

Name John W. S. Platt for Peekay & Co.
By Tumalo Irrigation Dist.
Address 64697 Cook Ave.
Bend, OR 97701

Change in POU
Date filed Sept 19, 1978
Date of hearing _____
Place of hearing _____
Date of order 12-22-78 Vol. 31, page 522
Amended 09-10-81 Ext 12-1-86
Date for application of water 10-1-80
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

To Survey 9-11-80
Surveyed 11/2/86
(Rudolf & Strang)

To Survey 1/82
Extended

REMARKS

CARD FOR C NOV 4 1980

Card for C NOV 20 1981

WRIS

Assembled 6-19-85 by SPK

Entered _____ by _____

Verified _____ by _____

4050

DESCRIPTION OF WATER RIGHT

Name of stream Tumalo Creek
Trib. of _____ County of Deschutes
Use _____
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority 17 Sept, 1900
Deschutes County Municipal Imp. Dist. now
In name of Tumalo Irr. Dist. Tab Lee Allen
Tumalo Cr. Adjudication, Vol. 15, page 196
App. No. _____ Per. No. _____ Cert. No. 26508 *primary*
Certificate cancelled _____
Notation made on record by _____

Cert No 26050
" 26051
" 31412
Permit 27841 } *Supplemental*

FEES PAID

Date	Amount	Receipt No.
<u>9-19-78</u>	<u>30-</u>	<u>6207</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
JOHN W.S. PLATT (TUMALO IRRIGATION)
DISTRICT) FOR APPROVAL OF A CHANGE)
IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4050

On September 19, 1978, an application was filed in the office of the Water Resources Director by John W.S. Platt, Managing Partner for Peekay & Co., 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 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 allowed in the name of Deschutes County Municipal Improvement District (now Tumalo Irrigation District), tabulated in the name of Lee Allen at page 196, Volume 16, for irrigation of, among other lands, a certain 8.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 16 South, Range 11 East, W.M., with a date of priority of September, 1900, as now described be certificate issued in the name of Tumalo Irrigation District and 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, for the use of water from Deschutes River, with a date of priority of 1905; certificate 26050, Volume 18, for 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, for the use of waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911; and by permit No. 27841 for the use of waters of Crescent Lake Reservoir, with a priority date of December 8, 1961.

*Amended
56*
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 (SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 (Peekay & Co.) and 5.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26 (Richard W. Green), both in Township 16 South, Range 11 East, W.M.

021,9527

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 April 11, 1978.

No objections 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 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, 1980.

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, certificate of water right shall be issued to Tumalo Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon this 22nd day of December, 1978.

James E. Sexson
Director

By *Christine Wheeler*
Deputy

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
JOHN W.S. PLATT (TUMALO IRRIGATION)
DISTRICT) FOR APPROVAL OF A CHANGE)
IN PLACE OF USE OF WATER)

ORDER AMENDING
ORDER APPROVING
TRANSFER 4050

On September 19, 1978, an application was filed in the office of the Water Resources Director by John W.S. Platt, Managing Partner for Peekay and Company, 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.

On December 12, 1978, the application was amended to place 3.0 acres of water right in the SW 1/4 SE 1/4 of Section 27, Township 16 South, Range 11 East, WM.


The order of the Water Resources Director entered at page 522, Volume 31, Special Order Record, on December 22, 1978, allowed said change.

On June 6, 1979, a letter from John Platt to Tumalo Irrigation District stated that an error was made by Peekay and Company in the placement of said 3.0 acres, that 3.0 acres of water right was to be placed in the SE 1/4 SE 1/4 of Section 27, Township 16 South, Range 11 East, WM, and in fact, was so placed and subsequently used.

The aforesaid order of the Water Resources Director, having been based on incorrect data supplied by the applicant, should be amended to show the correct place of use of said water right.

NOW, THEREFORE, it hereby is ORDERED that line 3, paragraph 4, page 522, Volume 31, Special Order Record, be amended to read "... in SE 1/4 SE 1/4 of Section 27 (Peekay and Company)...".

Dated at Salem, Oregon, this 10th day of September, 1981.


JAMES E. SEXSON
Director

RECEIVED

DEC 15 1978

WATER RESOURCES DEPT.
SALEM, OREGON**RECEIVED**

DEC 4 1978

WATER RESOURCES DEPT.
SALEM, OREGON

T-4050

RECEIVED

SEP 19 1978

WATER RESOURCES DEPT.
SALEM, OREGON**Application for Transfer of Water Right**

To the WATER RESOURCES DIRECTOR OF OREGON:

Tumalo Irrigation
Dist.I, John W.S. Platt, Managing Partner for Peekay & Co. /
(Name of applicant)of 4550 SW Humphrey Blvd., Portland, Ore. 97221, / 64697 Cook Ave.,
(Mailing address) (City)State of Oregon, 97701, 382-3053, do hereby make application for change
(Zip Code) (Phone number)

in place of use

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? yes
(If not, give name)2. Was your water right determined by Decree of Court? If so, give title of proceedings
(Yes or No)please see remarks last pg. number of certificate 3. Was your water right acquired by Water Right Permit? last pg. If so, give number
(Yes or No)of permit Number of certificate

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Tumalo Creek Adjudication5. What is the date of priority of your water right? Please see last pg. remarks6. The authorized point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of The name of the ditch used is

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of The name of the ditch to be used is

8. The use to which the water is applied is Irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:
From

Township North or South	Range E. or W. of Willamette Meridian	Section	List 1/4-1/4 of Section	Number Acres To Be Irrigated
16S	11E	26	NW 1/4 SW 1/4	3.0
16S	11E	26	NW 1/4 SW 1/4	5.0

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? no
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? no
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
contract	Towner Menefee	4,000.00

~~Please note; contract pd. in full 9/6/78 by Towner Menefee 791 NW Trenton Bend, OR~~

13. The use to which the water is to be applied is domestic and/or irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List 1/4-1/4 of Section	Number Acres To Be Irrigated
16S	11E	27	SE 1/4 SE 1/4 SE SE	3.0
16S	11E	26	SW 1/4 SW 1/4	5.0

