

3344

STATUS OF APPLICATION

Change in place of use
 Date filed 1-2-76
 Date of hearing _____
 Place of hearing _____
 Date of order 1-26-77 Vol. 28, page 278
 Date for application of water 10-1-78
 Proof mailed AUG 17 1992
 Proof received OCT 26 1992
 Certificate issued _____ Vol. _____, page 67913
May 26, 2010 86201

Final Proof to be made with A#52797

DESCRIPTION OF WATER RIGHT

Name of stream Horse Heaven Creek
 Trib. of _____ County of Crook
 Use irrigation
 Quantity of water _____ No. of acres 72^e
 Name of ditch _____
 Date of priority _____
 In name of _____
 _____ Adjudication, Vol. _____, page _____
 App. No. 4066 Per. No. E-235 Cert. No. 2919
 Certificate cancelled _____
 Notation made on record by OK Cut

FEES PAID

Date	Amount	Receipt No.
<u>1-2-76</u>	<u>20.32</u>	<u>50916</u>
<u>4-19-76</u>	<u>51.38</u>	<u>54608</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Fees 36.75

REMARKS

T-8827 Δ POW/POD

INDEX CARDS:

Entered

Checked

TO BE ENTERED WHERE CHECKED

WA
WA
WA

 Name
 Stream
 Pl. or Div.
 Calendar

 ✓
 ✓
 ✓

CHECKED TO RECORDS:

 Twp. & Rge.
 Decree-vault
 Decree-safe
 Cert. or W/R
 Per. holder
 Chaindex
 Cross Ref.
 Power Claim
 Abstracts

 GLS
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116

T-3344

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NEAL & ANNA DOW
28000 SE PAULINA HWY
PRINEVILLE OR 97754

confirms the right to use the waters of HORSE HEAVEN CREEK, tributary to CROOKED RIVER for IRRIGATION of 121.6 ACRES.

This right was perfected under Permit E-235. The date of priority is JANUARY 18, 1915. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.52 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2	16 S	19 E	WM	17	SE NE	2340 FEET SOUTH AND 230 FEET WEST FROM NE CORNER, SECTION 17

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	19 E	WM	17	NE SW	9.7
16 S	19 E	WM	17	NW SW	0.1
16 S	19 E	WM	17	SW SW	16.7
16 S	19 E	WM	17	SE SW	34.8
16 S	19 E	WM	17	NW SE	8.9
16 S	19 E	WM	17	SW SE	5.4
16 S	19 E	WM	19	NE NE	18.4
16 S	19 E	WM	20	NE NW	8.2
16 S	19 E	WM	20	NW NW	19.4

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original points of diversion, being:

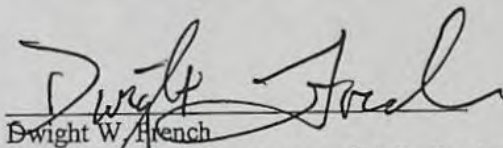
Twp	Rng	Mer	Sec	Q-Q	Measured Distances
16 S	19 E	WM	16	SW NW	470 FEET NORTH AND 270 FEET EAST FROM W¼ CORNER, SECTION 16

When required by the Department, the water user shall install and maintain a headgate, in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director originally entered December 28, 2001, at Special Order Volume 55, Pages 1372 through 1383, approving Transfer Application T-8827, further superseded by an order of the Water Resources Director entered April 6, 2007, at Special Order Volume 71, Pages 462 through 474, correcting a scrivener's error, and together with Certificate 79168 supersedes Certificate 67913, State record of Water Right Certificates.

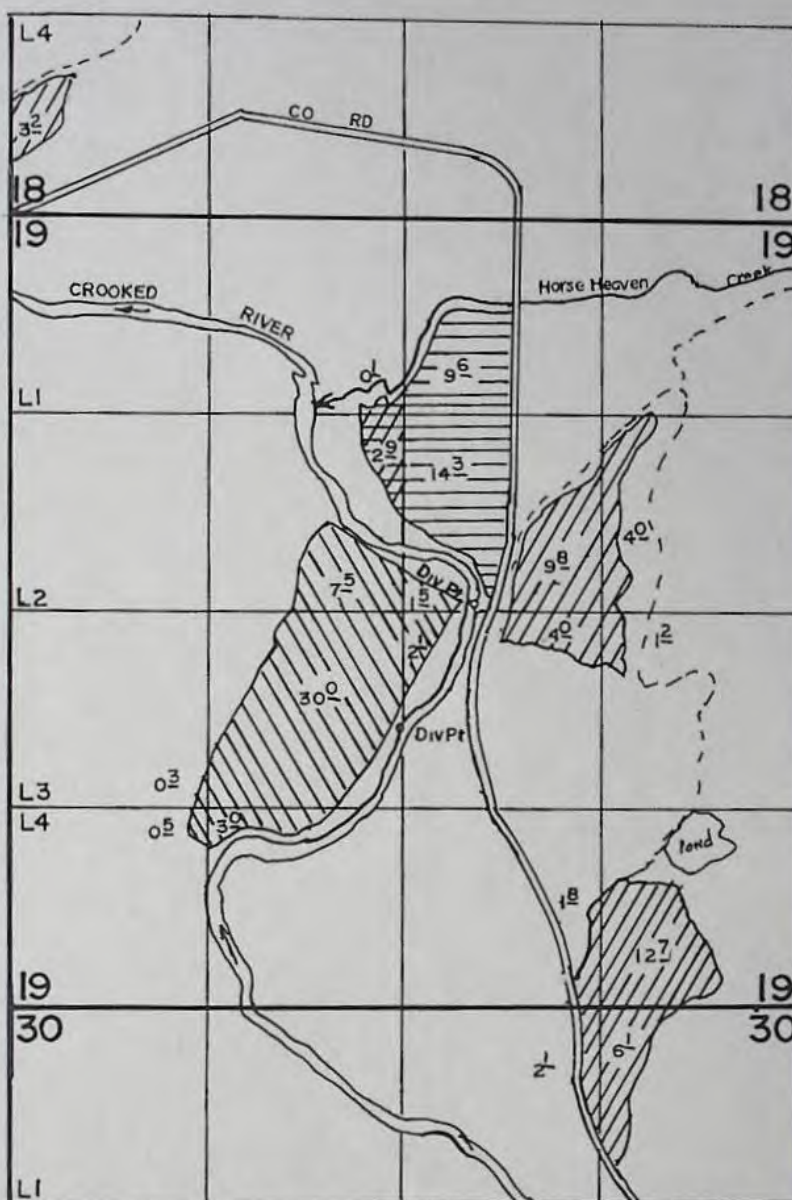
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued MAY 26 2010.



