

3743

STATUS OF APPLICATION

Change in POU & POD
 Date filed July 28, 1977
 Date of hearing 2-14-78
 Place of hearing Prineville
 Date of order 2-23-78 Vol. 30, page 2425
 Date for application of water completed
 Proof mailed _____
 Proof received _____
 Certificate issued AUG 14 1984 Vol. 47, page 52181

to survey 2/78

DESCRIPTION OF WATER RIGHT

Name of stream CROOKED RIVER
 Trib. of _____ County of CROOK
 Use _____
 Quantity of water _____ No. of acres _____
 Name of ditch _____
 Date of priority March 17, 1930
 In name of R.H. McCallister
 _____ Adjudication, Vol. _____, page _____
 App. No. 13325 Per. No. 9561 Cert. No. 10868
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
7-28-77	103 ²⁰	62814
TOTAL . . .		
No Cert. Fee		
Central Oregonian \$31.50 pd 1/19/78 OK # 1921		

FEES REFUNDED

Date	Amount	Check No.
Exam	20 -	103.20
POD	15 -	- 92.25
POU	25.75	- 10.60 to 3742
Subtotal	60.75	
	31.50	
	92.25	\$ 0.35 over

REMARKS

New Owner: Brooks Resources Corp. 3/30/84 Rafter Q Cattle Company
P.O. Box 6119 Lower Crooked River Rd
Bend, Or., 97708 Route 1 Box 113
Redmond OR 97756

W.R.I.S.

Assembled 6-19-85 by sub

Entered _____ by _____

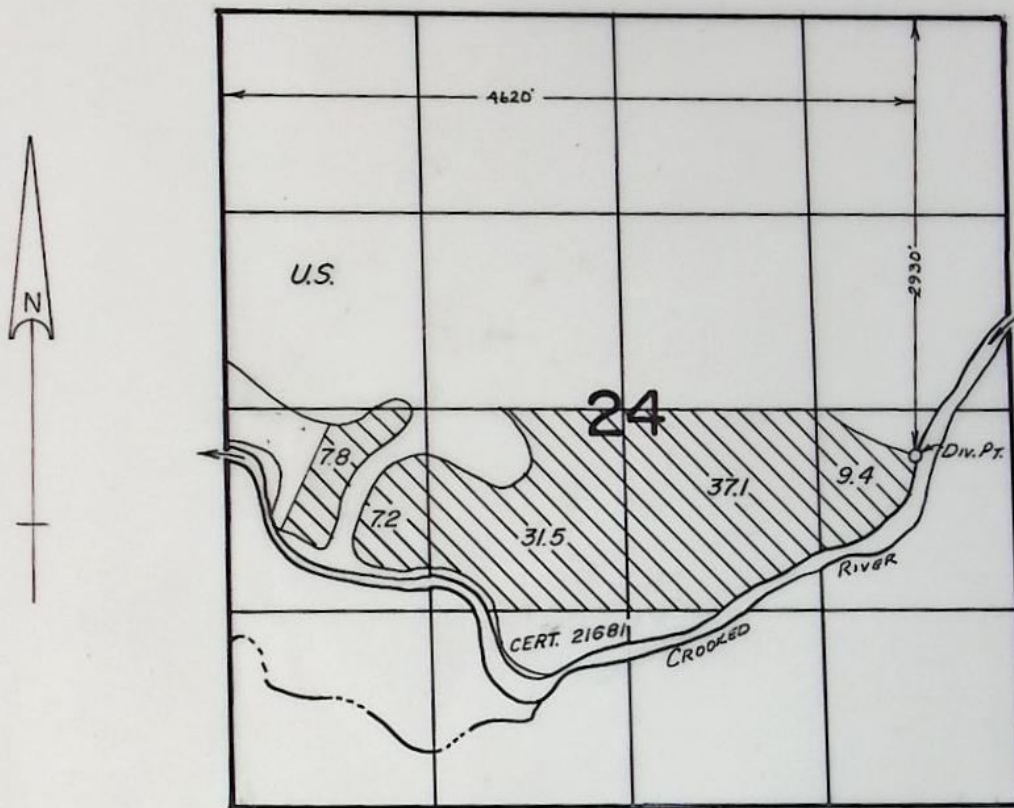
Verified _____ by _____

INDEX CARDS:

TO BE ENTERED WHERE CHECKED	Entered	Checked
Name	lg	
Stream	lg	
Pt. of Div.		
Calendar	lg	
CHECKED TO RECORDS:		
Twp. & Rge.	lg	
Deeds-vault		
Deeds-safe		
Cert. of W/R		
Per. Folder		
Chaindex		
Cross Ref.		
Power Chain		
Abstracts	lg	

Rafter Q Cattle

T.14S.,R.14E.,W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

Transfer No. 3743
Application No. Permit No.
IN NAME OF

.....**RAFTER Q. CATTLE CO.**.....

Surveyed JULY...27, 1979., by L.H. NUNN.....