(If more space required, attach separate sheet)

collected
maps - 9/29/78 JCB
Should be
5.0 AC

John Platt

RECEIVED

SEP 19 1978

WATER RESOURCES DEPT.
SALEM, OREGON

SEC. 27 TWP 16S RANGE 11E



RECEIVED

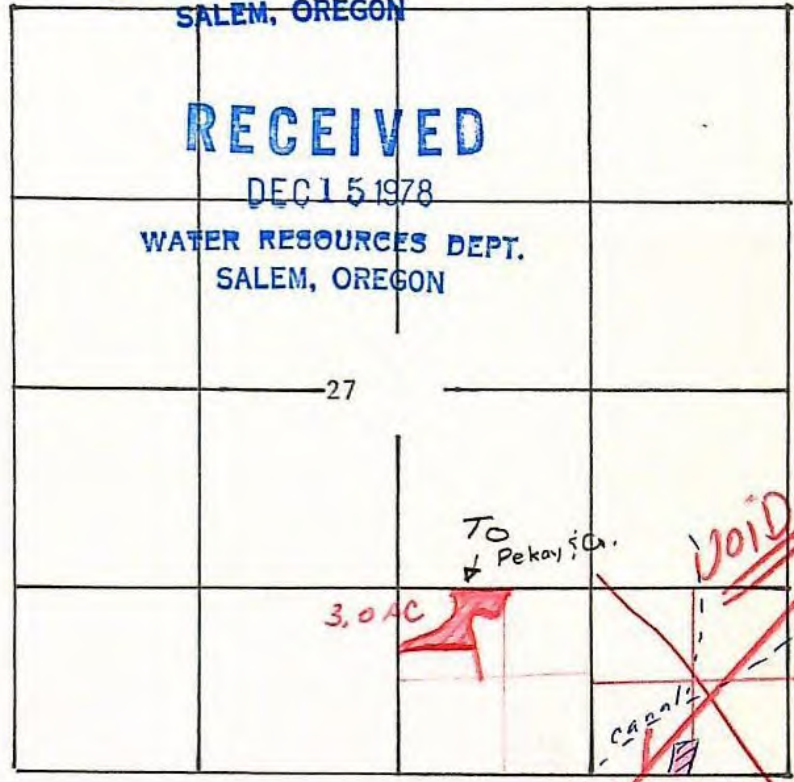
DEC 4 1978

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

DEC 15 1978

WATER RESOURCES DEPT.
SALEM, OREGON



From Peekay & Co 3.0 AC

TRANSFERRED FROM: NW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 26 TWP. 16S RANGE 11E

*Converted
12/12/78
gob -*

to Peekay & Co. 3.0 AC

TRANSFERRED TO: ~~SE $\frac{1}{4}$ SE $\frac{1}{4}$~~ SEC. 27 TWP. 16S RANGE 11E
= SW SE $\frac{1}{4}$

14. Reasons for the proposed changes are

that this water will be more beneficial in use

15. Construction work will be completed on or before no construction needed

16. The water will be completely applied to the proposed use on or before on State approval

Remarks *Board of Directors approval April 11, 1978*

Primary Cert. # 26508 40.0 ac. tab. in name of Lee Allen Priority of Sept. 1900

Supplemental Cert. # 26050 40.0 ac. Permit # 19628 Priority of Oct. 29, 1913

Cert. # 26051 40.0 ac. Permit # 624 Priority of Apr. 7, 1911

Cert. 31412 40.0 ac. Priority of 1905

Document prepared by Jeanine Brown

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, John W.S. Platt, Managing Partner for Peekay & Co, 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 3 day of Feb. 1978, 19.....

John W.S. Platt
(Name of applicant)

Subscribed and sworn to before me this 3 day of February, 1978.

[Notarial Seal]

Shirley J. McReynolds
NOTARY PUBLIC FOR OREGON

My commission expires 5-1-81

RECEIVED
SEP 10 1986
WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

PURSUANT TO TRANSFER APPLICATION NO. 4050

I, Ottomar Rudolf, hereby certify that completion
of works and use of water to the extent intended within the provisions
of the order of the Water Resources Director approving said water
right transfer application was accomplished by Sept 1, 1986

Sept 1
July 7, 1986
Date

[Signature]
Signature
Ottomar Rudolf

(Mail to the Water Resources Department, Salem, Oregon 97310.)

3850 Portland Rd NE

APPLICATION FOR EXTENSION OF TIME
FOR TRANSFER OF WATER RIGHT

Transfer 4050

RECEIVED

NOV - 8 1985

WATER RESOURCES DEPT
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, B. Ralph Cuppoli,
(Name of Applicant)

of 31380 S.W. Parkway, Wilsonville,
(Mailing Address) (City)

State of OREGON, 97070, 503-682-1888,
(Zip Code) (Phone Number)

do hereby make application for an extension of time within which to complete a change in:

() point of diversion (☒) place of use () use heretofore made

of water under the terms of an order of the Water Resources Director entered
on Dec 22, 1978, approving Transfer 4050, in the name
of Platt

for 5.2 acres in SW 1/4 SW 1/4 sect. 26 (Green) in T16S, R11E, W1M.

(give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time
allowed, which expired on October 1, 1980:

A Holding Pond has been erected

(if for irrigation, how many acres, total, are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the
following: Irrigation Ditches have to be erected.

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed,
because I just purchased the property this year, and haven't

had the time to complete the project.

and request that the
time for completion be extended to October 1, 1986.