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director

T.16S., R.19E., W. M.



Div Pts Loc 1850'N & 2700'W - 2700'N & 2200'W Both From The SE Cor Of Section 19



TRANSFER NO 3344

PRIMARY
CROOKED RIVER
SUPPLEMENTAL
CROOKED RIVER

SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

TRANSFER No. 3344

Application No. 52797... Permit No. 42025.....
IN NAME OF

...BONNIEVIEW RANCH INC.....

Surveyed JAN. 10.. 19.90., by B.W. BISHOP.....

STATE OF OREGON
COUNTY OF CROOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BONNIEVIEW RANCH, INC.
PSR BOX 2300
PAULINA, OREGON 97751

confirms the right to use the waters of HORSE HAVEN CREEK, a tributary of the CROOKED RIVER, for the purpose of IRRIGATING 123.7 ACRES.

This right has been perfected under Permit E-235. The date of priority is JANUARY 18, 1915. This right is limited to 1.55 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 NW 1/4, SECTION 16, T 16 S, R 19 E, W.M.; 470 FEET NORTH AND 270 FEET EAST FROM THE W 1/4 CORNER OF SECTION 16.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

LOT 4 (SW 1/4 SW 1/4) 3.2 ACRES
SECTION 18

SW 1/4 NE 1/4	9.8 ACRES
SE 1/4 NE 1/4	4.0 ACRES
NE 1/4 NW 1/4	0.1 ACRE
SE 1/4 NW 1/4	2.9 ACRES
SE 1/4 SW 1/4	25.0 ACRES
NE 1/4 SE 1/4	1.2 ACRES
NW 1/4 SE 1/4	22.8 ACRES
SW 1/4 SE 1/4	33.8 ACRES
SE 1/4 SE 1/4	12.7 ACRES

SECTION 19

NE 1/4 NE 1/4	6.1 ACRES
NW 1/4 NE 1/4	2.1 ACRES

SECTION 30

TOWNSHIP 16 SOUTH, RANGE 19 EAST, W.M.

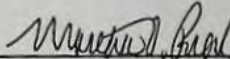
SEE NEXT PAGE

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered JANUARY 26, 1977, and in addition, this certificate describes the lands not modified by this order and supersedes Certificate 2919, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed
OCTOBER 26, 1992.

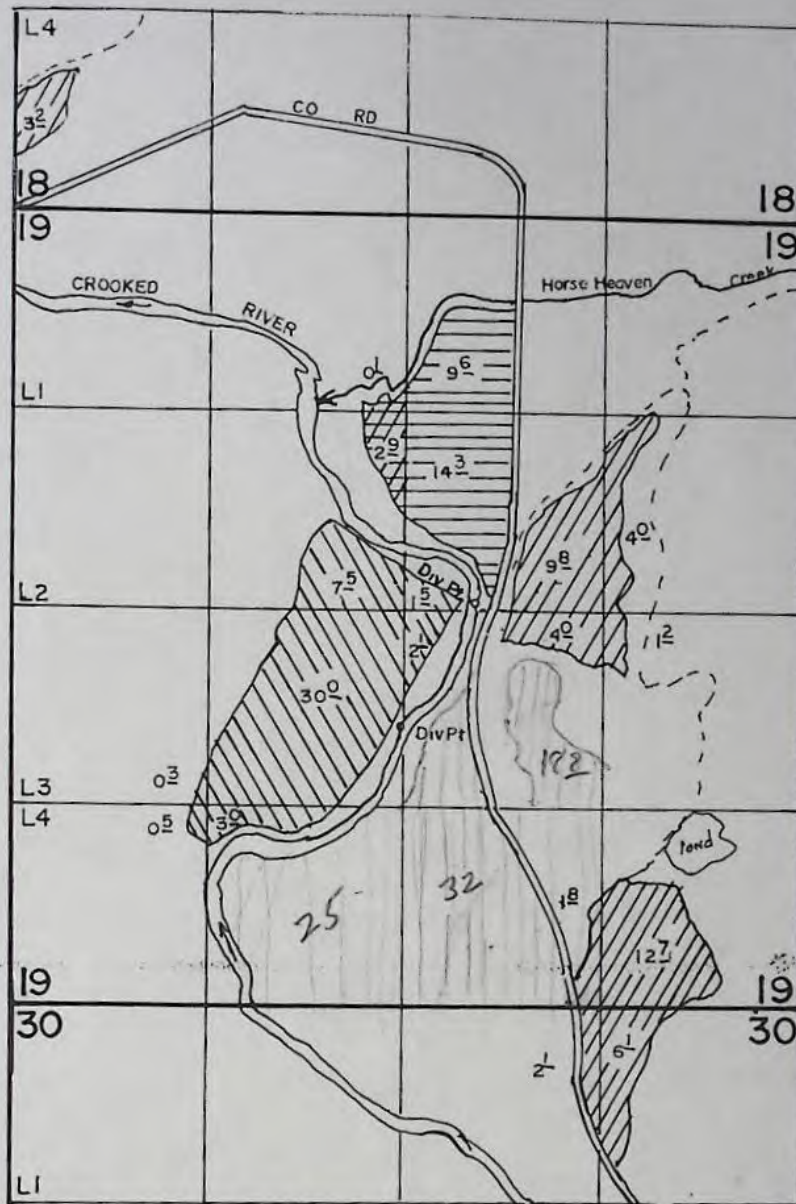


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67913.

