

Name C.P. Gungura  
By Tumalo Irrigation Dist  
Address 64697 Cook Ave.  
Bend, OR 97701

Change in POU  
Date filed May 17, 1979  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 8-3-81 Vol. 35, page 66  
Date for application of water 10-1-82 ext 83-84  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_  
Back to survey Chandler portion only 7-26-88  
to survey 12-7-84

Surveyed 3/5/86 (Davis)

REMARKS

certified letter sent 5-18-88

Gungura

4222

DESCRIPTION OF WATER RIGHT

Name of stream Tumalo Creek  
Trib. of \_\_\_\_\_ County of Deschutes  
Use Irrigation  
Quantity of water \_\_\_\_\_ No. of acres 5<sup>±</sup>  
Name of ditch \_\_\_\_\_  
Date of priority Sept, 1900  
In name of Tumalo I.D.  
\_\_\_\_\_ Adjudication, Vol. 1, page 137 <sup>WJD</sup>  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 31410 <sup>SRA</sup>  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>5-17-79</u>	<u>30.00</u>	<u>10939</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

INDEX CARDS:

	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>EC</u>	<u>EC</u>
<input checked="" type="checkbox"/> Stream	<u>EC</u>	<u>EC</u>
<input checked="" type="checkbox"/> Pt. of Div.	<u>EC</u>	<u>EC</u>
<input checked="" type="checkbox"/> Calendar	<u>EC</u>	<u>EC</u>
CLERKED TO RECORDS:		
<input checked="" type="checkbox"/> Title of app.	<u>SRA</u>	<u>SRA</u>
<input checked="" type="checkbox"/> Dec. - suit	<u>WJD</u>	<u>WJD</u>
<input checked="" type="checkbox"/> Dec. - sale	<u>SRA</u>	<u>SRA</u>
<input checked="" type="checkbox"/> Cert. of W.R.	<u>SRA</u>	<u>SRA</u>
<input type="checkbox"/> Per. - order		
<input type="checkbox"/> Chaindex		
<input type="checkbox"/> Cross Ref.		
<input type="checkbox"/> Power Claim		
<input checked="" type="checkbox"/> Abstracts	<u>EC</u>	<u>EC</u>

W.R.I.S.

