

Name William C. Martin

By _____

Address 2908 First National Bank Tower

Portland, Oregon 97201

Change in POU

Date filed Feb. 22, 1978

Date of hearing _____

Place of hearing _____

Date of order 9-15-78 Vol. 31, page 238

Date for application of water 10-1-80

Proof mailed SEP 8 1980 MAR 31 1987

Proof received June 5, 1987

Certificate issued _____ Vol. _____, page _____

T 3888
DESCRIPTION OF WATER RIGHT

Name of stream Squaw Creek

Trib. of _____ County of Deschutes

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority _____

In name of Nb. Squaw Cr. Irr. Dist.

Squaw Creek Adjudication, Vol. 1, page 128
471

App. No. _____ Per. No. _____ Cert. No. 302 B, 150 B

Certificate cancelled _____

Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>2-22-78</u>	<u>30-</u>	<u>1239</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

— finis —

SEE T-4074 when survey complete

proof completed on Puley portion 8^o (Nov. 11, 1895) see T. 4074

complete with Russell proof received

Form 130 sent APR 30 1987 sent to Martin in error

2nd reminder sent to Russell MAY 21 1987

W.R.I.S.

Assembled 5-6-85 by SEA

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:

Entered

Checked

Name

Stream

Pl. of Div.

Calendar

CHECKED TO RECORDS:

Twp. & Rng.

Decree-vault

Decree-safe

Cert. of W.R.

Per. Folder

Chadler

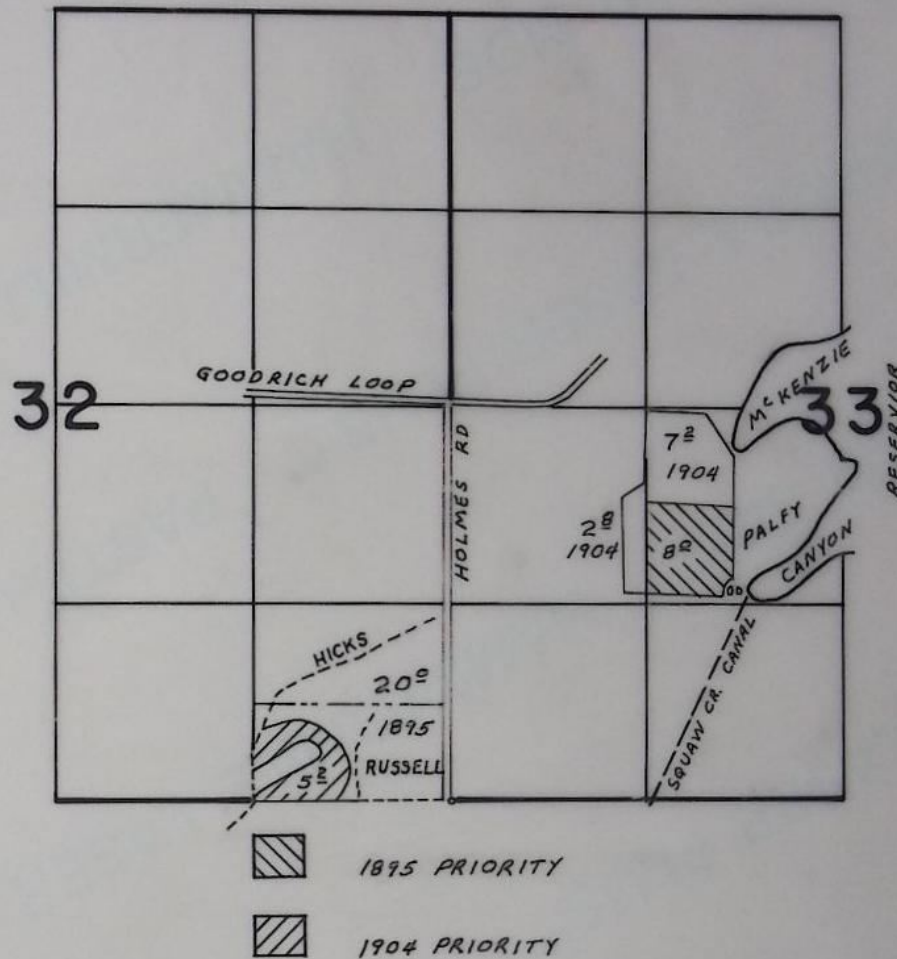
Cross Ref.

Power Claim

Abstracts

Map Book

T.14S. R.11E. W.M.



FINAL PROOF SURVEY UNDER

TRANSFER NO. 3888

Application No. Permit No.

