</u>	<u>Acres</u>	<u>Current Owner</u>	<u>Certificate</u>
16S	11E	12	SW/ ^N SW (500)	1.0	DeMaris	31410 ✓ 3-19-82
16S	11E	23	NE/SW (516)	3.0	Wagner	26050 10-29-13
16S	11E	23	NW/SW (516)	10.5	Wagner	26050
16S	11E	23	SW/SW (520)	3.0	Allen	26050
16S	11E	23	NE/SE (500)	1.0	Moe	26050
16S	11E	23	NE/SE (501)	2.0	Moe	26050
16S	11E	23	NE/SE (521)	7.0	Moe	26050
16S	11E	23	NE/SE (522)	1.0	Moe	26050
17S	11E	3	NW/NW (200)	3.0	Rotondi	31410 ✓ 3-19-82
17S	11E	11	SE/NE (901)	2.0	R. Moore	26050 ✓
17S	11E	11	NE/SE (1001)	1.0	Bell	26050
17S	11E	11	NE/SE (1002)	1.0	Bell	26050
17S	12E	19	NW/NE (300)	1.0	Geiler	26050

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.

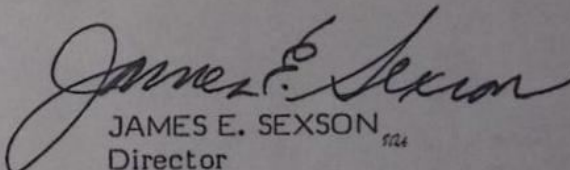
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, 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, 1983.

It is FURTHER ORDERED that upon 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.

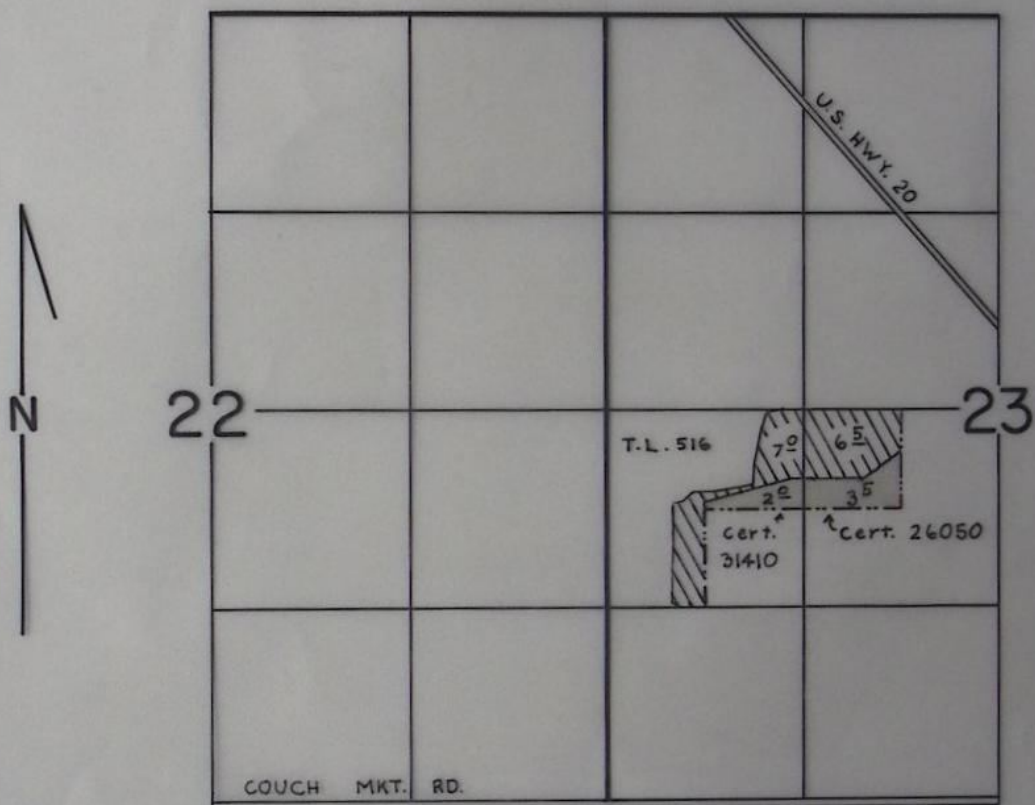
Dated at Salem, Oregon this 25th day of September, 1981.


JAMES E. SEXSON
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

6973A

T.16S., R.11E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

PART OF
TRANSFER NO. 3872 1 of 3

IN NAME OF
DAVE WAGNER

Surveyed JUNE 4, 1986, by LESLIE OLSON