

Name Bussard, Lyche, et al.

4208

By _____

Address P.O. Box 1174
Bend, OR 97701

DESCRIPTION OF WATER RIGHT

Change in POU

Date filed April 26, 1979

Date of hearing _____

Place of hearing _____

Date of order 5-25-79 Vol. 32, page 160

Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

Name of stream Squaw Creek

Trib. of _____ County of Deschutes

Use _____

Quantity of water _____ No. of acres 20⁰⁰

Name of ditch Squaw Creek Canal

Date of priority 1895

In name of Squaw Creek Irrigation District
sub. under Black Butte Land Co.

Squaw Creek Adjudication, Vol. 1, page 474

App. No. _____ Per. No. _____ Cert. No. 850a primary

Certificate cancelled _____

Notation made on record by _____

Permit No 29312 supplemental

FEES PAID

Date	Amount	Receipt No.
<u>4-26-79</u>	<u>20-</u>	<u>10565</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

*exam 20⁰⁰
POU 10⁰⁰ - from T-4001
30⁰⁰*

to survey 1/81

REMARKS

See Tr 4001 for statements from District & Louise Morely

CARD FOR C NOV 4 1980

W.R.I.S.	
Assembled <u>5-2-85</u> by <u>SJR</u>	
Entered _____ by _____	
Verified _____ by _____	

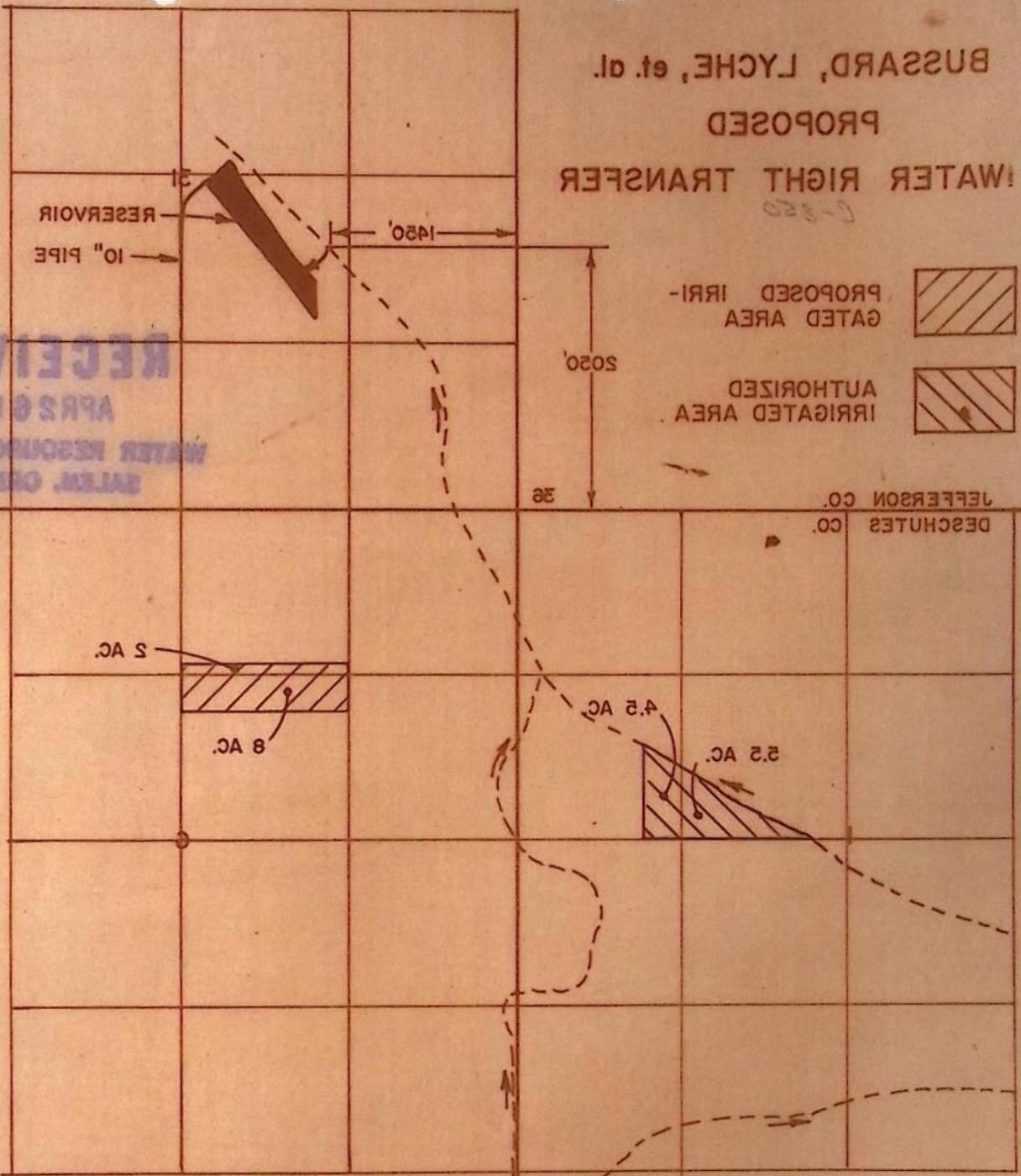
TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Stream	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>lgj</u>	_____
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Ege.	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Decree-vault	<u>lgj</u>	<u>lgj</u>
<input checked="" type="checkbox"/> Decree-sale	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Cert. on W/R	<u>lgj</u>	_____
Per. folder	_____	_____
Chainindex	_____	_____
Cross Ref.	_____	_____
Power Claim	_____	_____
<input checked="" type="checkbox"/> Abstracts	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Squaw Cr. Map	<u>lgj</u>	_____