Assembled 5-2-85 by SRA

Entered \_\_\_\_\_ by \_\_\_\_\_

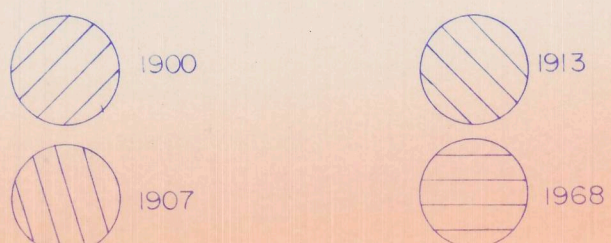
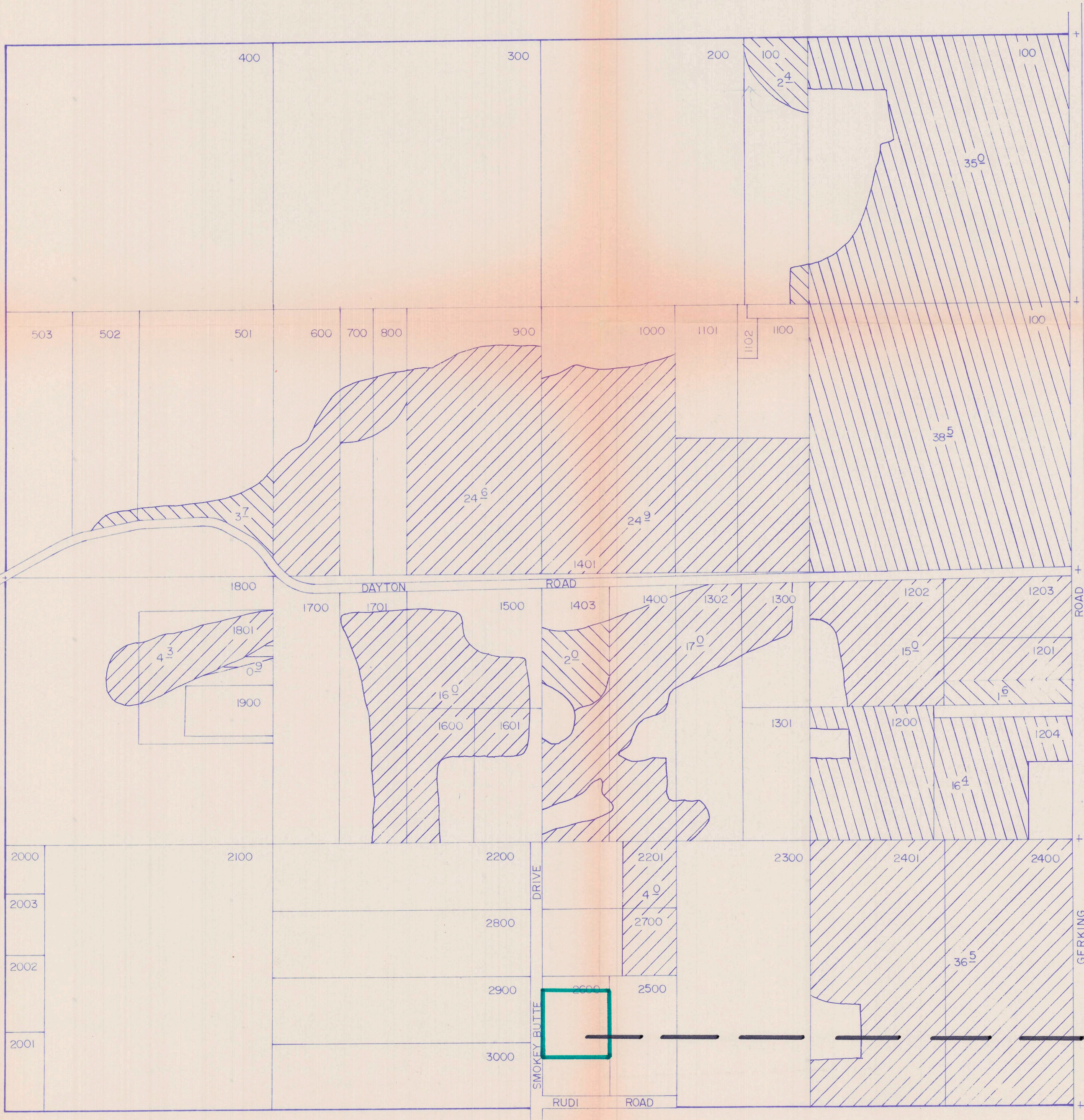
Verified \_\_\_\_\_ by \_\_\_\_\_



# SECTION 24 T.16S. R.11 E. W.M.

1" = 400'