IN NAME OF

STEVE PALFY

.....A. GORDON RUSSELL.....

Surveyed MAY. 28... 1980., by L.H. NUNN.....

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION)
OF WILLIAM C. MARTIN (SQUAW)
CREEK IRRIGATION DISTRICT) FOR)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM SQUAW CREEK)

ORDER APPROVING
TRANSFER NO. 3888

On February 22, 1978, an application was filed in the office of the Water Resources Director by William C. Martin for approval of a change in place of use from Squaw Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 302, Volume 1, State Record of Water Right Certificates, in the name of Squaw Creek Irrigation Company, describes a right, tabulated in the name of Alex Thomson, which includes the use of water from Squaw Creek for irrigation of 4.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 14 South, Range 11 East, W.M., with a date of priority of November 11, 1895.

The certificate recorded at page 850 of said Volume 1, in the name of Squaw Creek Irrigation Company, describes a right, tabulated in the name of Chinook Land Company, which includes the use of water from Squaw Creek for irrigation of 4.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 14 South, Range 11 East, W.M., with a date of priority of 1895.

As modified in accord with the provisions of the order of the State Engineer entered October 26, 1925, approving transfer application No. L-14, a part of the right previously described by the certificate recorded at page 269 of said Volume 1, in the name of Samuel H. Davis, now exists for the use of water from Squaw Creek for irrigation of, among other lands, 8.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 14 South, Range 11 East, W.M., with a date of priority of 1904.

The above described lands are irrigated by means of the Squaw Creek Irrigation District Canal.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 4.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, with a date of priority of November 11, 1895; 4.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, with a date of priority of 1895; and 8.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, with a date of priority of 1904; all in Township 14 South, Range 11 East, W.M.

The lands involved herein are within the boundaries of the Squaw Creek Irrigation District and said District approved the proposed change in place of use of water January 3, 1978.

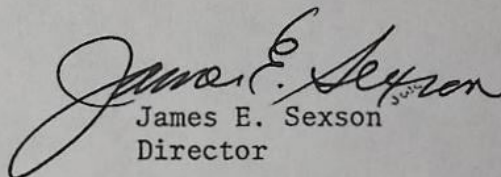
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

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 certificates of water right recorded at pages 302, 850 and 269, Volume 1, State Record of Water Right Certificates, be canceled; and in lieu thereof new certificates of water right be issued to Squaw Creek Irrigation District confirming the change authorized herein, prior changes within the District and covering the balance of the rights NOT involved in the transfer proceedings.

Dated at Salem, Oregon this 15th day of September, 1978.


James E. Sexson
Director

BEFORE THE STATE ENGINEER OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
THE LUMBERMENS TRUST COMPANY BANK)
FOR THE APPROVAL OF AN EXCHANGE OF WATER)
RIGHTS BETWEEN TWO BODIES OF LAND WITHIN)
THE SQUAW CREEK IRRIGATION DISTRICT.)

ORDER

Trans. 2-14

Now at this time this matter coming on for consideration by the State Engineer, and it appearing that in the adjudication of rights to the waters of Squaw Creek and its tributaries, water rights from Squaw Creek were allowed for the irrigation of the following lands:

Tract #1.

13 $\frac{1}{2}$ acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
36 $\frac{1}{2}$ acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
39 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
28 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
18 ac res in the N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 33,
T. 14 S., R. 11 E. W. M.

Tract #2.

40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
20 acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$
39 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
36 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 8,
T. 15 S., R. 11 E., W. M.

The priority of the rights above enumerated for Tract No. 1 is 1895, and of the rights enumerated for Tract No. 2 is 1904. Said lands are now owned by the Lumbermens Trust Company Bank, the petitioner herein. It is now desired that the water rights appurtenant to Tract No. 1 be transferred to Tract No. 2, and the water rights appurtenant to Tract No. 2 be transferred to Tract No. 1, for the reason that it will be more practicable in the management of the farming operations pertaining to said lands to have the earlier water rights appurtenant to the lands in Section 8. Both of said tracts are within the Squaw Creek Irrigation District, which district has submitted its written approval of such exchange.

And the State Engineer having duly considered said matter, and it appearing that no injury will result to any other appropriators should such exchange be permitted;

NOW, THEREFORE, it is hereby ORDERED that said exchange of water rights be and the same is hereby approved.

Dated this 16th day of August, 1927, at Salem, Oregon.
Special Order Volume #1, RHEA LUPER,
Pages 357 - 358. State Engineer.