T-4508

PROPOSED WATER RIGHT TRANSFER

BUSSARD, LYCHE, et. al.

6-22-50



PROPOSED IRRIGATED AREA

AUTHORIZED IRRIGATED AREA

RECEIVED
APR 28 1950
WATER RESOURCES DEPT.
SALEM, OREGON

T. 13 S.
T. 14 S.

JEFFERSON CO.
DESCHUTES CO.

SQUAW CREEK CANAL

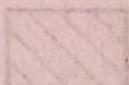
NORTH
4" = 1 mile

Drawn By N.O.	Checked By G.H.	Approved By	Survey By	Date 8-24-50	Scale 4" = 1 mi	Drawing No 413-001 A9
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CENTURY WEST ENGINEERING CORPORATION
BEND, OREGON

T-4208

BUSSARD, LYCHE, et al.
PROPOSED
WATER RIGHT TRANSFER
C-850



PROPOSED IRRIGATED AREA



AUTHORIZED IRRIGATED AREA

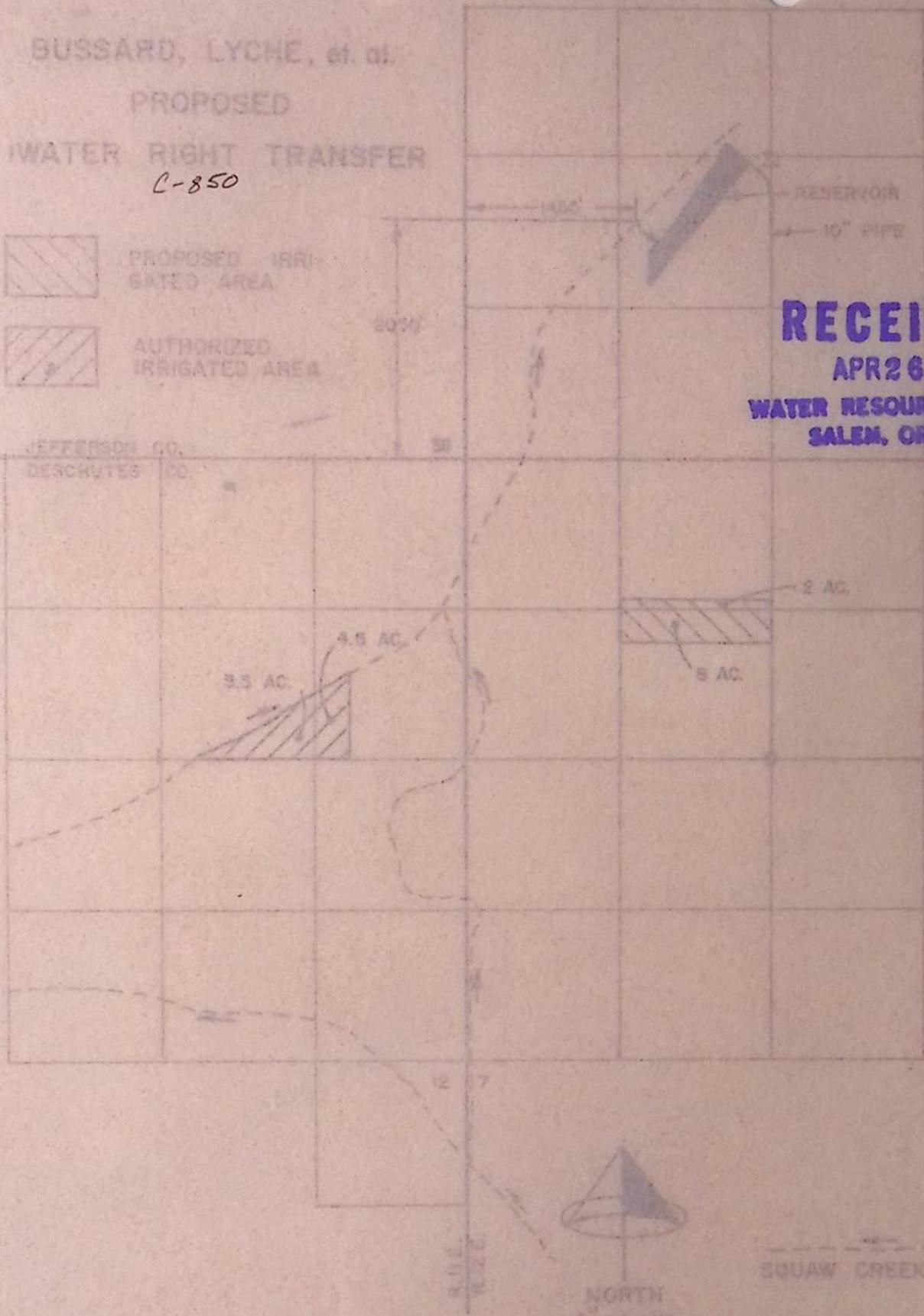
RECEIVED

APR 26 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**

JEFFERSON CO.
DESCHUTES CO.

155
143



SQUAW CREEK CANAL

NORTH
5" = 1 mile

N.O.

G.H.

8 26 75

4" = 1 mi

413-001 09

CENTURY WEST ENGINEERING CORPORATION

RENO,
OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

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. 4208

On April 26, 1979, 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 September 19, 1914, 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 Company at page 474, Volume 1, for the use of the waters of Squaw Creek for the irrigation of, among other lands, a certain 5.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 4.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 14 South, Range 11 East, W.M., with a date of priority of 1895, as described by the certificate recorded at page 850, 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 2.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 8.0 acres in SE $\frac{1}{4}$ 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.

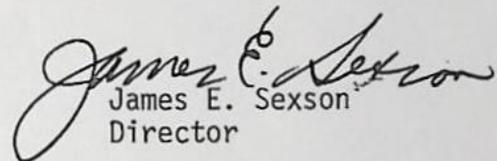
No objection having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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 BLACK BUTTE)
LAND AND LIVESTOCK 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.

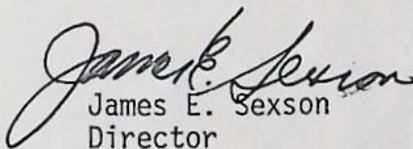
Also, on April 26, 1979, William D. Lyche and James E. Bussard, acting for themselves and as authorized agents for Harold L. Dunegan and William L. Stiles, submitted an affidavit that they are contract purchasers of said certain water right and the lands to which the water right is appurtenant; that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