T-4222



RECEIVED  
JUL 17 1981  
WATER RESOURCES DEPT.  
SALEM, OREGON

16-11-24

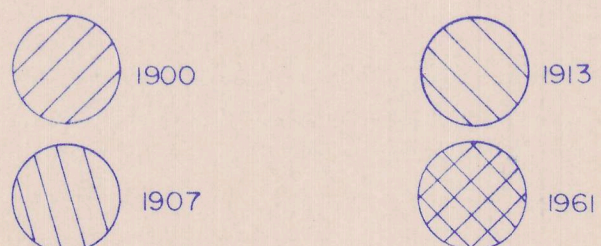
2.5 on



T-4222

5.0 OFF

WATER RESOURCES DEPT.  
SALEM, OREGON





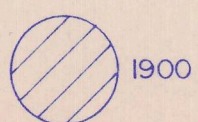
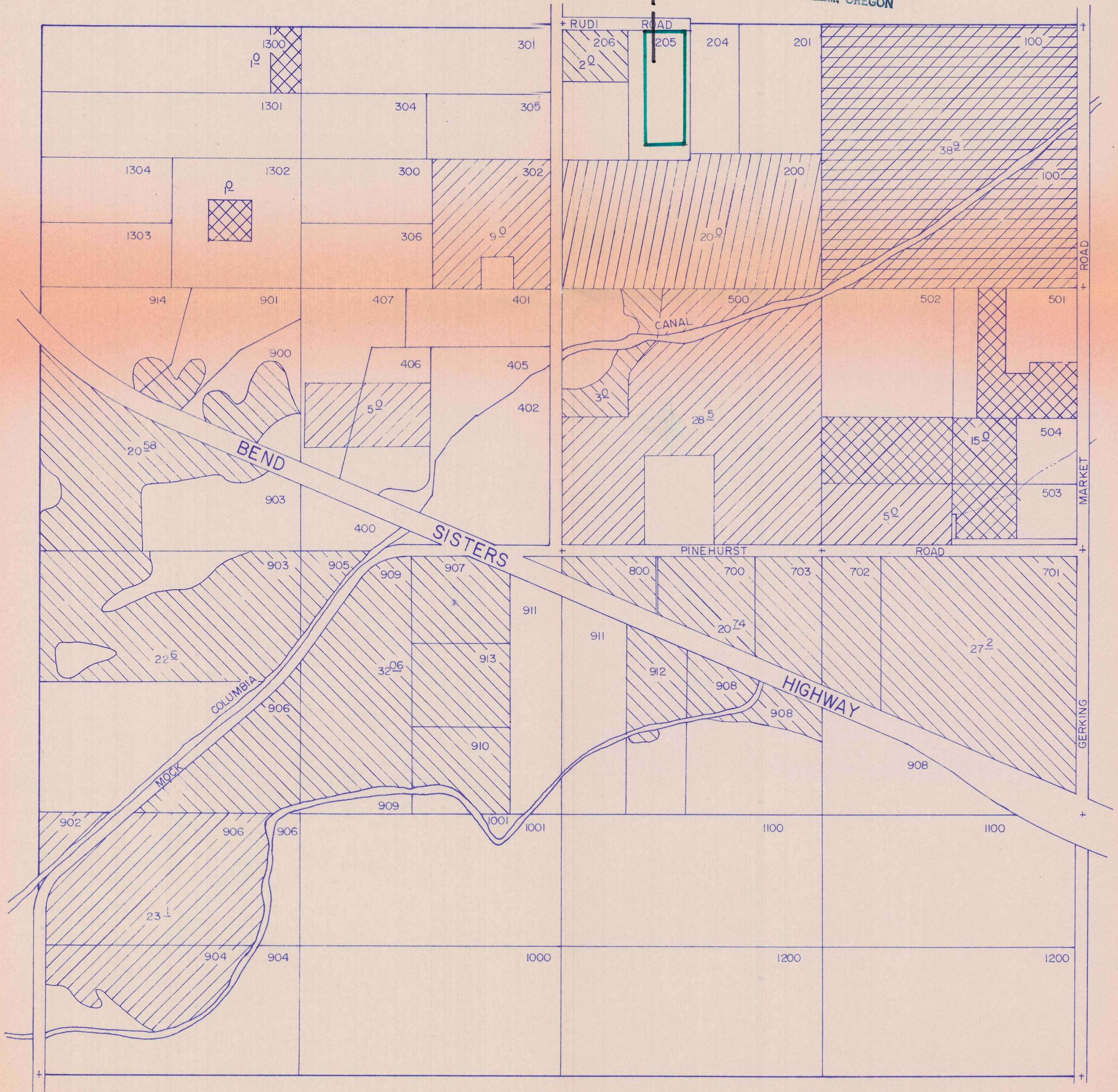
# SECTION 25 T.16S. R.11 E. W.M.

T-4222

1" = 400'

RECEIVED  
JUL 17 1981  
WATER RESOURCES DEPT.  
SALEM, OREGON

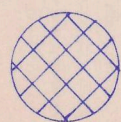
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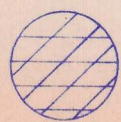
1900