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
GEO. M. COOLEY FOR THE APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER FROM)
SQUAW CREEK, PURSUANT TO THE PROVISIONS)
OF SECTION 116-606, O. C. L. A.)
-----)

O R D E R

APPROVING APPLICATION

C-47

On March 24, 1945, Geo. M. Cooley, R. R., Redmond, Oregon, filed an application for the approval of a change in place of use of water from Squaw Creek.

By decree of the Circuit Court for Crook County in the matter of the determination of the relative rights to the use of the waters of Squaw Creek and its tributaries a water right was recognized in the name of the Squaw Creek Irrigation Company, now Squaw Creek Irrigation District, for the irrigation of, among other lands, 39 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 15 South, Range 11 East, W. M., with a date of priority of November 11, 1895, and in the name of Samuel H. Davis for the irrigation of, among other lands, 20 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, Township 15 South, Range 11 East, W. M., with a date of priority of 1889.

The applicant herein, owner of the above-described land, proposes to transfer the water right appurtenant to 20 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 15 South, Range 11 East, W. M., with a date of priority of November 11, 1895, to 20 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 8; and simultaneously transfer the water right appurtenant to 20 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, Township 15 South, Range 11 East, W. M., with a date of priority of 1889, to 20 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 8.

Notice by publication as provided by Section 116-606, O. C. L. A., was not given in connection with this application for the reason that said section provides that notice is not required on applications for only a change in place of use of water.

All the lands involved herein are within the boundaries of the Squaw Creek Irrigation District.

The Squaw Creek Irrigation District, through its secretary, has approved the proposed change in place of use of water, and it appearing that the proposed change may be made without injury to existing rights, the application should be approved.

Inasmuch as this application involves only an exchange of water rights it is not necessary to fix a time for the complete application of water to beneficial use.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water be and the same hereby is approved, and the water rights hereinbefore described as appurtenant to 20 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, Township 15 South, Range 11 East, W. M., with a date of priority of November 11, 1895, and 20 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, said Section 8, with a date of priority of 1889, be severed therefrom and simultaneously and without loss of priority be transferred to 20 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, Township 15 South, Range 11 East, W. M., with a date of priority of November 11, 1895, and 20 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, said Section 8, with a date of priority of 1889.

Dated at Salem, Oregon, this 29th day of March, 1945.

CHAS. E. STRICKLIN
State Engineer

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF CROOK.

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That SAMUEL H. DAVIS,
 of Sisters, State of Oregon, has a right to the use of
 the waters of SQUAW CREEK, a tributary of the Deschutes River, in Crook County,
 Oregon,

for the purpose of irrigation and domestic use, (irrigation during the irrigation
 season)

and that said right has been confirmed by decree of the Circuit Court of the State of
 Oregon for Crook County, and the said decree entered of record at Salem,
 in the Order Record of the Board of Control of the State of Oregon, in Volume 1, at
 page 120 ; that the priority of the right hereby confirmed dates from 1889
 for domestic use and the irrigation of twenty (20) acres of land and from
 1904 for the irrigation of one hundred and thirty-five (135) acres of land;

that the amount of water to which such right is entitled and hereby confirmed for the
 purpose aforesaid, is limited to an amount actually beneficially used for said pur-
 pose s, and shall not exceed .4 cubic feet per second as of date 1889 and 2.7
 cubic feet per second as of date 1904.

A description of the lands irrigated under such right, and to which the water
 hereby confirmed is appurtenant, or, if for other purposes, the place where such water
 is put to beneficial use, is as follows:

40 acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$; 39 acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$; and
 36 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$; Sec. 8, Tp. 15 S. R. 11 E., W. M., in Crook County,
 Oregon.

	Cert ⁴⁴	Trans.	Trans
	269	L-14	C-47
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0	40.0	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0	20.0	20.0
SW $\frac{1}{4}$ SW $\frac{1}{4}$	39.0	39.0	
SE $\frac{1}{4}$ SW $\frac{1}{4}$	36.0	36.0	

Transfer:

See Sp. Or. Vol. 1 page 357 - L-14

rwd

Also Sp. Or. Vol 5 p. 41 - C-47.

The right to the use of the water aforesaid hereby confirmed is restricted to the
 lands or place of use herein described.

WITNESS the seal and signature of the Board

of Control, affixed this 29th day

of November, 1911.

(Seal of Board of Control)

BOARD OF CONTROL

By JOHN H. LEWIS,
State Engineer, President

Attest:

M. B. Wann,
Secretary

Recorded in State Record of Water Right Certificates, Volume 1, page 269