T-3344.TES

T.16S., R.19E., W. M.



Div Pts Loc 1850' N & 2700' W - 2700' N & 2200' W Both From The SE Cor
Of Section 19



TRANSFER NO 3344

PRIMARY
CROOKED RIVER
SUPPLEMENTAL
CROOKED RIVER

SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

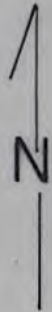
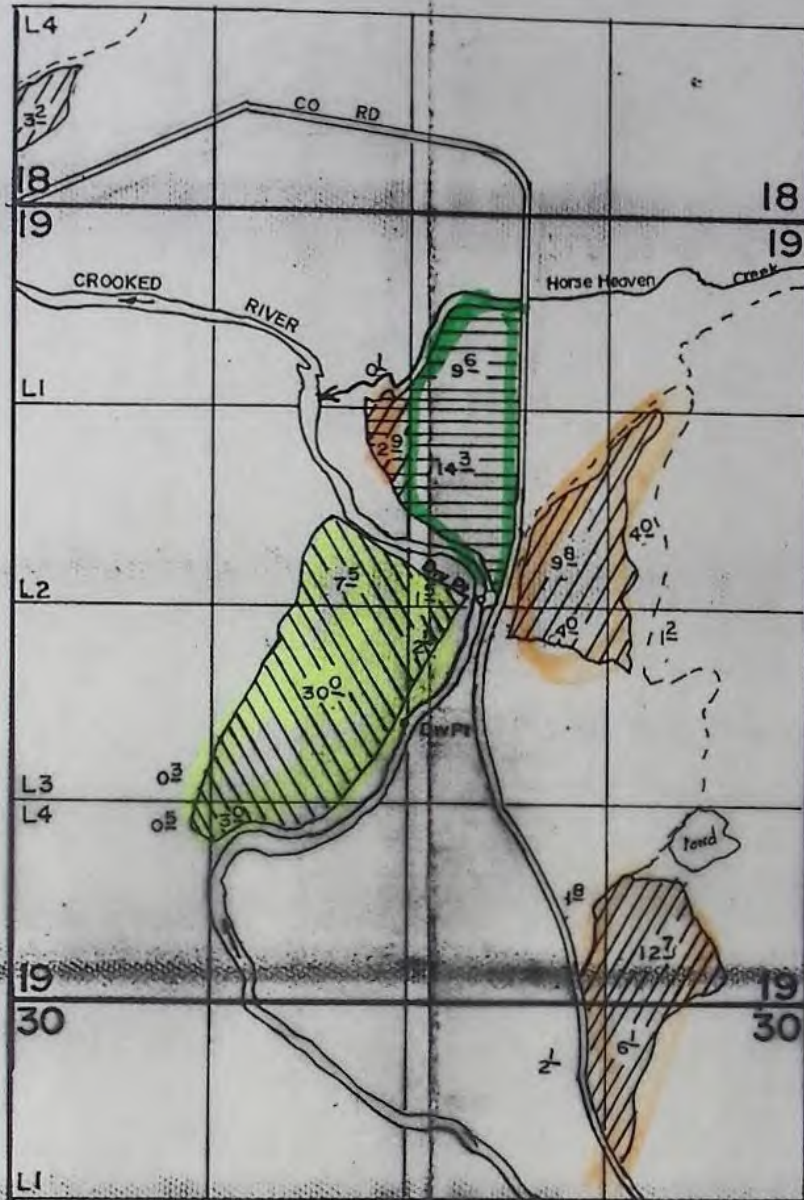
TRANSFER No. 3344

Application No. 52797... Permit No. 42025.....
IN NAME OF

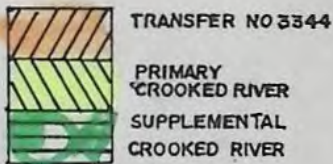
...BONNIEVIEW RANCH INC.

Surveyed JAN. 10.. 19.90., by B.W. BISHOP.....

T.16S., R.19E., W. M.



Div Pts Loc 1850' N & 2700' W - 2700' N & 2200' W Both From The SE Cor Of Section 19



SCALE: 1" = 1320'

FINAL PROOF SURVEY UNDER

TRANSFER No. 3344

Application No. 52797.. Permit No. 42025.....
IN NAME OF

BONNIEVIEW RANCH INC.

Surveyed JAN..10.. 19.90., by B.W.BISHOP.....

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR

Transfer No. 3344

County Crook

1. Name Bonnieview Ranch, Inc. Address Box 578, Prineville, OR 97754
2. Source of Supply Horse Haven Creek, Trib. of _____
3. Amount of Water _____ Priority Date January 18, 1915
4. Use irrigation
5. Proposed Point of Diversion _____

6. Place of Use

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
16S	19E	18	SW $\frac{1}{4}$ SW $\frac{1}{4}$ L+4	3 ² 3.0 acres	
		19	SW $\frac{1}{4}$ NE $\frac{1}{4}$	9 ⁸ 9.0 "	
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	4 ⁰ 3.3 "	
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	0 ¹ 2.0 "	
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	2 ⁹ 4.0 "	
			NW SE NE $\frac{1}{4}$ SE $\frac{1}{4}$	4 ² 1 ² 7.4 "	
			SW SE SE $\frac{1}{4}$ SE $\frac{1}{4}$	1 ⁰ 12 ² 19.0 "	
		30	NE $\frac{1}{4}$ NE $\frac{1}{4}$	6 ¹ 8.5 "	
			NW NE	2 ¹	
			TOTAL	47 ⁹ 56.2 acres	

INFO: E.J. KROFF OF BONNIEVIEW RANCH, INC., PSR BOX
2300, PAULINA, OR., 97751. PH # 477-3678.

