

4001 Lyche, Bussard  
et. al.

4001

Name Lyche, Bussard, et. al.

By \_\_\_\_\_

Address P.O. Box 1174Bend, OR 97701Change in POUDate filed July 31, 1978

Date of hearing \_\_\_\_\_

Place of hearing \_\_\_\_\_

Date of order 5-25-79 Vol. 32, page 158Date for application of water 10-1-80

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

## DESCRIPTION OF WATER RIGHT

Name of stream Squaw CreekTrib. of \_\_\_\_\_ County of DeschutesUse irrigation

Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_

Name of ditch Squaw Cr. CanalDate of priority Nov. 11, 1895In name of Squaw Creek I.D. Black Butte L.F.L. Co.Squaw Creek Adjudication, Vol. 1, page 82App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 302 primary

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

Permit No 29312 supplemental

## FEES PAID

Date	Amount	Receipt No.
<u>7-31-78</u>	<u>55.00</u>	<u>5168</u>
TOTAL . . .		
	Cert. Fee	

## FEES REFUNDED

Date	Amount	Check No.

exam 2082  
POU 1750  
3750  
To: T-4208 1000  
4750

3500  
4750  
2250 refund

## REMARKS

CARD FOR C NOV 4 1980

W.R.I.S.

Assembled 6-17-85 by SM

Entered \_\_\_\_\_

Verified \_\_\_\_\_

INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>lg</u>	_____
<input checked="" type="checkbox"/> Stream	<u>lg</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	<u>lg</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>lg</u>	_____
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Ege.	<u>lg</u>	<u>lg</u>
<input checked="" type="checkbox"/> Decree-vault	<u>lg</u>	_____
<input checked="" type="checkbox"/> Decree-safe	<u>lg</u>	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>lg</u>	_____
<input type="checkbox"/> Per. Folder	_____	_____
<input type="checkbox"/> Chaindex	_____	_____
<input type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	<u>lg</u>	_____
<input type="checkbox"/> Abstract	<u>lg</u>	_____
<input checked="" type="checkbox"/> Squaw Cr. Map	<u>lg</u>	_____

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BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
DESCHUTES AND JEFFERSON COUNTIES

IN THE MATTER OF THE APPLICATION)  
OF WILLIAM D. LYCHE AND JAMES E.)  
BUSSARD, ET.AL. (SQUAW CREEK )  
IRRIGATION DISTRICT) FOR )  
APPROVAL OF A CHANGE IN PLACE OF)  
USE OF WATER - - - - - )

ORDER APPROVING  
TRANSFER NO. 4001

On July 31, 1978, an application was filed in the office of the Water Resources Director by William D. Lyche and James E. Bussard, et. al. for approval of a change in place of use of water from Squaw Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Crook County, Oregon, entered May 1, 1911, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Squaw Creek, a water right was allowed in the name of Squaw Creek Irrigation Company, (now Squaw Creek Irrigation District) tabulated in the name of Black Butte Land and Livestock Company, at page 82, Volume 1, for the use of the waters of Squaw Creek for the irrigation of, among other lands, a certain 27.0 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; 30.5 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; 2.5 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 1, Township 14 South, Range 11 East, W. M., with a priority date of November 11, 1895, as described by the certificate recorded at page 302, Volume 1, State Record of Water Right Certificates. These lands are irrigated by means of the Squaw Creek canal and said lands also have a supplemental right under permit No. 29312 to the use of water stored in Squaw Creek Reservoir with a date of priority of February 5, 1964.

The applicants herein, contract purchasers of the lands above described, propose to transfer the water right therefrom, without loss of priority, and to irrigate in lieu thereof a certain 22.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 31, Township 13 South, Range 12 East, W. M., and 38.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 6, Township 14 South, Range 12 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.

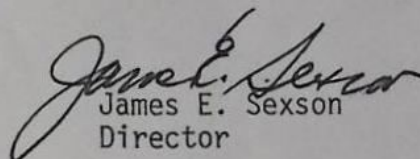
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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 receipt of 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, a certificate of water right shall be issued to Squaw Creek Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 25th day of May, 1979.

  
James E. Sexson  
Director



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
JEFFERSON COUNTY

IN THE MATTER OF CANCELLATION)  
OF A PORTION OF A WATER RIGHT)  
IN THE NAME OF SQUAW CREEK )  
IRRIGATION COMPANY \_ \_ \_ \_ \_ )

O R D E R

On April 26, 1979, Louise H.S. Morley submitted an affidavit that she is the owner of a certain water right and the lands to which the water right is appurtenant; that she has abandoned any and all interest in and to the said water right and request the same be canceled.

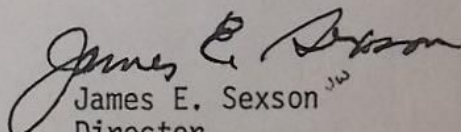
Also, on April 26, 1979, William D. Lyche and James E. Bussard, acting for themselves and as authorized agents for Harold L. Dunegan and William L. Stiles, submitted an affidavit that they are contract purchasers of said certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to said water right and request the same be canceled.