Ext to 10-1-86

(signature of applicant)

0331/0

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$100 TO:
WATER RESOURCES DEPARTMENT
Mill Creek Office Park
555 13th Street, NE
Salem, Oregon 97310

11/8/85

100
48003

Transfer 4050

APPLICATION FOR EXTENSION OF TIME
FOR TRANSFER OF WATER RIGHT

RECEIVED
JUL 23 1985
WATER RESOURCES DEPT.
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Ottomar Rudolf (Name of Applicant)
of 3631 SE Rybee (Mailing Address), Portland (City),
State of Ore., 97202 (Zip Code), 771-1112 (Phone Number)

do hereby make application for an extension of time within which to complete a change in:

() point of diversion (X) place of use () use heretofore made
of water under the terms of an order of the Water Resources Director entered
on Dec. 22, 19 78, approving Transfer 4050, in the name
of John W.S. Platt for Deekay & Co.,
for 3rd Ac. in SE 1/4 SE 1/4 (amended Vol. 35, p. 193) T. 16 S, R. 11 E, W.M.

(give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time
allowed, which expired on October 1, 19 80: Since I bought the land

1. the pasture area has been cleared
2. a reservoir pond with a pump has been installed
3. a pipe line has been started to the pasture

(if for irrigation, how many acres, total, are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the
following: complete the main line, harrow and seed the
pasture area, and expand the present area by
app. 1/2 acres.

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed,
because I received a year of absence from teaching which
I spent away from Ore. A colleague to whom I rented
the place suppose to finish the job. and request that the
time for completion be extended to October 1, 19 86.

(signature of applicant)

Ottomar Rudolf

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$100 TO:

WATER RESOURCES DEPARTMENT
Mill Creek Office Park
555 13th Street, NE
Salem, Oregon 97310

7-23-85
\$100.00
46974

TUMALO CREEK, CRATER CREEK, LITTLE CRATER CREEK, THREE SPRING BRANCHES

W T-0582-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

 PAGE 1
 RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. T0000 40502 PERMIT NO. 019628 CERTIF. NO. 0026050

NAME: JOHN W. S. PLATT

CRIG. NO. A000032631 PREV. NO. A000032631 SUPER. NO.

ADDRESS: TID, 64697 COOK AVE

CITY/STATE/ZIP/COUNTY: BEND, OR 97701 09

STREAM-ID 05 1980 1320

RIV. MI.

WM. DIST. 11 W.R. TYPE SA STATUS V

CANCEL YEAR---->

CONSTR. COMPLT--> 10 01 1981

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 10 29 1913

PUT TO USE-----> 10 01 1981

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 09 19 1978

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 10.00

PERMIT ISSUE--> 12 22 1978

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 12 22 1978

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA:
TWNSP RNGE SECT QTR/QTR STREAM-ID

170S 110E 23 A C 05 1980 1320

180S 100E 02 D B 05 1980 1320

170S 090E 31 C A

D B

D D

180S 090E 02 B D

PLACE-OF-USE DATA:
TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

160S 110E 26 B B 09 IR 100 5.00 V S

27 D D 3.00

RIV. MI.

RATE
0.160

STATUS S OR P

V
V
V
V
V
V
 ** REMARKS: - - - - -
 ** DATED-->

** CHANGES POLL PART OF TUMALO I. D. C-26050.

** SUPP. RIGHTS UNDER C-31412, C-26051, P-

** 27841, - - - - -

** - - - - -

** - - - - -

** - - - - -

** - - - - -

W.R.I.S.

Approved 6-19-85 J. Sid

Entered _____

Verified _____ by _____

0.020

DESCHUTES RIVER

LF T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

PAGE 1
 RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. T0000 *40503* PERMIT NO. 009493 CERTIF. NO. 0031412
 ORIG. NO. C000313121 PREV. NO. C000314121 SUPER. NO.

NAME: *JOHN W. S. PLATT*
 ADDRESS: TID, 64697 COOK AVE
 CITY/STATE/ZIP/COUNTY: BEND, OR 97701

09

STREAM-ID 05 1980 RIV.MI. WM.DIST. 11 W.R.TYPE SC STATUS V

CANCEL YEAR--->	CONSTR.COMPLT--> <i>10 01 1981</i>	YR.LAST USED-----> _____	NEXT ACTION DUE--> _____
PRIORITY-----> 12 31 1905	PUT TO USE-----> <i>10 01 1981</i>	LAST TRANS.DATE--> _____	LAST TRANS.TYPE--> _____
APPLICATION---> <i>09 19 1978</i>	SURVEYED-----> _____	EXAM.FEE-----> <i>20.00</i>	RECORDING FEE-----> <i>10.00</i>
PERMIT ISSUE--> <i>12 22 1978</i>	CONCURRENCE-----> _____	CYCLE STATUS-----> _____	REPORTED FLAG-----> _____
CONSTR.STRT.--> <i>12 22 1978</i>	CERTIFIED-----> _____	CORRES.INIT.-----> _____	CORRES.DATE-----> _____

POINT-OF-DIVERSION DATA;
 TWNSP RNGE SECT QTR/QTR STREAM-ID
 05 1980

RIV.MI. RATE STATUS S OR P
0.012 V S

** REMARKS; - - - - -
 ** DATED-->
 ** SUPP. IR. CHANGES POU PART OF TUMALO
 ** I. D. C-31412. OTHER SUPP. RIGHTS UNDER
 ** C-26050, C-26051, P-27841.

PLACE-OF-USE DATA:	TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE %	CNSMTV	ACRES	STATUS	S OR P
					09	IR	100	<i>5.00</i>	V	S
<i>1605 110E 26 BB</i>								<i>3.00</i>		
<i>27 DD</i>										

V.R.I.S.

Approved 6-19-85 by SRA

Entered _____ by _____

Verified _____ by _____

0.0015

CRESCENT LAKE RES

W: T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

 PAGE 1
 RUN ON: 3/20/81 AT: 9:08
WATER RIGHT NO. T0000 *40504* PERMIT NO. 000624 CERTIF. NO. 0026501

NAME: JOHN W. S. PLATT

ORIG. NO. A000013431 PREV. NO. A00013431 SUPER. NO.

ADDRESS: TID, 64697 COOK AVE

CITY/STATE/ZIP/COUNTY: BEND, OR 97701

09

STREAM-ID 05 1980 1450 0260 080

RIV. MI.