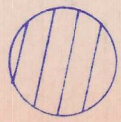
1913



1961



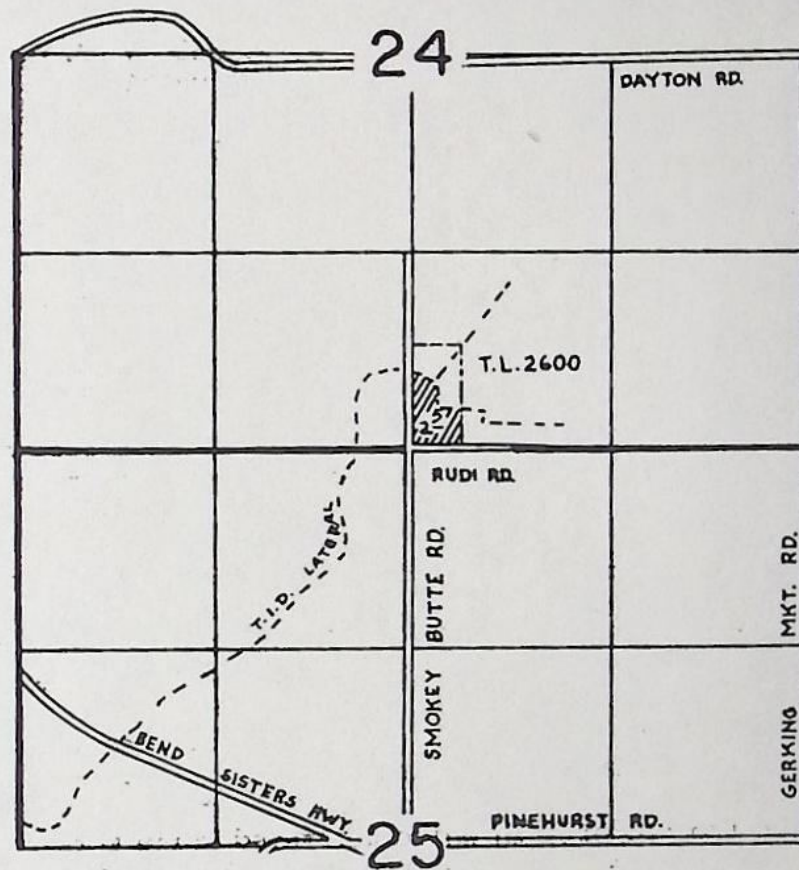
1905



1966



T.16S., R.11E., W.M.



SCALE: 1" = 1320'

**FINAL PROOF SURVEY**  
UNDER

TRANSFER NO. 4222

IN NAME OF

**MARGUERITE DAVIS**

Surveyed MARCH 5 1985., by LESLIE OLSON....



June 14, 1988

379-3739

Sue Coudre, Secretary  
Tumalo Irrigation District  
64697 Cook Avenue  
Bend, Oregon 97701

Dear Sue:

Ref. file T-4222

We had an adverse report for the Chandler portion of transfer 4222. You were made aware of this by carbon copy of my certified letter of May 18, 1988 to the Chandlers. The post office in Anchorage tried unsuccessfully to deliver the letter. The 1510 Oceanview address was changed to an Anchorage P.O. Box 112361, but the Chandlers had already closed out that box.

Would you please check your files or any other information available to you for a current address and inform me of the results? Leslie Olson sent a letter to them at P.O. Box 6261 in Bend for information on September 20, 1985 which was evidently delivered but produced no response.

The report leaves the door open just a crack so I don't want to see the right lost if it is possible to salvage it. Possibly the Chandlers have some information relative to beneficial use. We appreciate any help you may be able to provide.

Sincerely,

Bruce A. Estes, PLS, CWRE  
Senior Water Right Specialist

*Bonnie Chandler called 20 July 88  
They have now returned to area from Alaska. She claims  
use made in 84. Flood irrigated pasture grass, but had to  
move to Alaska for work in 85. She will send letter.  
BE*



**TUMALO IRRIGATION DISTRICT**

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

RECEIVED

MAR 29 1988

WATER RESOURCES DEPT  
SALEM, OREGON

March 25, 1988

Water Resources Department  
3850 Portland Rd. N.E.  
Salem, Oregon 97310

Attn: Steve Applegate

Re: Transfer 4222 - Final Proof

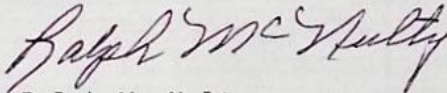
Dear Steve:

Tumalo Irrigation District would like your help to expedite the final proof survey on T-4222.

Mrs. Marquerite Davis has sold her water rights and wishes to transfer these rights. All that is holding up this process, is the final survey. She has proved up on her part and now is asking the State to finish theirs. This transfer had a October 1982 order date and the District feels that the two water users involved deserve consideration in having this finalized.

Any help you can give in this would be greatly appreciated.

Sincerely,



Ralph Mc Nulty  
Manager



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF )  
C.P. GUNGURA (TUMALO IRRIGATION )  
DISTRICT) FOR APPROVAL OF A CHANGE )  
IN PLACE OF USE OF WATER )  
-----

ORDER APPROVING  
TRANSFER 4222

On May 17, 1979, an application was filed in the office of the Water Resources Director by C.P. Gungura 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 Crook County, Oregon, entered May 1, 1911, 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 Albert Harper, tabulated at page 137, Volume 1, for irrigation of, among other lands, a certain 5.0 acres in SW 1/4 NE 1/4, Section 8, Township 16 South, Range 12 East, WM, with a date of priority of September 1900, as now described by certificate issued in the name of Tumalo Irrigation District and recorded at page 31410, Volume 23, 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, to the use of water from Deschutes River, with a date of priority of 1905; Certificate 26050, Volume 18, to 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, to the use of waters of Crescent Lake Reservoir, with a date of priority of April 7, 1911; and Permit 27841 for the use of waters of Crescent Lake Reservoir, with a priority date of December 8, 1961.