ALL LAND APPLIED FOR UNDER TRANSFER, WITH THE
EXCEPTION OF A FIELD IN THE SE $\frac{1}{4}$ SEC. 19 IS
IRRIGATED FROM HORSE HEAVEN CREEK. THIS FIELD
SHOWS UP AS A LIGHTER SHADE ON PHOTO # 41013-280-293A.
ALL LAND IRRIGATED FROM HORSE HEAVEN CREEK IS FLOOD
IRRIGATED BY EXISTING DITCH SYSTEM.

SOURCE: HORSE HEAVEN CREEK

DIV. PT: SAME AS EXISTING RIGHTS (IN-ACCESSIBLE DUE TO MUDDY
CONDITIONS)

USE: IRRIGATION OF PASTURE

LIFT:

TIE: FOUND NO CORNERS, IRRIGATION BOUNDARIES ON
PHOTOS 41013-280-293A & B.

1/10/90

Benjamin W. Bushy
F.I.

je 18 E. Range 19 E.

BONNIEVIEW RANCH
P.O. Box 578
Prineville, Oregon
Owner: J.S. Parker

Scale: 1" = 660'
8" = 1 mile

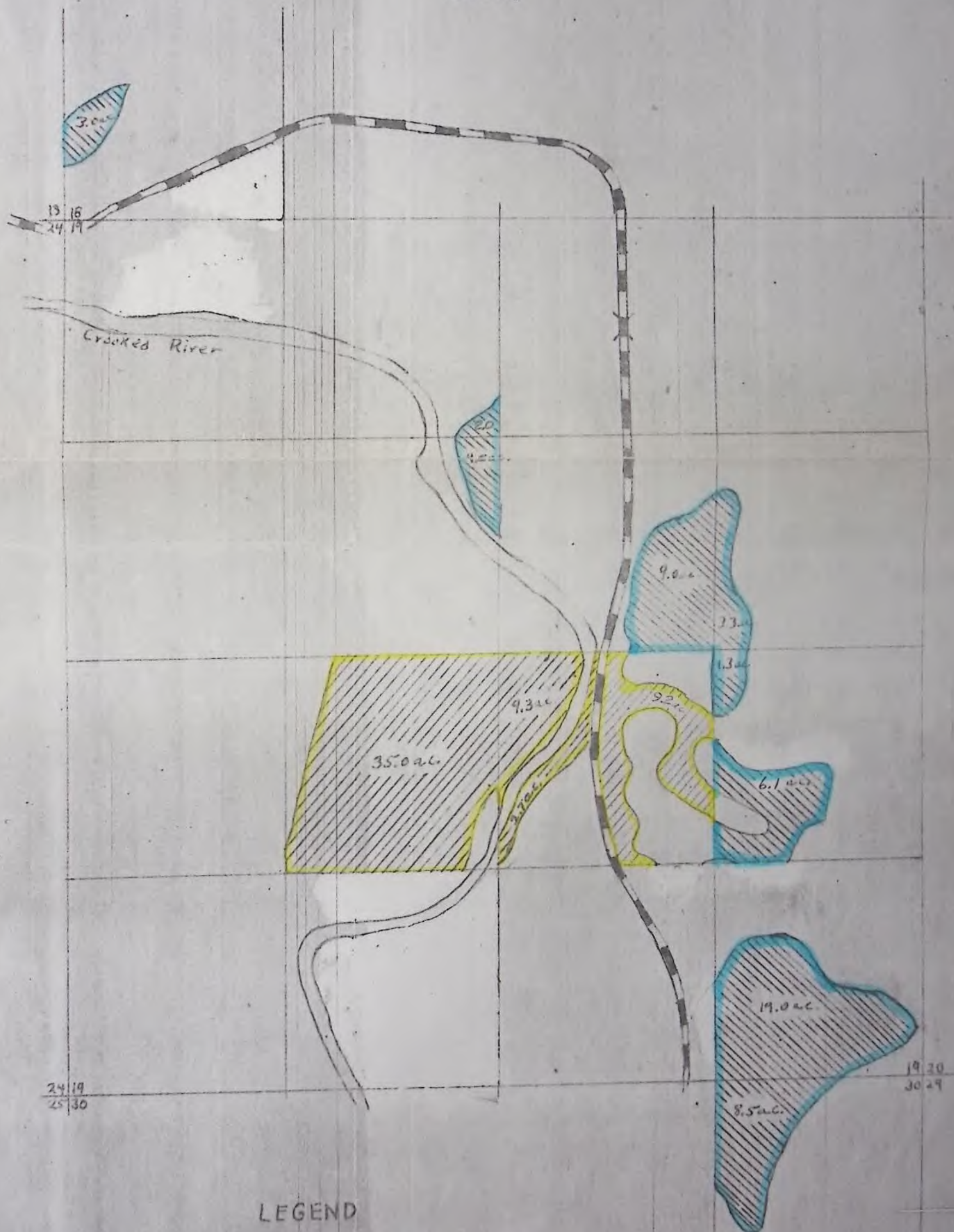
RECEIVED RECEIVED

JAN 2 1976

APR 10 1976

WATER RESOURCES DEPT. WATER RESOURCES
SALEM, OREGON SALEM, OREGON

T 16 S, R 19 E
Sec 19



LEGEND

- 24 19 25 30 Approx. Section
- Field Boundary - Transferred From
- Improved Road
- Field Boundary - Transferred To

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Crook County

IN THE MATTER OF THE APPLICATION)
OF BONNIEVIEW RANCH, INC., FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM HORSE HEAVEN)
CREEK)

ORDER APPROVING
TRANSFER NO. 3344

On January 2, 1976, Bonnieview Ranch, Inc., filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Horse Heaven Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 2919, Volume 4, State Record of Water Right Certificates, in the name of O. B. Gray, describes an existing right of record which includes the use of not to exceed 0.70 cubic foot per second from Horse Heaven Creek for irrigation of 35.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 21.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, Township 16 South, Range 19 East, W.M., with a date of priority of January 18, 1915.

Water for the said right is diverted from a point located 470 feet North and 270 feet East from the West quarter-corner of Section 16, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 16 South, Range 19 East, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the place of use and to sever the right therefrom and in lieu thereof to irrigate 3.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18; 9.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 4.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 7.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 19.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19; and 8.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, Township 16 South, Range 19 East, W.M.