WM. DIST. 11 W.R. TYPE SA STATUS V

CANCEL YEAR--->

CONSTR. COMPLT--> *10 01 1981*

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 04 07 1911

PUT TO USE-----> *10 01 1981*

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> *09 19 1978*

SURVEYED----->

EXAM. FEE-----> *20.00*

RECORDING FEE----->

*10.00*PERMIT ISSUE--> *12 22 1978*

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> *12 22 1978*

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

 POINT-OF-DIVERSION DATA:
 TWP/SP RNGE SECT QTR/QTR STREAM-ID

240S 060E 11 C D 05 1980 1450 0260 080

RIV. MI.

RATE

STATUS S OR P

V

S

240S 060E 11 D C 05 1980 1450 0260 080

V

S

 ** REMARKS; - - - - -
 ** DATED-->

** SUPP. IR. CHANGES. POOL PART OF TUMALO

** I. D. C-26051. OTHER SUPP. RIGHTS UNDER

** C-26050, C-31412, P-27841.

PLACE-OF-USE DATA:

TWP/SP RNGE SECT QTR/QTR CNTY USE % CHSMTV ACRES STATUS S OR P

160S 110E 26 B B 09 IR 100 5.00 V S

27 D D 3.00

**-----

**-----

**-----

**-----

W.R.I.S.

Approved 6-19-85 by SRA

Entered by

Verified by

TUMALO IRRIGATION DISTRICT

64697 COOK AVE.
BEND, OREGON 97701
Phone 382-3053

August 24, 1981

RECEIVED

AUG 26 1981

WATER RESOURCES DEPT
SALEM, OREGON

Sam Allison
Water Resources Dept.
555 13th St. NE
Salem, Oregon 97310

Re: T-4853, T-4854, T-4856, T-4857, T-4858 and your letter and
attachment dated 8-12-81, and T-4050

Dear Sam:

T-4050: I enclose a copy of a June 6, 1979 letter from the owner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and of the SE $\frac{1}{4}$ SE $\frac{1}{4}$. The 3.0 acres was never delivered to nor used in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ but are delivered and used in SE $\frac{1}{4}$ SE $\frac{1}{4}$. I can't explain the mechanics of this error, but it clearly needs correction by amendment.

T-4853: 1. No, but he did until 8/26/70 when the transfer should have been filed.
2. No, but he deeded the 1.0 acre water right 8/26/70 with the 10.0 acres of land to Sterling, who still owns both. Until 1977, Menefee owned irrigable lands in several 40's, including Wipson tract.

T-4854: Vol. 2, Page 254

T-4856: Enclosed

T-4857: 1. Yes as to TL 300, no as to TL 1000.
2. Same

T-4858: 1. Yes as to TL 1403, no as to TL 501, TL 1300, TL 600/602, TL 903, and TL 500, which he never owned.
2. Same

My opinion is that ORS 540.510-520, your application form (which asks ownership, and only as to removal) and your past practice allow us to process applications with supporting consent forms. I shall of course, abide by the new rule on transfers approved by our Board after August 18, 1981.

Sincerely,

TUMALO IRRIGATION DISTRICT

Martin Winch
Martin Winch

MW:st

JOHN W. S. PLATT
4550 S. W. HUMPHREY BLVD.
PORTLAND, OREGON 97221

June 6, 1979

Tumalo Irrigation District
64697 Cook Ave.
Bend, Ore. 97701

T-4050
RECEIVED

AUG 26 1981

WATER RESOURCES DEPT
SALEM, OREGON

Gentlemen:

I am the managing partner of Peckay & Co. (a family partnership), owners of the following described properties in Deschutes County and served by your District: the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 26, Township 16 South, R. 11 East W.M. and on which there were forty acres of water. We purchased this land and water rights from Towner and Elizabeth Menefee thru a contract of sale (copy enclosed) dated 11/1/71 and recorded 11/9/71 Book 16, page 847 Misc. records. We made final payment to the Menefees in Nov. 1978. They have not yet given us a deed, although I understand one is in process.

On Sept. 19th, 1978 an application was filed to transfer eight acres of the above water as follows: five acres to SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 26, T 16 S, R. 11 E, W.M. (Green) and 3 acres to the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec. 27, T 16 S, R. 11 E, W.M. also owned by Peckay & Co.. The 3 acre transfer was in error (our error) and should have gone to the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec. 27, T 16 S, R. 11 E, W.M. owned by Peckay & Co. but under contract of sale to Ottomar and Leslie Rudolf.

Would you please take whatever action is necessary to effect this corrected change and billing me for any costs involved. Thank you and I apologize for this inconvenience. I am enclosing a map showing the approximate location of where this water will be used for pasture and domestic irrigation.

Sincerely,

John Platt



16 11 27

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JUL 16 1981

TUMALO IRRIGATION DISTRICT

64697 COOK AVE.
BEND, OREGON 97701
Phone 382-3053

WATER RESOURCES DEPT
SALEM, OREGON

July 14, 1981

Sam Allison
Water Resources Dept.
555 13th St. NE
Salem, Oregon 97310

RE: T-2924, T-3306, T-4050

Dear Sam:

Replying to your June 30, 1981 questions:

T-2924:

1. Vogt Brothers (developers of Horseshoe Acres, where Tax Lot 400 and Tax Lot 500 are located) owned Tax Lot 400 until 12/2/74 instrument of sale to Leon Puderbaugh. Each lot in Horseshoe was sold with a 1.-acre water right which was to be transfered on from Vogt lands elsewhere in the District. These transfers have been included in T-2924, T-3594 and T-4237 (incomplete).
2. No
3. Same as #1 except by instrument dated 5/74. *(Yes, water used by Dennis Ward)*
4. Ward bought his Horseshoe Acres lot with a 1.0-acre water right, but confusion in transfers placed two on Tax Lot 400 and none on Tax Lot 500.

T-3306:

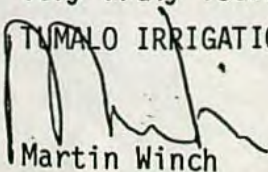
1. Floyd J. Campbell, until instrument of sale to Mr. Simpson dated 12/14/76.
2. Elvin V. Johnson (since deceased) and wife Marvin Johnson.
3. No
4. Continually since at least 1975. What apparantly happened here was that the legal (correctly recorded in the minutes) got "fancified" into SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and thence became SE $\frac{1}{4}$ NE $\frac{1}{4}$.