The water right in question is a portion of the right described by the certificate recorded at page 2398, Volume 3, State Record of Water Right Certificates, in the name of Black Butte Land and Livestock Company, and is for the use of not to exceed 0.44 cubic foot per second of water from Squaw Creek, with a date of priority of September 9, 1912, for irrigation of 35.5 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 2398, Volume 3, State Record of Water Right Certificates, is canceled.

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


James E. Sexson
Director

SQUAW CR

WRJT-0982-01

*** 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. 1000042081 PERMIT NO. 001 974 CERTIF. NO. 0000850
ORIG. NO. C000008501 PREV. NO. C000008501 SUPER. NO.

NAME: BUSSARD, ET AL

ADDRESS: SCID, 6810 HOLMES RD

CITY/STATE/ZIP/COUNTY: REDMOND, OR 97756

09

STREAM-ID 05 1980 1220

RIV.MI.

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

CANCEL YEAR-->

CONSTR.COMPLT--> 10 01 1980

YR. LAST USED-->

NEXT ACTION DUE-->

PRIORITY--> 11 11 1895

PUT TO USE--> 10 01 1980

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 04 26 1979

SURVEYED-->

EXAM. FEE--> 20.00

RECORDING FEE--> 10.00

PERMIT ISSUE--> 05 25 1979

CONCURRENCE-->

CYCLE STATUS-->

REPORTED FLAG-->

CONSTR. STRT.--> 05 25 1979

CERTIFIED-->

CORRES. INIT.-->

CORRES. DATE-->

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

RIV.MI. RATE

STATUS S OR P

05 1980 1220

V P
|)

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

** CHANGES FOR PART OF SQUAW

** CREEK I.D. C-850.

** - - - - -

** - - - - -

** - - - - -

** - - - - -

** - - - - -

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

1905 120E 06 B A 09 1R 100 2.00 V P

1 | | B D | | 8.00 | |

W.R.I.S.	
Assembled	5-2-85 by SJK
Entered	_____ by _____
Verified	_____ by _____

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
JEFFERSON COUNTY

IN THE MATTER OF CANCELLATION)
OF A WATER RIGHT _ _ _ _ _)

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.

