

3642

STATUS OF APPLICATION

Change in POU & POD & Use
 Date filed 4-25-77
 Date of hearing Nov 29, 1977
 Place of hearing Bend
 Date of order 11-30-77 Vol. 30, page 120
 Date for application of water 10-1-79
 Proof mailed JAN 12 1987
 Proof received DEC 19 1977
 Certificate issued SEP 15 1978 Vol. 37, page 45034
FEB 18 1987 39
51 46380
55662

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R.
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 0?
 Name of ditch _____
 Date of priority _____
 In name of R. L. Coates Steidl & Tweet
Deschutes R. Adjudication, Vol. 16, page 164
 App. No. (S-146) Per. No. D17153 Cert. No. 33007
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>4-25-77</u>	<u>110.00</u>	<u>59939</u>
	<u>22.00</u>	
TOTAL . . .		
<u>10/28/77</u>	<u>\$2</u>	<u>Cert. Fee</u>
<u>The Bulletin \$40.00</u>		<u>check #1735</u>

FEEES REFUNDED

Date	Amount	Check No.
<u>10/28/77</u>	<u>\$800</u>	<u>1736</u>
Recd 110		
Exam	20	
POU	10	
POD	15	
Use	15	
cert	2	
PON	40	
		<u>102</u>

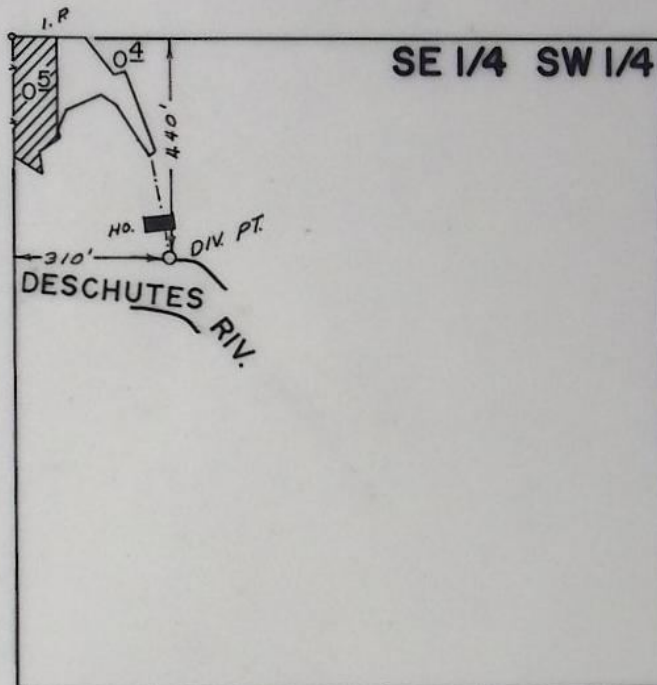
REMARKS

TO BE ENTERED WHERE CHECKED

INDEX CARDS:	Entered	Checked
Name	<u>lig</u>	<u>lig</u>
Stream	<u>lig</u>	<u>lig</u>
Pt. of Div.	<u>lig</u>	<u>lig</u>
Calendar	<u>lig</u>	<u>lig</u>
CHECKED TO RECORD:		
Twp. & Rge.	<u>lig</u>	<u>lig</u>
Decree-vault	<u>lig</u>	<u>lig</u>
Decree-sale	<u>lig</u>	<u>lig</u>
Cert. of W/R	<u>lig</u>	<u>lig</u>
Per. Folder	<u>lig</u>	<u>lig</u>
Chaindex	<u>lig</u>	<u>lig</u>
Cross Ref.	<u>lig</u>	<u>lig</u>
Power Claim	<u>lig</u>	<u>lig</u>
Abstracts	<u>lig</u>	<u>lig</u>

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

SEC. 17



SCALE: 1" = 400'

FINAL PROOF SURVEY

UNDER

TRANSFER NO. 3642

Application No. Permit No.
IN NAME OF

DONALD G. CORN

Surveyed FEB. 29. 1980., by L.H. NUNN.....