T-3743

TO
UPC
Print Cert
Book Copy

STATE OF OREGON
COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Rafter Q Cattle Company
Lower Crooked River Rd, Rt 1 Box 113
of Prineville Redmond, State of Oregon 97756, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Crooked River
a tributary of Deschutes River
Irrigation of 93.0 acres for the purpose of
under Permit No. 9561 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from March 17, 1930;

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
1.17 cubic feet per second, if available at the original point of diversion; SW 1/4 Sec 22,
Sec 22, T14S, R15E W1M, 1110' N from SW cor Sec 22

The point of diversion is located in the SW 1/4 of Section 22, Township 14S, Range 15E, W. M.
The use hereunder for irrigation shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per
acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
right is appurtenant (if for irrigation, or any other purpose), is as follows:

- 31.5 - 35 acres in the NE 1/4 SW 1/4,
 - 15.0 - 8 acres in the NW 1/4 SW 1/4,
 - 9.4 - 20 acres in the NE 1/4 SE 1/4,
 - 37.1 - 30 acres in the NW 1/4 SE 1/4,
- Section 24,
Township 14 South, Range 14 East, W. M.

This certificate is issued to confirm a change in place of use and point
of diversion approved by an order of the WRD entered Feb 23, 1978 and supersedes
certificate of water right recorded on page 10868, Volume 10, SRWRC.

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

been constructed for the purpose of diverting to beneficial use
condition that before taking possession the State or municipality shall pay not to exceed the fair
value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and
dependable property of the holder of this certificate, not taken over, as may be caused by the
severance therefrom of the property taken in accordance with the provisions of section 47-508,
Oregon Code 1930.

WITNESS the signature of the State Engineer,
affixed this 10th day
of September, 193 4
CHAS. E. STRICKLIN

State Engineer
10868

Recorded in State Record of Water Right Certificates, Volume 10, page 10868

3369C 52181

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. 3743

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 10868, Volume 10, State Record of Water Right Certificates, in the name of R. H. McCallister, describes a right for the use of not to exceed 1.17 cubic feet per second from Crooked River for irrigation of a certain 35.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 8.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 20.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 30.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 14 South, Range 14 East, W.M., with a date of priority of March 17, 1930.

The authorized point of diversion of record is located 1110 feet North and 0 feet East from the Southwest Corner of Section 22, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 14 South, Range 15 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use and point of diversion therefrom and, without loss of priority, to irrigate in lieu thereof a certain 5.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 5.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 2.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 28.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 14.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 4.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 6.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 22.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 14 South, Range 14 East, W.M., from a point of diversion located 2650 feet South and 4535 feet East from the Northwest Corner of Section 24, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 24.

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 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 1.17 cubic feet per second.

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

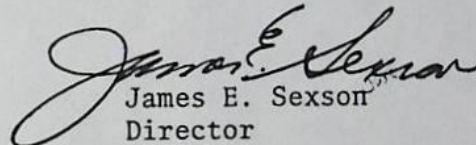
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the certificate of water right heretofore issued to R. H. McCallister and recorded at page 10868, Volume 10, State Record of Water Right Certificates, is canceled, 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 23rd day of February, 1978.


James E. Sexson
Director

V30, P424

Affidavit of Publication

RECEIVED

JAN 13 1978

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON,)
COUNTY OF CROOK,)

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 publish-

ed in the entire issue of said newspaper for 3
successive and consecutive weeks in the following issues

Issue date December 21, 1977

Issue date December 28, 1977

Issue date January 4, 1978

Issue date _____

Issue date _____

The fee charged for the above publication was

\$ 31.50

James O. Smith
Publisher

Subscribed and sworn to before me this 4th

day of January, 19 78

Beverly B. Thomas
Notary Public for Oregon

My Commission expires July 13, 1978

NOTICE OF WATER RIGHT

TRANSFER APPLICATION NO. 3743

Notice is given hereby that an application has been 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 on page 10866, Volume 10, State Record of Water Right Certificates, in the name of R. H. McCallister, describes a right for the use of not to exceed 1.17 cubic feet per second from Crooked River for irrigation of a certain 35.0 acres in NE 1/4 SW 1/4, 8.0 acres in NW 1/4 SW 1/4, 20.0 acres in NE 1/4 SE 1/4 and 30.0 acres in NW 1/4 SE 1/4 of Sec. 24, T 14S, R 14E, WM, with a date of priority of March 17, 1930.

The authorized point of diversion of record is located 1110 ft N and 0 ft E from the SW Corner of Sec 22, being within the SW 1/4 SW 1/4 of Sec 22, T 14 S, R 15 E, WM.

The applicant herein, owner of the lands above described, proposes to change the place of use and point of diversion therefrom and, without loss of priority, to irrigate in lieu thereof a certain 5.6 acres in SW 1/4 NE 1/4, 2.0 acres in SE 1/4 NE 1/4, 5.1 acres in SW 1/4 NW 1/4, 2.7 acres in SE 1/4 NW 1/4, 28.8 acres in NE 1/4 SW 1/4, 14.4 acres in NW 1/4 SW 1/4, 4.8 acres in SE 1/4 SW 1/4, 6.8 acres in NE 1/4 SE 1/4 and 22.8 acres in NW 1/4 SE 1/4 of Sec 24, T 14 S, R 14 E, WM, from a point of diversion located 2650 ft S and 4535 ft E from the NW Corner of Sec 24, being within the NE 1/4 SE 1/4 of said Sec 24.

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 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. Instructions regarding the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 13th day of December, 1977.

James E. Sexson
Director
66,68,70

ok
log