Mr. Bruce Estes, Watermaster of District No. 11, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objection 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 from Horse Heaven Creek, 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, 1978.

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 O. B. Gray and recorded at Page 2919, Volume 4, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right shall be issued to Bonnieview Ranch, Inc.

Dated at Salem, Oregon, this 26th day of January, 1977.

/s/ JAMES E. SEXSON
Director

STATE OF OREGON
COUNTY OF CROOK
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BONNIEVIEW RANCH, INC.
PSR BOX 2300
PAULINA, OREGON 97751

confirms the right to use the waters of HORSE HAVEN CREEK, a tributary of the CROOKED RIVER, for the purpose of IRRIGATING 123.7 ACRES.

This right has been perfected under Permit E-235. The date of priority is JANUARY 18, 1915. This right is limited to 1.55 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 NW 1/4, SECTION 16, T 16 S, R 19 E, W.M.; 470 FEET NORTH AND 270 FEET EAST FROM THE W 1/4 CORNER OF SECTION 16.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use under this right, and to which this right is appurtenant, is as follows:

LOT 4 (SW 1/4 SW 1/4) 3.2 ACRES
SECTION 18

SW 1/4 NE 1/4	9.8 ACRES
SE 1/4 NE 1/4	4.0 ACRES
NE 1/4 NW 1/4	0.1 ACRE
SE 1/4 NW 1/4	2.9 ACRES
SE 1/4 SW 1/4	25.0 ACRES
NE 1/4 SE 1/4	1.2 ACRES
NW 1/4 SE 1/4	22.8 ACRES
SW 1/4 SE 1/4	33.8 ACRES
SE 1/4 SE 1/4	12.7 ACRES

SECTION 19

NE 1/4 NE 1/4	6.1 ACRES
NW 1/4 NE 1/4	2.1 ACRES

SECTION 30

TOWNSHIP 16 SOUTH, RANGE 19 EAST, W.M.

SEE NEXT PAGE

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered JANUARY 26, 1977, and in addition, this certificate describes the lands not modified by this order and supersedes Certificate 2919, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES																		

TOWNSHIP 16 S, RANGE 19 E. W. M.

SECTION 19

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OF				LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES														
30	35	20		25	2													
								35		25		18E	40	32		4066	E235	2919
										25			7	27		13326	8562	11359
30	35	20		25	2											22611	1789	CANCELLED
60	20			25	2											24958	20200	24503
				25	2											Res. R31833	R-2061	29107
				25	2											Stock 31848	25062	29108
6	20			27												55016	41174	50322
				9	3	2		4				7				19	Tr. 3344	CERT. 2919
				0				10	35	19	6	5				52197	42025	128 P. 278
8	20	3	2	9								7	9	0	19	52797	42025	2

(SEE BACK OF CARD FOR PLAT OF SECTION)

TOWNSHIP 16 S, RANGE 19 E, W. M.

SECTION 30

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF OTHER THAN 40 ACRES																		

TOWNSHIP 16 S, RANGE 19 E, W. M.SECTION 19

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER									
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT												
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE												
ACREAGE IN LOT OR				LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF O				HER THAN 40 ACRES																			
				3982 3969				3950 3943																			
30 35 20				25 2				35				25				40 32				CROOKED River				578 -			
												25				7' 21"				4066 E235				2919 -			
																				13326 9562				11359 -			
50 35 20				25 2																Supplemental				CANCELLED			
63 204				25 2																22611 17896				24503			
				2 1/2																24958 20200				24503			
																				Res. R31833 R-2062				29107			
																				Stat 31848				25062 29108			
6 20 1/2																				55016 41174							
								35 2								21 1/2				73344							
9 2 3 1/2				2 2				4 2								7 1/2				19 2							

(SEE BACK OF CARD FOR PLAT OF SECTION)

Sec 18
show
30

Sec 30

NE 1/4
85

RECEIVED

RECEIVED

JAN 2 1976

APR 19 1976

WATER RESOURCES DEPT
SALEM, OREGONWATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JUL 16 1976

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JAN 21 1977

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Bonnieview Ranch, Inc.

(Name of applicant)

of Box 578, Prineville, Ore. 97754 County of Crook

(Postoffice)

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 Horse Heaven Creek

(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 _____

4. The point of diversion is located 470 ft. N and 270 ft. E from the W $\frac{1}{4}$

(N. or S.)

(E. or W.)

corner of Section 16

(Section or subdivision)

being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16 Tp. 16S R. 19E W. M., in the County of Crook

(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 $\frac{1}{4}$
16S	19E	19									35					21.2		

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)

56.2 ac

0.70 cis.

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? yes8. What is the date of priority of your water right? January 18, 19159. Was your water right acquired by State Engineer's Permit? yes If so, give number

(Yes or No)

of permit E-235

10. Do you hold a water right certificate? yes If so, give number of certificate 2919
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

no

(Yes or No)

If so, give title of proceedings

12. Is the water right recorded in your name? O. B. Gray
(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 $\frac{1}{4}$	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 $\frac{1}{4}$
16S	19E	18											3.0					
16S	19E	19			9.0	3.3	2.0			4.0					7.4			19
16S	19E	30	8.5															

562

(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? _____

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.

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.? _____
(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 eliminate having to cross Crooked River with a water line which is subject to high water hazard each spring

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of

} ss.

I, J. S. Parker, 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 30th day of October, 1975

J. S. Parker
(Name of applicant)

Subscribed and sworn to before me this 30th day of October, 1975

[Notarial Seal]

Dorothy E. Gundersen
NOTARY PUBLIC FOR OREGON

My commission expires April 1, 1980
State of Connecticut

Remarks I helped in the preparation of this application and can see
no reason why it should not be allowed. I will go with provision #2
for measuring devices.

Gene A. Etna
Watermaster Dist. #11
1507 1st St NE
Bend, Ore. 97701

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.