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

This Is to Certify, That R. L. COATS

of 1270 Trenton Ave., Bend, State of Oregon, 97701, has
 a right to the use of the waters of Deschutes River

a tributary of Columbia River for the purpose of
 the irrigation of 1.0 acre

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 9, at page 362; that the priority of the right thereby confirmed dates from October 10, 1903

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.0275 cubic foot per second

The point of diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, T. 17 S., R. 12 E., W. M.

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

0.42 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$
 0.58 acre SE $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 18
 T. 17 S., R. 12 E., W. M.

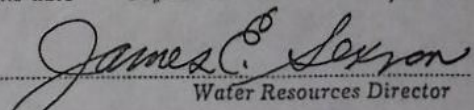
This certificate describes that portion of the water right confirmed by the prior certificates 44934 and 45034, NOT modified by the provisions of orders entered on February 4, 1977 and November 30, 1977, approving transfer applications Nos. 3477 and 3642.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date September 15, 1978.


 Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 39, page 46380

STATE OF OREGON

COUNTY OF

DESCHUTES

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

DONALD G. CORN

of 63270 South Road, Bend, State of OR 97701, has
 a right to the use of the waters of Deschutes River

a tributary of Columbia River for the purpose of
 irrigation of 0.5 acre and domestic use for one family

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Deschutes County, and the said decree entered of record at Salem, in the Order Record of
 the WATER RESOURCES DIRECTOR, in Volume 9, at page 362; that the priority of the right
 thereby confirmed dates from October 10, 1903

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
 amount actually beneficially used for said purposes, and shall not exceed 0.0175 cubic foot
 per second; being 0.0125 cfs for irrigation and 0.005 cfs for domestic, if
 available at the original point of diversion; SW 1/4 NE 1/4, Section 29, T17S,
 R12E, WM; and subsequent point of diversion; SE 1/4 SW 1/4, Section 18, T17S,
 R12E, WM

The point of diversion is located in the SE 1/4 SW 1/4, Section 17, T17S, R12E, WM;
 440 feet South and 310 feet East from NW corner SE 1/4 SW 1/4, Section 17.

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

Domestic & 0.5 acre SE 1/4 SW 1/4
 Section 17
 Township 17 South, Range 12 East, WM

This certificate is issued to confirm a change in place of use, type of use,
 and point of diversion approved by an order of the Water Resources Director
 entered November 30, 1977, and together with certificates of water right
 recorded at pages 46380 & 50360, Volumes 39 & 44, State Record of Water Right
 Certificates, supersedes certificate 33007.

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.

And said right shall be subject to all other conditions and limitations contained in said decree.
 The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein
 described.

WITNESS the signature of the Water Resources Director, affixed

this date February 18, 1987

WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 55662

8387D/BE
 T-3642

STATE OF OREGON

COUNTY OF

DESCHUTES

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

BROOKS RESOURCES CORPORATION

of 416 NE Greenwood, Bend
a right to the use of the waters of Deschutes River

, State of Oregon 97701 , has

a tributary of
irrigation of 20.9 acres

for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 9 , at page 362; that the priority of the right thereby confirmed dates from October 10, 1903;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.52 cubic foot per second, if available at the original point of diversion; SE 1/4 SW 1/4, Section 18, T17S, R12E, WM; 1,300 feet North and 1,425 feet East from the SW Corner, Section 18.

The point of diversion is located in the SW 1/4 SE 1/4, Section 6, T18S, R12E, WM; 980 feet North and 940 feet East from S 1/4 Corner, Section 6.

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

6.2 acres SE 1/4 SW 1/4
0.3 acre SW 1/4 SE 1/4
Section 6

12.7 acres NE 1/4 NW 1/4
1.7 acres SE 1/4 NW 1/4
Section 7

Township 18 South, Range 12 East, WM

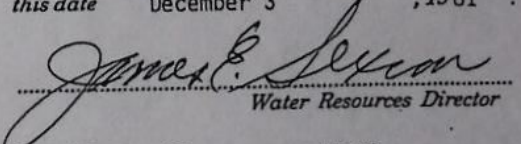
This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered February 4, 1977 and together with certificate of water right recorded at page 46380, Volume 39, State Record of Water Right Certificates and Transfer Application 3642, supersedes Certificate 33007.

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.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date December 3 , 1981 .