The water right in question was allowed by Decree of Circuit Court for Crook County, entered May 1, 1911, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Squaw Creek, tabulated at page 85, Volume 1, Order Record of the Water Resources Director, in the name of Squaw Creek Irrigation Company, and is a portion of the right described by the certificate recorded at page 302, Volume 1, State Record of Water Right Certificates, and is for the use of not to exceed 0.5 cubic foot per second of water from Squaw Creek, with a date of priority of November, 1904, for irrigation of 25.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 31, Township 13 South, Range 12 East, W. M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 302, Volume 1, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 25th day of May, 1979.

  
James E. Sexson  
Director



T-4001

10.0 NW $\frac{1}{4}$  NE $\frac{1}{4}$

Section 11

16.2 SW $\frac{1}{4}$  SE $\frac{1}{4}$

17.5 SE $\frac{1}{4}$  SE $\frac{1}{4}$

Section 2

4.0 NE $\frac{1}{4}$  SW $\frac{1}{4}$

14.5 SW $\frac{1}{4}$  NE $\frac{1}{4}$

3.5 SE $\frac{1}{4}$  NE $\frac{1}{4}$

10.0 NE $\frac{1}{4}$  NE $\frac{1}{4}$

Section 1

20.5 NE $\frac{1}{4}$  NE $\frac{1}{4}$

Section 12

T. 14 S., R. 11 E., W. 1 M.

2.5 NE $\frac{1}{4}$  NW $\frac{1}{4}$

Section 7

23.5 NW $\frac{1}{4}$  SW $\frac{1}{4}$

19.0 NE $\frac{1}{4}$  SW $\frac{1}{4}$

2.0 SW $\frac{1}{4}$  SW $\frac{1}{4}$

24.5 SE $\frac{1}{4}$  NW $\frac{1}{4}$

30.0 NW $\frac{1}{4}$  NW $\frac{1}{4}$

Section 6

T. 14 S., R. 12 E., W. 1 M.

27.0 SW $\frac{1}{4}$  SW $\frac{1}{4}$

35.5 SE $\frac{1}{4}$  SW $\frac{1}{4}$

10.0 NW $\frac{1}{4}$  SW $\frac{1}{4}$

32.0 NE $\frac{1}{4}$  SW $\frac{1}{4}$

18.0 NE $\frac{1}{4}$  SE $\frac{1}{4}$

Section 31

26.0 SE $\frac{1}{4}$  NW $\frac{1}{4}$

33.0 NE $\frac{1}{4}$  NW $\frac{1}{4}$

Section 29

18.0 NW $\frac{1}{4}$  NE $\frac{1}{4}$

19.0 SE $\frac{1}{4}$  NE $\frac{1}{4}$

40.0 NE $\frac{1}{4}$  SE $\frac{1}{4}$

40.0 SE $\frac{1}{4}$  SE $\frac{1}{4}$

37.0 NW $\frac{1}{4}$  SE $\frac{1}{4}$

40.0 SW $\frac{1}{4}$  SE $\frac{1}{4}$

Section 20

T. 13 S., R. 12 E., W. 1 M.

March 14, 1973 - affidavit stating non-use on part since Dec 1965 received from contract purchaser of lands - see file 2665 & T-3837

Cancelled Sp. Or. Vol. 4, p. 518

STATE OF OREGON.

WATER DIVISION No. 2, COUNTY OF DESCHUTES & JEFFERSON

CERTIFICATE OF WATER RIGHT  
(For rights perfected under original and secondary permits)

THIS IS TO CERTIFY, That BLACK BUTTE LAND AND LIVE STOCK COMPANY, of Lower Bridge, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Squaw Creek and

tributaries, a tributary of Deschutes River, for the purpose of the irrigation of 573.2 acres of land under Enlargement Permit No. 155 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1, at Page 329, on the 28th day of July, 1919; that the priority of the right hereby confirmed dates from September 9, 1912; 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 7.17 cubic feet per second, or its equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system ordered by the proper State Officer.

A description of the lands 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: 10 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 11: 16.2 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 17.5 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 2: 4 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ ; 14.5 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; 3.5 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; 10 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 1: 20.5 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 12: Township 14 South, Range 11: 2.5 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 7: 23.5 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ ; 19 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ ; 2 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ ; 24.5 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; 30 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 6, Township 14 S. R. 12: 27 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ ; 35.5 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; 10 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ ; 32 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 18 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31: 26 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ ; 33 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 29: 18 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ ; 19 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; 40 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; 10 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ ; 37 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 40 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 20, Township 13 South, Range 12: All East of Willamette Meridian, in Deschutes and Jefferson Counties, Oregon.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS THE Seal and signature of the STATE WATER BOARD  
Affixed this 1st day of August, 1919.

STATE WATER BOARD.

By PERCY A. CUPPER,  
(SEAL OF STATE WATER BOARD) State Engineer, President.

Attest:

R. W. POTTER,  
Secretary.

Recorded in State Record of Water Right Certificates, Volume 3, Page 2396.

affidavit to cancel part Oct 13, 1973  
affidavit to cancel part Apr 12, 1977