378-3066

T-3344

January 31, 1977

Bonnieview Ranch, Inc.
Box 578
Prineville, Oregon 97754

Gentlemen:

Enclosed is a certified copy of the order of the Water Resources Director approving your application for a change in place of use of water from Horse Heaven Creek.

Also enclosed is a notice of complete application of water which should be dated, signed and returned to this office when the water has been applied to beneficial use. According to the terms of the order, this should be done on or before October 1, 1978.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:whh
Enclosures
cc: Bruce Estes, Watermaster, Dist. No. 11

378-3066

December 17, 1976

File Tr-3344
52797

Bruce Estes
Watermaster, District 11
1507 East First Street
Bend, OR 97701

Dear Bruce:

We need your help to straighten out pending water right permit application 52797 and pending transfer application No. 3344 both in the name of Bonnieview Ranch, Inc. I believe it will take personal contact and perhaps a visit on the lands to resolve the questions that have already generated considerable correspondence.

Certificate 2919 in the name of O.B. Gray describes a right from Horse Heaven Creek with a priority date of January 18, 1915 for irrigation of certain lands in Section 19, Township 16 South, Range 19 East, W.M. A copy of the certificate is enclosed and attached to it is an affidavit by Jack Parker abandoning a portion of the said right.

Some of the land described in certificate 2919 is also covered under a right described by certificate 11359 in the name of Charles Peterson for use of water from Crooked River with a date of priority of March 17, 1930. From information in the file it appears that use of water from Horse Heaven Creek may have been terminated on at least a portion of these lands some time prior to the filing of the application which led to certificate 11359. There was no provision in the law for canceling a water right by affidavit of the land owner at that time. Of course any portion of the right out of Horse Heaven Creek that has undergone a period of five or more consecutive years of nonuse would not be subject to transfer even though it still appears on the records.

The enclosed water right transfer application 3344 and its supporting map should be amended, perhaps by preparation of superseding copies, to show the change in place of use that the applicant now wants to make from lands where the Horse Heaven Creek right has been maintained by use all down through the years.

Regarding any lands the Horse Heaven Creek rights are transferred away from that also are under Crooked River rights the Crooked River rights will have to go along with the Horse Heaven Creek rights or be extinguished by affidavit for cancelation.

The water right application numbered 52797 and its supporting map also should be amended perhaps by preparation of superseding copies to show the primary and supplemental irrigation intended from Crooked River in agreement with the other rights of records. If a superseding copy of application 52797 is prepared and submitted it is necessary that the original be returned to this office with the superseding copy.

We have set up these files so that they need to be returned to the office within 90 days from the date of this letter. If you need more time, make a copy of application No. 52797 and return the original within the stated time limit.

Any help that you can give the applicant and us in resolving this matter will be very much appreciated.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:cc

cc: Bonnieview Ranch, Inc.

378-3066

April 22, 1976

T-3344
52797

Bonnieview Ranch, Inc.
Box 578
Prineville, OR 97754

ATTENTION: Bob Nightingale

Dear Mr. Nightingale:

This will acknowledge return of your transfer application number 3344 and the application number 52747 along with their supporting maps.

The application proposing a change in use of water from supplemental to primary, which was also received, in effect, proposes an enlargement of the right, so was not filed. I am returning this application along with its supporting maps.

A supplemental supply is limited to the use of water at times when there is a deficiency in the available supply at the primary source. In other words, water is to be diverted from the primary source when available with any deficiency in the available supply from the primary source to be made up by appropriation from the supplemental source, provided that the total quantity diverted from both sources shall not exceed the amount of water allowed per acre under the primary right.

Therefore, a change of a water right from supplemental use to primary use could result in an increase in the volume of water in use and be an enlargement of the right.

April 22, 1976

-2-

T-3344

It will be necessary to either transfer the supplemental right along with the primary right or clear the supplemental right from our records.

Since you may wish to review the entire project, I am also returning the transfer application No. 3344 and the application No. 52797 along with their supporting maps. The fees of \$51.38 have been credited to the transfer file for which our receipt No. 54608 is enclosed. Any excess fees will be refunded. I am also enclosing our receipt No. 50916 covering the \$20.32 previously submitted.

The application No. 52797 is being returned for completion, endorsed so that in order to retain its priority date, it must be received in this office on or before July 22, 1976.