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 44 , page 50360

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

R. L. COATS

of 1270 Trenton Avenue, Bend, State of Oregon, 97701, has
a right to the use of the waters of Deschutes River

a tributary of Columbia River for the purpose of
the irrigation 22.30 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 9, at page 362; that the priority of the right thereby confirmed dates from October 10, 1903

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.5575 cubic foot per second

The point of diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, T. 17 S., R. 12 E., W. M.

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

2.60 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 24
T. 17 S., R. 11 E., W. M.

11.06 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
3.40 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 18

5.24 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 19
T. 17 S., R. 12 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 33007, Volume 25, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Nov. 30, 1977, approving transfer application No. 3642.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date December 19, 19 77.

James E. Sexson

Water Resources Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION)
OF BROOKS RESOURCES CORP. FOR AP-)
PROVAL OF CHANGES IN PLACE OF USE,)
POINT OF DIVERSION AND USE HERE-)
TOFORE MADE OF WATER)

ORDER APPROVING
TRANSFER NO. 3642

On April 25, 1977, an application was filed in the office of the Water Resources Director by Brooks Resources Corporation for approval of changes in place of use, point of diversion and use heretofore made of water from Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 33007, Volume 25, State Record of Water Right Certificates, in the name of R. L. Coats, describes a right which includes the use of not to exceed 0.0175 cubic foot per second from Deschutes River for irrigation of a certain 0.7 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 17 South, Range 12 East, W.M., with a date of priority of October 10, 1903, allowed by decree of the court in the matter of the Determination of the Relative Rights to the Use of Waters of Deschutes River and its Tributaries tabulated at Volume 16, Page 184.

Water for the said right is diverted from a point located 1280 feet North and 1430 feet East from the Southwest Corner of Section 18, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 18.

The applicant herein, owner of record of the lands above described, with the approval of the contract purchaser of said lands, proposes to change the point of diversion and place of use for the entirety of said right and to change the use heretofore made for a part of said right and, without loss of priority, to divert not to exceed 0.0175 cubic foot per second at a point of diversion located 450 feet South and 250 feet East from the Northwest Corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, being within the said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 17 South, Range 12 East, W.M., being 0.005 cubic foot per second for domestic use in one residence during the irrigation season of each year, and 0.0125 cubic foot per second for irrigation of a certain 0.5 acre, all within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 17 (Don Corn).

Notice of the application, pursuant to ORS 540.510, was published in The Bulletin, a newspaper printed and having general circulation in Deschutes County, Oregon, for a period of three weeks in the issues of October 5, 12 and 19, 1977.

Mr. Bruce A. Estes, Watermaster, has filed a statement to the effect that

the proposed changes in place of use, point of diversion and use heretofore made may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use, point of diversion and use heretofore made 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, point of diversion and use heretofore made, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.005 cubic foot per second for domestic use and/or 0.0125 cubic foot per second for irrigation.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices:

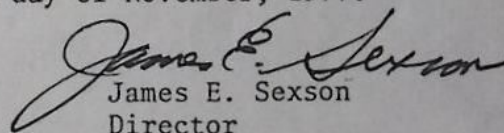
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed and the change in point of diversion of water made and said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to R. L. Coats and recorded at page 33007, Volume 25, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding, and 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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 30th day of November, 1977.


James E. Sexson
Director

STATE OF OREGON

SUPERSEDED

CERTIFICATE NO. 45034

COUNTY OF DESCHUTES

CERTIFICATE NO. 44934

CERTIFICATE OF WATER RIGHT

This Is to Certify, That R. L. COATS

of 1270 Trenton Avenue, Bend
to the use of the waters of Deschutes River

, State of Oregon , has a right

a tributary of
irrigation of 23 acres

for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 9 , at page 362 ; that the priority of the right thereby confirmed dates from October 10, 1903

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.575 cubic foot per second

The point of diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, T. 17 S., R. 12 E., W. M.