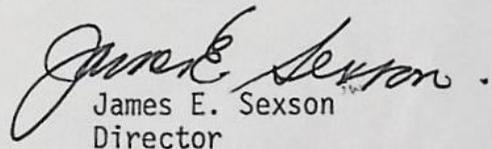
Also, on April 26, 1979, William D. Lyche and James E. Bussard, acting for themselves and as authorized agents for Harold L. Dunegan and William L. Stiles, submitted an affidavit that they are contract purchasers of said certain water right and the lands to which the water right is appurtenant; that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

The water right in question became appurtenant to said lands under the provisions of an order of the State Engineer approving transfer application No. S-12, in the name of Squaw Creek Irrigation District, entered October 19, 1936, and recorded at page 67, Volume 3, Special Order Record of the Water Resources Director, and is for the use of not to exceed 0.6 cubic foot per second of water from Squaw Creek, with a date of priority of 1904, for the irrigation of 30.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 14 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 order of the State Engineer recorded at page 67, Volume 3, Special Order Record of the Water Resources Director, is canceled.

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


James E. Sexson
Director

RECEIVED

APR 26 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

T-4208

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Bussard, Lyche, et al.

(Name of applicant)

of P. O. Box 1174

(Mailing address)

Bend

(City)

State of Oregon

97701

(Zip Code)

382-6455

(Phone number)

, do hereby make application for change

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? No. Squaw Creek I.D.

(If not, give name)

2. Was your water right determined by Decree of Court? No. Yes If so, give title of proceedings

(Yes or No)

Squaw Creek

number of certificate 850

3. Was your water right acquired by Water Right Permit? Yes If so, give number

(Yes or No)

of permit 29312

(Supplemental)

Number of certificate C-850

(Primary)

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 Squaw Creek

5. What is the date of priority of your water right? 1895

6. The authorized point of diversion is located 920 ft. S and 70 ft. E from the NW

(N. or S.)

(E. or W.)

corner of Sec 7 being within the NW 1/4 NW 1/4 of Section 7 Tp. 14S R. 12E W. M.,

(No. N. or S.) (No. E. or W.)

in the county of Deschutes The name of the ditch used is Squaw Creek Canal

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

7. The proposed point of diversion is located 2050 ft. N and 1450 ft. E from the SW

(N. or S.)

(E. or W.)

corner of Sec 31 being within the NE 1/4 SW 1/4 of Section 31 Tp. 13S R. 12E W. M.,

(No. N. or S.) (No. E. or W.)

in the county of Jefferson The name of the ditch to be used is Squaw Creek Canal

*Exam 2000
POU 1000
3000*

*Sec Trans. S-102
for POD on Squaw Cr.*

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:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
T 14 S	R 11 E	1	SW 1/4, NE 1/4	5.5
			SE 1/4, NE 1/4	4.5
			TOTAL	10.0

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? No, Purchaser under contract.
(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)

(see letter received July 31, 1978)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Contract	Louise Morely	\$190,000

13. The use to which the water is to be applied is 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 ¼-¼ of Section	Number Acres To Be Irrigated
T 14 S	R 12 E	6	NE 1/4, NW 1/4	2.0
			SE 1/4, NW 1/4	8.0
			TOTAL	10.0

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are To bring new lands under irrigation
due to the planned development of a well.

15. Construction work will be completed on or before October 1, 1979

16. The water will be completely applied to the proposed use on or before October 1, 1980

Remarks The applicant also wishes to transfer the supplemental supply
from stored water in the Squaw Creek Reservoir (Permit 29312)

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

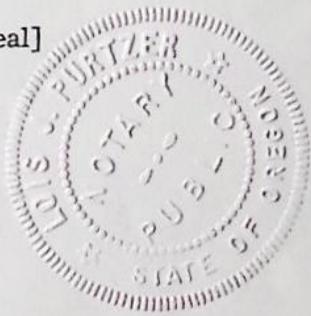
I, James E. Bussard / William Lyche, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 28th day of Aug, 1978

Bussard, Lyche et.al.
(Name of applicant)

Subscribed and sworn to before me this 30th day of August, 1978

[Notarial Seal]



Louis J. Purtzer
NOTARY PUBLIC FOR OREGON

My commission expires 8/5/79