Sincerely,

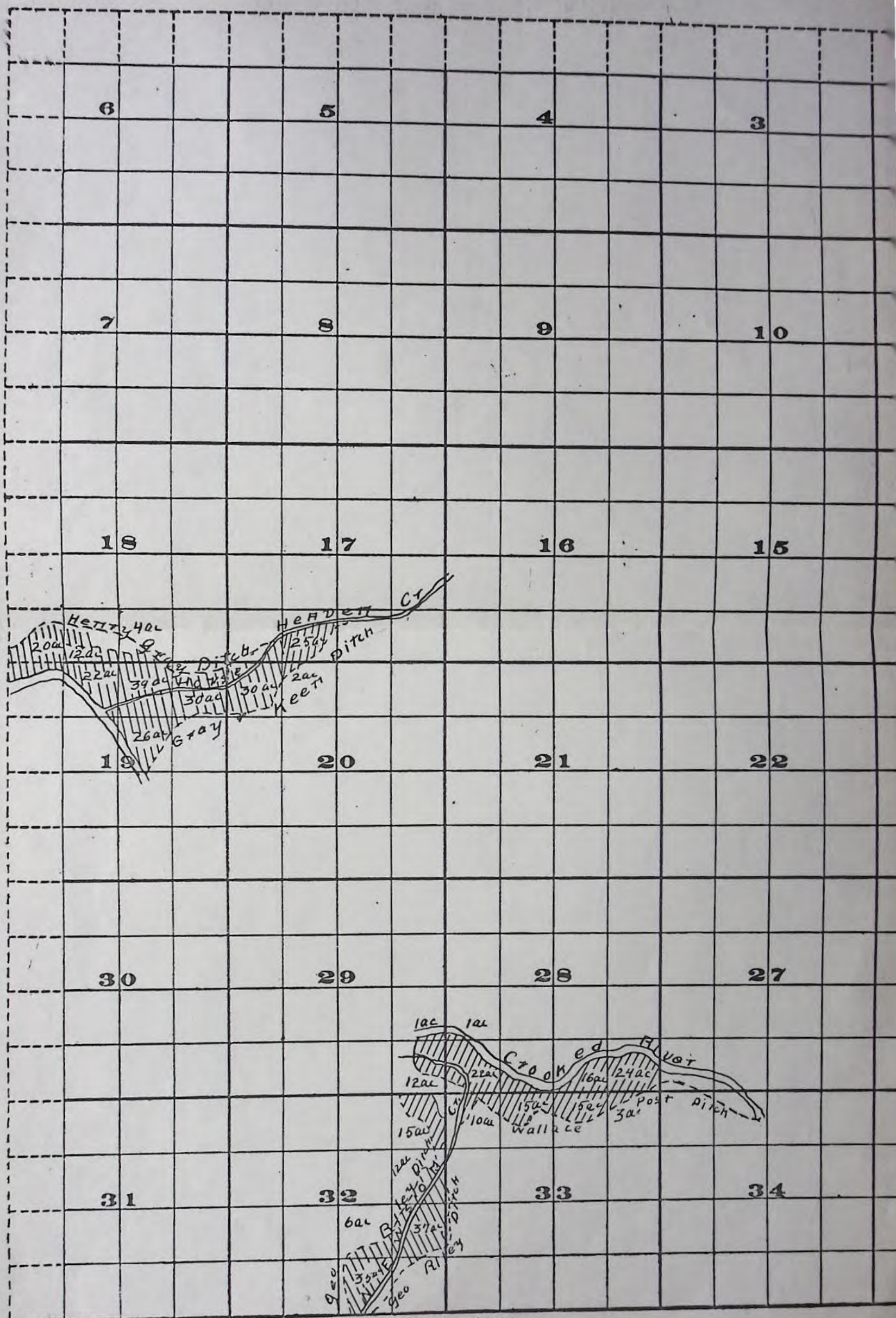
Wayne J. Overcash
Water Rights Engineer

WJO:cc

cc: Bruce Estes
Watermaster, District 11

Township 16 S.,

Range

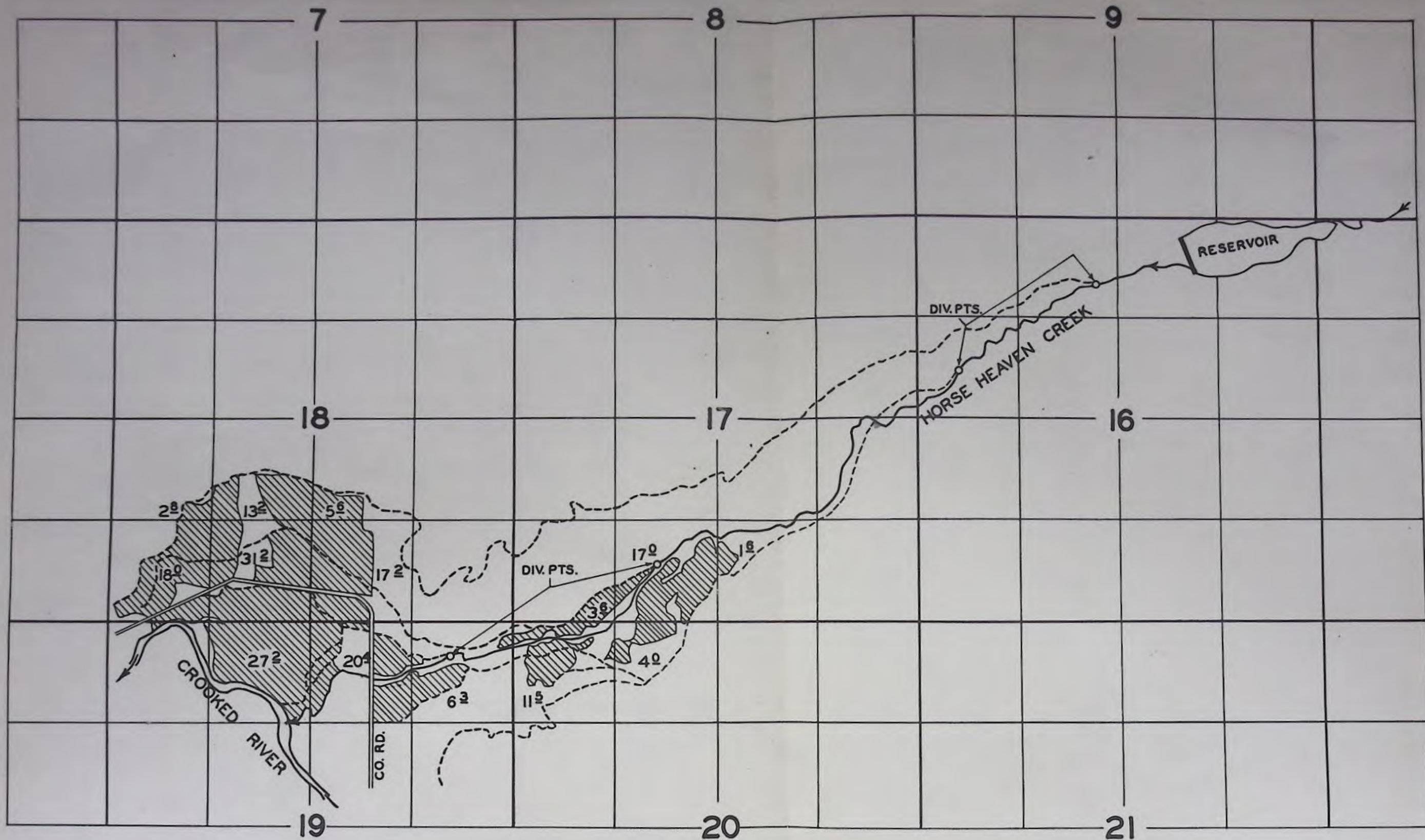


Survey By H.K. Donnelly Nov. 1909

Scale of Feet.