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

	0.53 cfs T-3477	0.0175 cfs T-3642	0.0275 cfs balance
2.60 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24 T. 17 S., R. 11 E., W. M.	2.6		
11.06 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.10 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18	10.64 2.82	0.7	0.42 0.58
5.24 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19 T. 17 S., R. 12 E., W. M.	5.24 21.30	0.7	1.00 23.0

This certificate is issued to confirm a change in point of diversion and place of use approved by an order of the State Engineer entered July 20, 1962, and together with the certificates recorded at page 33006 and page 33005, Volume 25, supersedes certificates of water right heretofore issued to Steven L. Steidl and Ida M. Steidl and recorded at pages 17153 and 17154, Volume 14, State Record of Water Right Certificates.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date March 11 , 1966 .

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 25 , page 33007

T # 3642

STATE OF OREGON

COUNTY OF DESCHUTES

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

R. L. COATS

of 1270 Trenton Ave., Bend
 a right to the use of the waters of Deschutes River, State of Oregon, 97701, has

a tributary of Columbia River
 the irrigation of ~~1.7~~ ^{1.0} acres for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 9, at page 362; that the priority of the right thereby confirmed dates from October 10, 1903

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~0.045~~ cubic foot per second 0.0275

The point of diversion is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 18, T. 17 S., R. 12 E., W. M.

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

0.42 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$ T-3642
 0.58 ~~1.28~~ acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 0.7
 Section 18
 T. 17 S., R. 12 E., W. M.

44934 & 45034

This certificate describes that portion of the water right confirmed by prior certificate ~~33007~~, NOT modified by the provisions of an order entered on February 4, 1977, approving transfer applications Nos. ~~3477-3642~~ 3477 and 3642, and Nev. 30, 1977.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date November 28, 1977.

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 44934

We will pay \$2.00

(Copy of notice to)
(be pasted here)

Affidavit of Publication

STATE OF OREGON, COUNTY OF DESCHUTES, — ss.

I, Sharon Hansen, being first duly sworn, depose and say that I am the General Manager, Advertising Manager, Principal Clerk of the Publisher, of The Bulletin, a newspaper of general circulation printed and published at Bend in the aforesaid county and state as defined by

ORS 193.010 and ORS 193.020, that Notice of Water Right

Transfer Application No. 3642

a printed copy of which is hereto annexed, was published in the entire issue of

said newspaper for three successive and consecutive weeks in the

following issues: October 5, 12 and 19, 1977

Sharon Hansen

Subscribed and sworn to before me this 19th day

of October, 19 77.

Margot McWilliams

Notary Public for Oregon

(My Commission Expires September 8, 1978)

NOTICE OF WATER RIGHT TRANSFER

APPLICATION NO. 3642

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Brooks Resources Corporation for approval of changes in point of diversion, place of use and use heretofore made of water from Deschutes River.

The certificate recorded at page 33007, Volume 25, State Record of Water Right Certificates, in the name of R.L. Coats, describes a right which includes the use of not to exceed 0.0175 cubic foot per second from Deschutes River for irrigation of a certain 0.7 acre in SE 1/4 SW 1/4 of Section 18, Township 17 South, Range 12 East, WM., with a date of priority of October 10, 1903.

Water for the said right is diverted from a point located 1280 ft N and 1430 ft E from the SW cor of Sec 18, being within the SE 1/4 SW 1/4 of said Sec 18.

The applicant herein, owner of record of the lands above described, with the approval of the contract purchaser of said lands, proposes to change the point of diversion and place of use for the entirety of said right and to change the use heretofore made for a part of said right, and without loss of priority, to divert not to exceed 0.0175 cfs at a point of diversion located 450 ft S and 250 ft E from the NW corner of the SE 1/4 SW 1/4 of Sec 17, being within the said SE 1/4 SW 1/4 of Sec 17, T 17 S, R 12 E, WM., being 0.005 cfs for domestic use in one residence during the irrigation season of each year, and 0.0125 cfs for irrigation of a certain 0.5 acre, all within the NW 1/4 SE 1/4 SW 1/4 of said Sec 17 (Don Corn).

All persons interested are notified hereby that a hearing will be held at the county courthouse at Bend, Oregon, on November 29, 1977, at 9:30 a.m. All objections to the proposed change, 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 W.L. Smith, President of Brooks Resources Corp., 416 NE Greenwood Ave., Bend, OR 97701 and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 29th day of September, 1977.

James E. Sexson
Director

RECEIVED

OCT 21 1977

WATER RESOURCES DEPT
SALEM, OREGON