T-4050:

Please send me a copy of the "correction"-you refer to, and related papers.

Very Truly Yours,

TUMALO IRRIGATION DISTRICT


Martin Winch

MW:st

Handed to Jan. B. 7/17/81



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508 or
1-800-452-7813

June 30, 1981

Martin Winch
Tumalo Irrigation District
64697 Cook Avenue
Bend, OR 97701

Dear Mr. Winch:

REFERENCE: Transfers 2924, 3306, and 4050

Several questions remain to be answered before we can consider the requests to amend the transfers.

T-2924:

1. Who owned Tax Lot 400 from December 1972 to March 1974?
2. Has the transferred right been used on TL 400? If so, when?
3. Same question for TL 500.
4. What connection does Dennis Ward have with T-2924?

T-3306:

1. Who owned TL 592 from August 1975 to July 1977?
2. Same question for TL 200.
3. Was the water used on TL 592? When?
4. Same question for TL 200.

T-4050: It would appear that since a "correction" to change the place of use to TL 500 had already been submitted and approved; that at this time, final proof should be submitted on TL 500, and a new application submitted to transfer the right to TL 603.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wp
cc: Robert F. Main, Jr., Watermaster

5648A

COPY

8. The use to which the water is applied is

Irrigation

(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

From

Township North or South	Range E. or W. of Willamette Meridian	Section	List 1/4-1/4 of Section	Number Acres To Be Irrigated
16S	11E	26	NW 1/4 SW 1/4	3.0
16S	11E	26	NW 1/4 SW 1/4	5.0

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands?

yes

(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? no
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? no
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
contract	Towner Menefee	4,000.00

~~Please note contract pd. in full 9/6/78 by Towner Menefee 201 NW Trenton Bend, OR.~~

13. The use to which the water is to be applied is domestic and/or irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List 1/4-1/4 of Section	Number Acres To Be Irrigated
16S	11E	27	SW 1/4 SE 1/4	3.0
16S	11E	26	SW 1/4 SW 1/4	5.0

(If more space required, attach separate sheet)

T-2924
T-2926
T-3306
T-4050
T-4163

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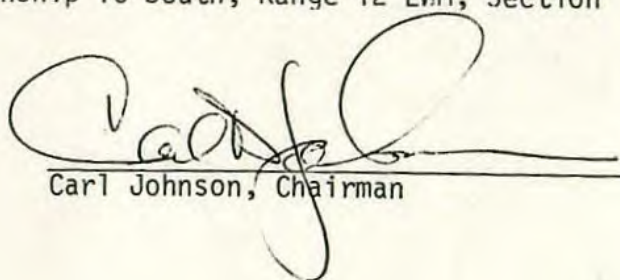
JUN 22 1981

WATER RESOURCES DEPT.
SALEM, OREGON

To Whom It May Concern:

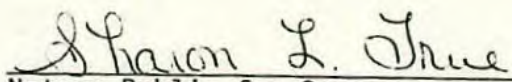
By unanimous vote, the Board of Directors of the Tumalo Irrigation District, duly convened in regular meeting on 4-14-81, did confirm that completed transfer applications T-2924, T-2926, T-3306, T-4050 and T-4163 contained errors which require amendment of the transfer maps and of the transfer orders, as follows:

- T-2924: 1.0 acres should have gone to the Northeast Quarter of the Southwest Quarter of Township 16 South, Range 12 EWM, Section 19, Tax Lot 500.
- T-2926: 1.0 acre should have gone to the Southeast Quarter of the Northeast Quarter of Township 17 South, Range 11 EWM, Section 1, Tax Lot 101.
- T-3306: 2.6 acres should have gone to the Northeast Quarter of the Northeast Quarter of Township 16 South, Range 12 EWM, Section 17, Tax Lot 200.
- ✓ T-4050: 3.0 acres should have gone to the Southeast Quarter of the Southeast Quarter of Township 16 South, Range 11 EWM, Section 27, Tax Lot 603.
- T-4163: 1.0 acre should have gone to the Northwest Quarter of the Northeast Quarter of Township 16 South, Range 12 EWM, Section 8, Tax Lot 1601.


Carl Johnson, Chairman

STATE OF OREGON)
) ss.
DESCHUTES COUNTY)

Personally appeared Carl Johnson, known to me to be
Chairman of the Board of Directors of Tumalo Irrigation District, and
acknowledged the foregoing to be his voluntary act.


Notary Public for Oregon
My Commission Expires: 10-21-83

T 4050

STATE OF OREGON }
DESCHUTES COUNTY } ss.

RECEIVED

JUN 22 1981

WATER RESOURCES DEPT.
SALEM, OREGON

I, John Platt, being first
duly sworn, say that it was and is my purpose that the 3.0
acre water right transferred in T 4050 be located in tax lot
603 in the SE of the SE of Section 27,
Township 16 South, Range 11 E.W.M.,
as located on the accompanying map, and not in the SW of the SE
of said Section, Township and Range.

John Platt

Subscribed and sworn to this 8th day of June,
1981. Before me:



Paul L. Thielke
Notary Public for Oregon
My Commission Expires: 6/3/85

T 4050

STATE OF OREGON }
DESCHUTES COUNTY } ss.

RECEIVED

JUN 22 1981

WATER RESOURCES DEPT.
SALEM, OREGON

I, Ottomar Rudolph, being first
duly sworn, say that it was and is my purpose that the 3.0
acre water right transferred in T 4050 be located in tax lot
603 in the SE of the SE of Section 27,
Township 16 South, Range 11 E.W.M.,
as located on the accompanying map, and not in the SW of the SE
of said Section, Township and Range.