John H. Lewis St to F. nain or

Crook



FINAL PROOF SURVEY

UNDER

Application No. R-24957 Permit No. R-1130
24958 20200

IN NAME OF

Hudspeth Land & Livestock Co.

Surveyed AUG. 7 1957 By RD Bristle

Cont 249503

je 18 E. Range 19 E.

BONNIEVIEW RANCH
P.O. Box 578 Creek County
Prineville, Oregon
Owner: J.S. Parker

Scale: 1" = 660'
8" = 1 mile

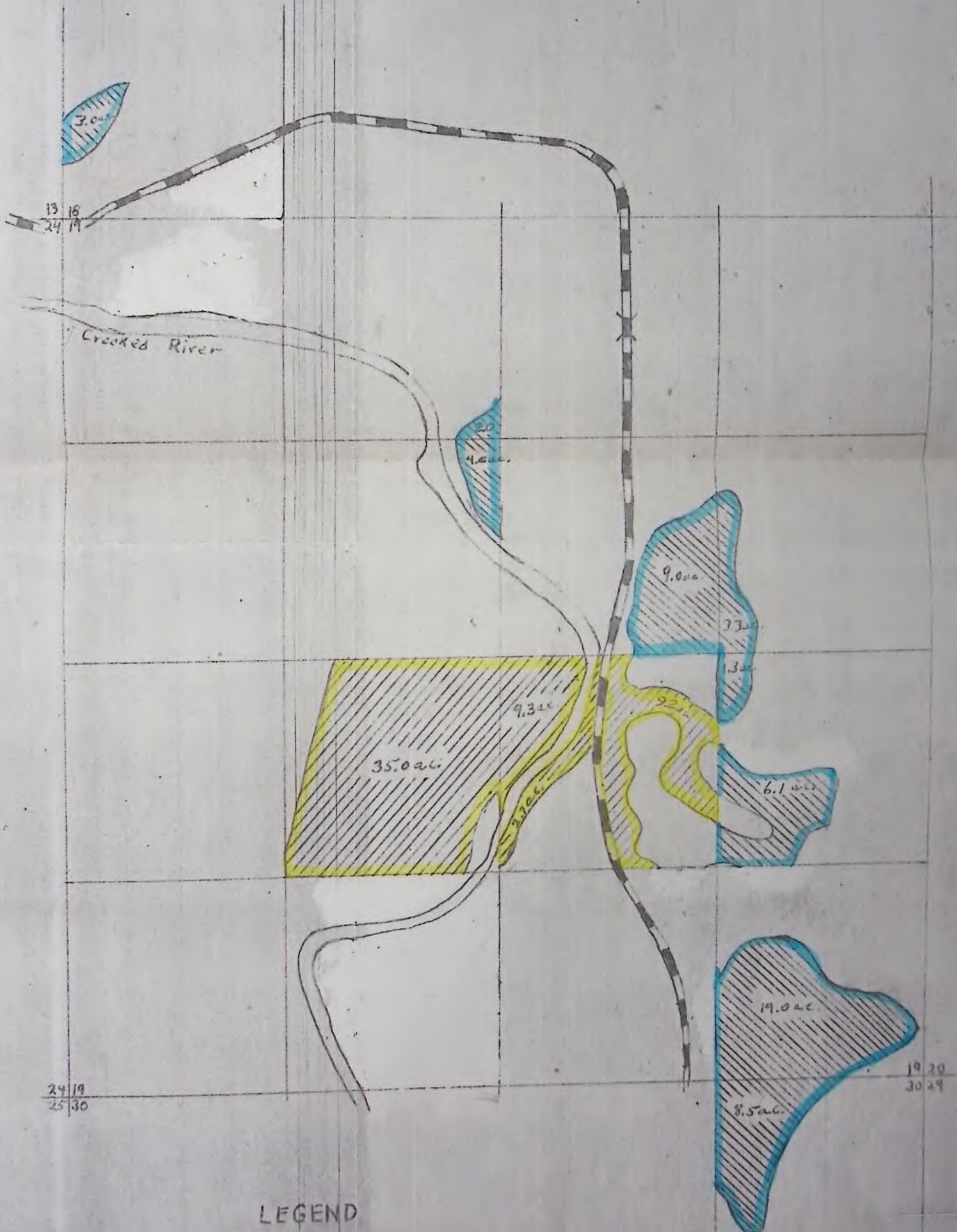
T 16S, R 19 E
Sec 19

RECEIVED RECEIV

JAN 2 1976

APR 2 1976

WATER RESOURCES DEPT. WATER RESOURCES
SALEM, OREGON SALEM, OREGON



LEGEND

- 24/19 25/20 Approx. Section
- Field Boundary - Transferred From
- Improved Road
- Field Boundary - Transferred To

BONNIEVIEW RANCH
P.O. Box 578
Prineville, Oregon
Owner: J.S. Parker

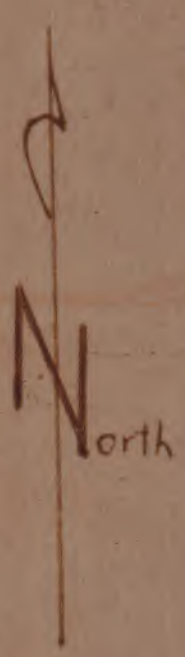
Scale: 1" = 660'
8" = 1 mile

RECEIVED
JAN 2 1976
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
APR 10 1976
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
JUL 16 1976
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
JAN 2 1977
WATER RESOURCES DEPT.
SALEM, OREGON



Range 18 E. Range 19 E.

T#3344

T16S, R19E
Sec 19

Township 16 South



LEGEND

- Approx. Section
- Field Boundary - Transferred From
- Improved Road
- Field Boundary - Transferred To

T-3344