Ottomar Rudolph

Subscribed and sworn to this 7 day of May,
1981. Before me:

Helen M. Abramovic
Notary Public for Oregon
My Commission Expires: 10/19/81



STATE OF OREGON }
 } ss.
DESCHUTES COUNTY }

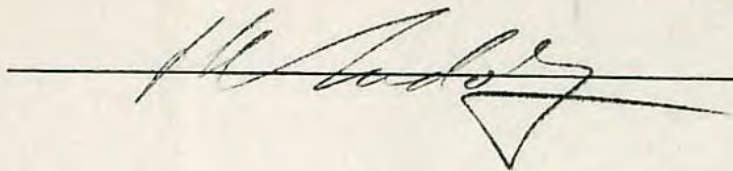
RECEIVED

JUN 2 1981

WATER RESOURCES DEPT.

SALEM, OREGON .

I, Ottomar Rudolf being first
duly sworn, say that I am the owner of tax lot 500
in the SW of the SE of Section 27, Township
16 South, Range 11 E.W.M. and that I
consent to the removal of the 3.0 acre water right
which I am informed was mistakenly transfered to my land in
T 4050.



Subscribed and sworn to this 7 day of May,
1981. Before me:

Helen M. Schramm
Notary Public for Oregon
My Commission Expires:
10/19/81

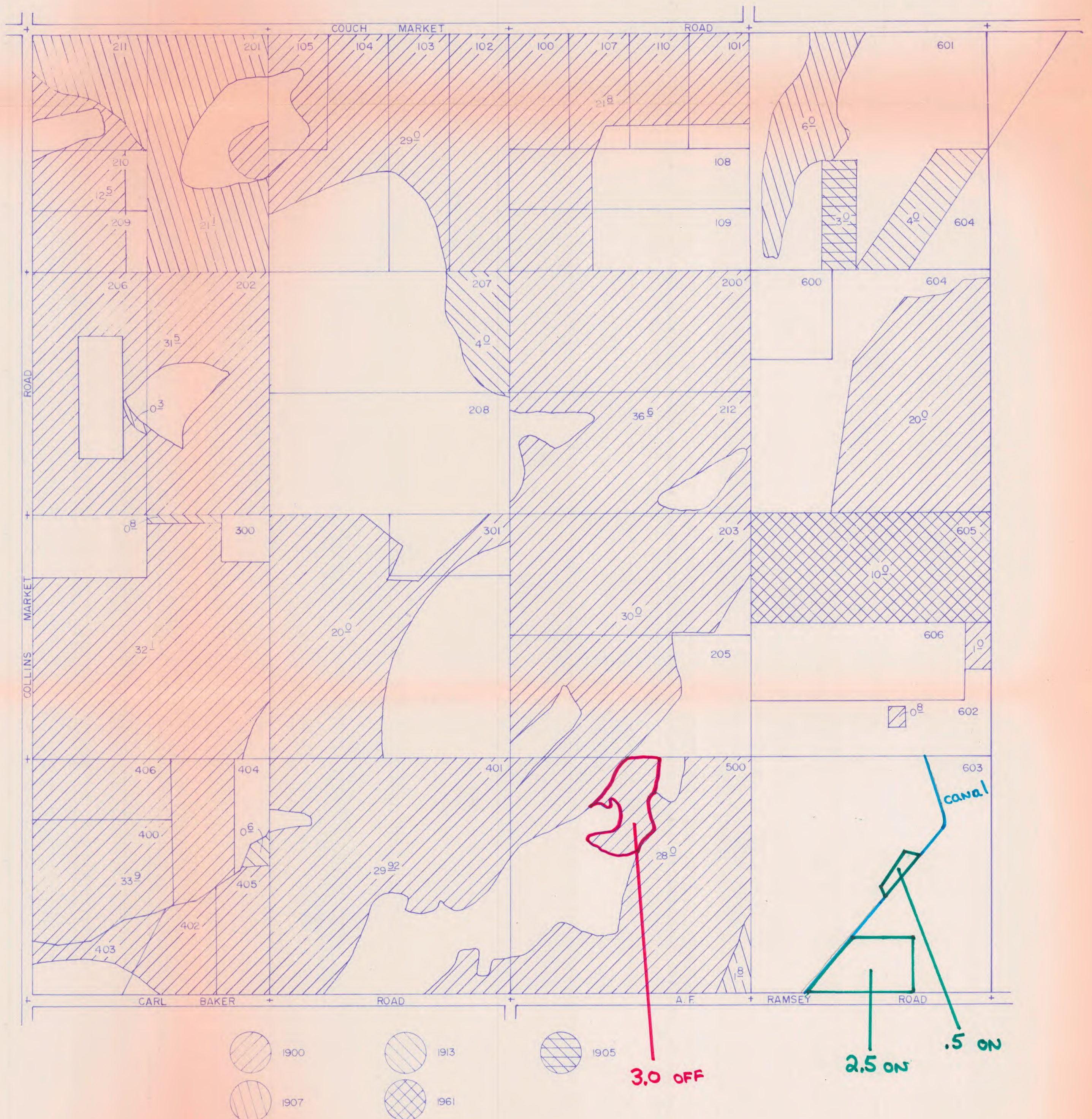


T-4050
(AMENDED)

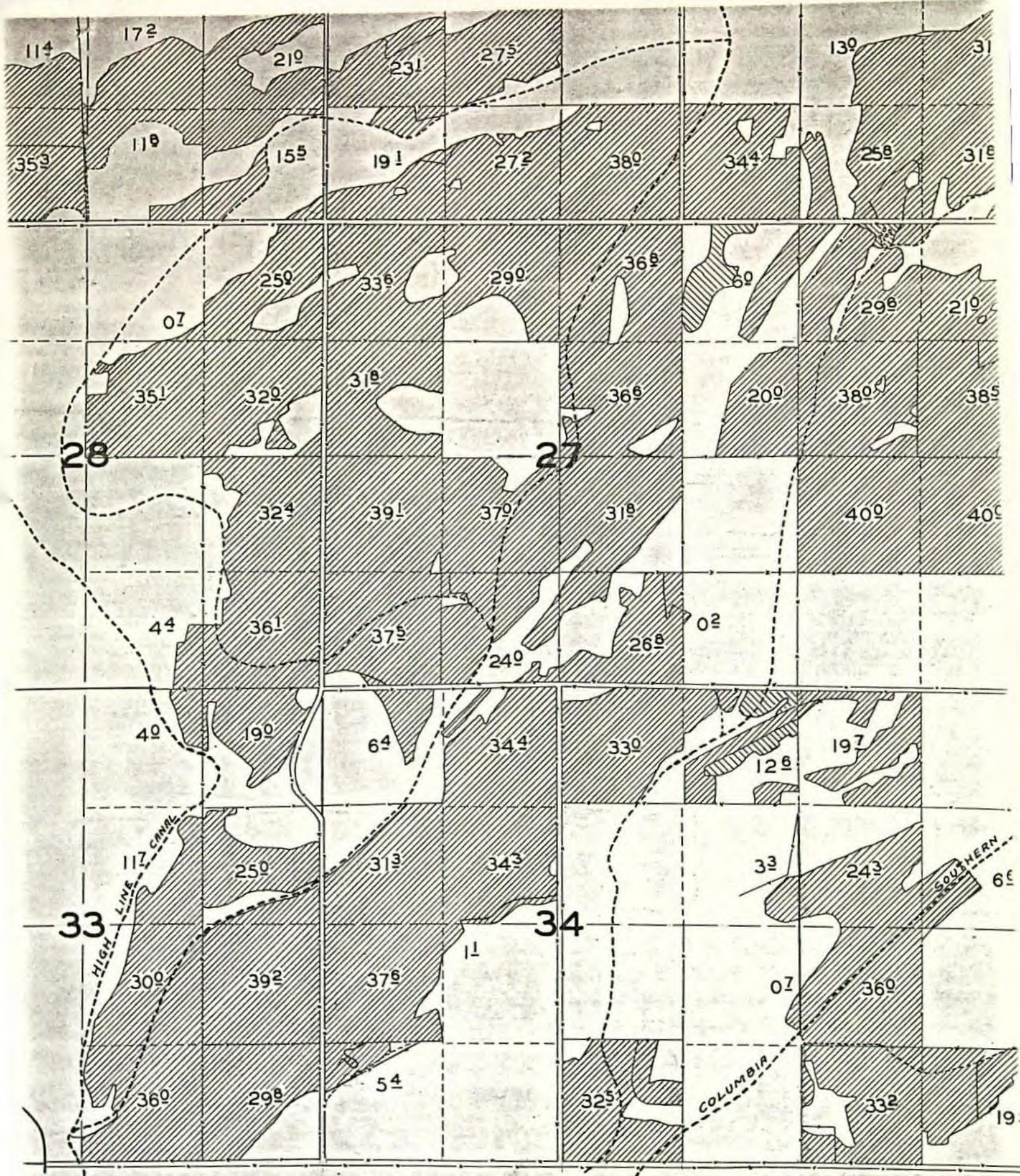
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JUN 2 1981
WATER RESOURCES DEPT.
SALEM, OREGON

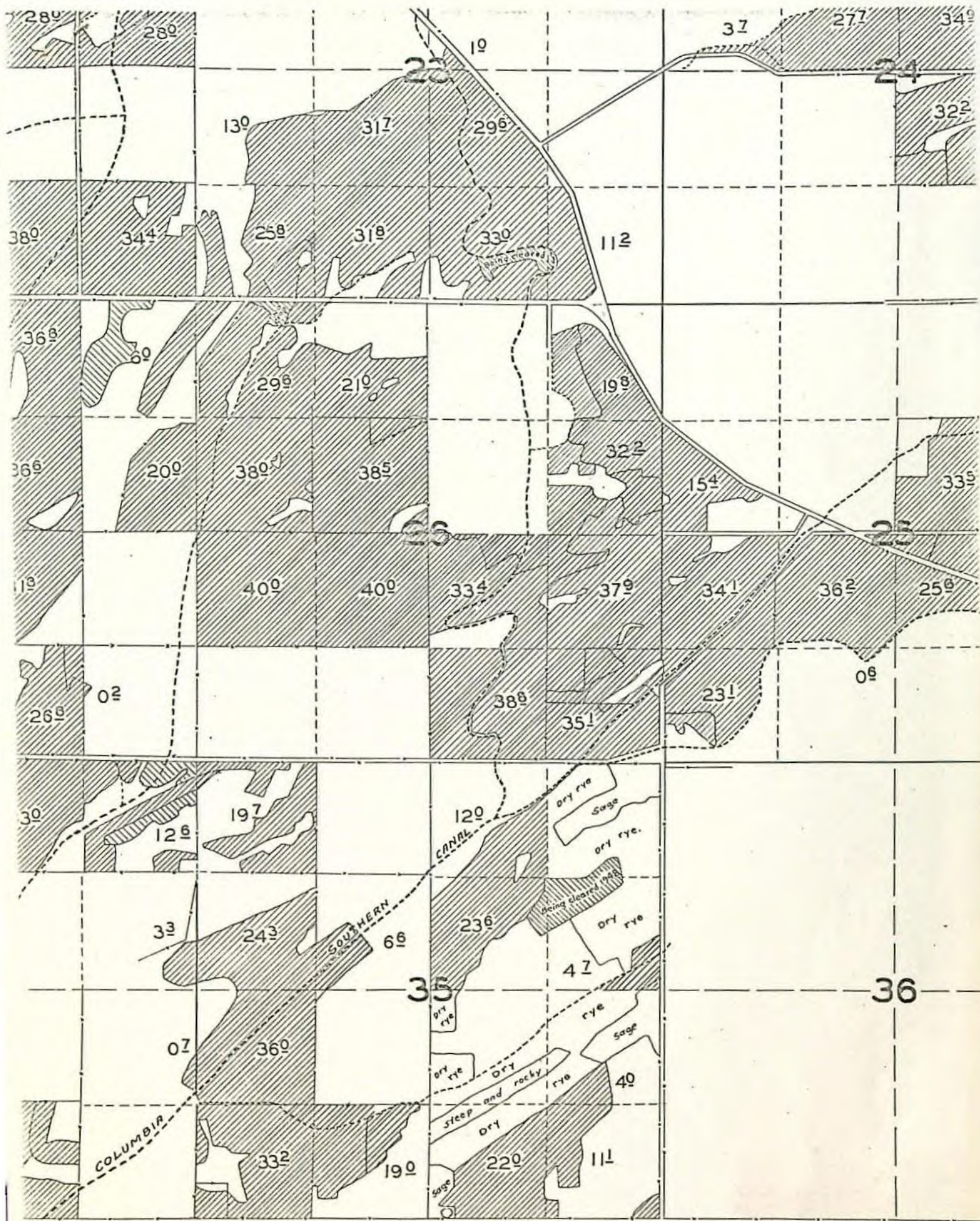
SECTION 27 T.16S. R.11 E. W.M.

1" = 400'



[illegible][illegible]





Application for Extension of Time for Transfer of Water Right

RECEIVED

DEC 26 1980

To the WATER RESOURCES DIRECTOR OF OREGON:

WATER RESOURCES DEPT
SALEM, OREGON

I, Richard W. Green (Name of applicant)
 of c/o Tumalo Irrigation District, 64697 Cook Avenue (Mailing address), Bend (City),
 State of Oregon 97701 382-3053
 (Zip Code) (Phone number)

do hereby make application for an extension of time within which to complete
 a change in: ☐ point of diversion
☒ place of use
☐ use heretofore made of water

under the terms of an order of the Water Resources Director entered on
December 22, 1978, approving transfer application No. 4050,
 in the name of John W. S. Platt *

The following has been accomplished toward completion of the
 change within the time allowed, which expired on October 1, 1980:
The property was recently purchased. Since that time an irrigation pond
has been constructed, ditches have been dug from the pond to the area to
be irrigated, culverts have been installed. I have cleared in excess
of the number of acres of land to be irrigated, according to the transfer.
 (If for irrigation, how many acres, total, are now irrigated)
 Currently, irrigation has not taken place.

*If you are not the applicant named above, please explain your interest in
 this matter. I purchased the property with water rights from the applicant.

Ext to 10-1-81
SRB

To fully complete the change, it will be necessary to accomplish the following: I will be planting a crop in the spring of 1981 and will irrigate that crop during the 1981 irrigation season. The area irrigated will be the full amount in accordance with the transfer. I have made every effort possible to complete all requirements within the time allowed and feel that I can accomplish this work with the year's extension.

I am unable to complete the change under the terms of the order, within the time allowed, because Weather conditions do not currently allow for satisfactory planting and I cannot receive irrigation water until the 1981 season at which time it can be delivered to my property. All construction on my property has been completed to allow a water delivery. and request that the time for completion be extended to October 1, 1981.

AFFIDAVIT OF APPLICANT

I, Richard W. Green, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of DECEMBER

1980

Richard W. Green

Richard W. Green

Subscribed and sworn to before me this 18th day of December, 1980.

[Notarial Seal]

Janet G. Goff

Notary Public for Oregon

My commission expires August 12, 1983

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$ 10.00

TO:

Water Resources Department
MILL CREEK OFFICE PARK
555 13th STREET N.E.
SALEM, OREGON 97310

TUMALO IRRIGATION DISTRICT

64697 COOK AVE.
BEND, OREGON 97701

Phone 382-3053

March 3, 1981

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MAR 05 1981

**WATER RESOURCES DEPT
SALEM, OREGON**

Sam Allison
Water Resources Dept.
555 13th St. NE
Salem, OR 97310

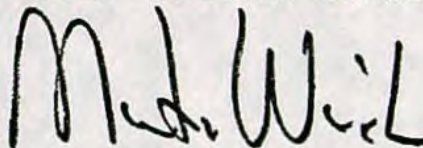
Re: T-2934 (order 3/74)	T-4124 (incomplete)
T-3306 (order 8/77)	T-4163 (incomplete)
T-3872 (incomplete)	T-4204 (incomplete)
T-4050 (order 12/78)	T-4222 (incomplete)
T-4121 (incomplete)	T-4237 (incomplete)

Dear Sam:

In the referenced transfers, water was mistakenly located in the wrong place: in some cases same "40", in others wrong "40"; in some cases by legal in the application, in some cases on the maps. What is required to amend?

Very Truly Yours,

TUMALO IRRIGATION DISTRICT



Martin T. Winch

MTW:st

TUMALO IRRIGATION DISTRICT

64697 COOK AVE
BEND, OREGON 97701

Phone 382-3053

October 26, 1979

RECEIVED
OCT 27 1979
WATER RESOURCES DEPT
SALEM, OREGON

Sam Allison
Water Resources Department
555 13th Street N.E.
Salem, Oregon 97310

Dear Sam:

At this point we have only four transfers pending at State which have not been resubmitted to you at this time. All four of these transfers require mapping of rights to separate priority dates. I will not be able to complete the mapping until the week of November 12 and request at this time that you would continue to hold these four items:


- #3872 Marian Allen Cook and Lawrence Allen
- #4050 John Platt - amendment required
- #4204 Helquist, Suffridge and Maston
- #4237 Jack Vogt/Horshoe Acres

All other transfers have not yet been submitted to you and will be accomplished with the use of the mapping system you require. We are in the process of setting up a procedure in cooperation with Sun Country Engineering involving the use of chronaflex maps of each section of our District done in a scale of 1" = 400' and are having the County prepare sepias of the tax lot maps on the same scale. In this manner the tax lot map will be transparent to be used as an overlay over a 1979 aerial of the property so that all of the physical characters of the property will be shown in addition to size. I think this will be helpful to the water-master also in walking the property at a later date. We will provide you with 4 blue-line copies of the tax lot map and one of the chronaflex if this will meet your requirements.

Please let me know if you have any other suggestions on the revision of our transfer process.

Sincerely,

TUMALO IRRIGATION DISTRICT


Jan Boettcher
District Manager

JB:st