The applicant herein, owner of the lands above described, proposes to transfer the water rights therefrom, without loss of priority, to a certain 2.5 acres in Tax Lot 2600, SW 1/4 SE 1/4, Section 24 (Marguerite Davis) and 2.5 acres in Tax Lot 205, NW 1/4 NE 1/4, Section 25 (R.G. Davis) both Township 16 South, Range 11 East, WM.

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.



Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

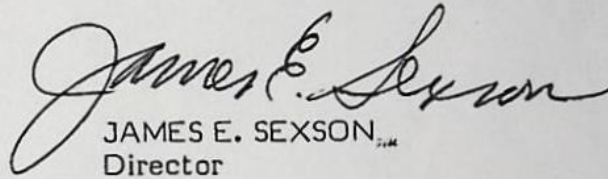
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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, 1982.

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

Dated at Salem, Oregon this 3rd day of August, 1981.

  
JAMES E. SEXSON  
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

6145A









## Water Resources Department

WATERMASTER DISTRICT 11

117 NW LAFAYETTE, BEND, OREGON 97701 PHONE 388-6670

RECEIVED  
MAR 24 1986  
WATER RESOURCES DEPT  
SALEM, OREGON

Sept. 20, 1985

Marguerite Davis  
760 Gretchen Rd.  
Chula Vista, CA 92012

RE: Transfer 4222

Dear Ms. Davis:

I am attempting to do the final proof survey for transfer 4222 which involves land that you own in T.16s.R.11E., Sec.24, W.M. near Bend, Or. This land is in the distribution system of the Tumalo Irrigation District.

The right in question is for 2.5 acres of irrigation. I need to know when you last put the water to use, for how many seasons you used it, what crop you had and the irrigation equipment, if any, used. This information is necessary to determine the nature and extent of beneficial use, if any. If there is somebody locally who has irrigated for you, you could have them give me a call.

I would appreciate a response to this letter within 30 days. Thank you for your time in this matter.

Sincerely,

*Leslie Olson*

Leslie Olson  
Water Rights Examiner



RECEIVED

JUL 25 1988

WATER RESOURCES DEPT.  
SALEM, OREGON

2401 S. W. Holden ST. G201  
Seattle, WA 98106

July 21, 1988

Bruce A. Estes  
Water Resources Department  
3850 Portland Road NE  
Salem, OR 97310

T-4222

Dear Bruce:

Per our conversation July 20th, I am in receipt of your letters dated May 18th and June 14, 1988. I received these letter on July 13, 1988.

Please be advised that on October 1, 1984, we mailed "Notice of Completion of Change In Place of Use of Irrigation Water Right Pursuant to Transfer Application" to verify that we did use our water to beneficial use. We did fertilize and plant pasture seed on the property. We also grew a garden. We used the pond and flood irrigated the property through small cannels. The property has a perfect gravity flow for watering in this matter. At the end of the property there are rocks for the run off. We had a small trailer on the property in which we stayed while working on the development of the land. We intended to build in the Spring of 1985 but due to economic conditions in Oregon we were forced to relocate in Alaska to secure income.

used in 89

We also intended to have live stock established on the property in Spring of 1985 and that is why we were establishing the pasture.

Let me know if you need further information. I appreciate you help in this matter.

Sincerely,

*Mr & Mrs David Chandler*

Bonnie K. Chandler  
David W. Chandler

Phone: 206) 762-5007





## Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3739

May 18, 1988

David & Bonnie Chandler  
1510 Oceanview  
Anchorage, AK 99515

REFERENCE: File T-4222

Dear Mr. & Mrs. Chandler:

According to the Field Inspection Report, use of water from Tumalo Creek, et. al, for irrigation of 2.5 acres was not made under the terms of the order approving Transfer 4222. Therefore, the right has been lost.

You have 60 days in which to submit proof that water was used beneficially under the terms of the transfer order; otherwise, an order will be entered canceling the right.

Sincerely,

Bruce A. Estes, PLS, CWRE  
Senior Water Right Specialist

BAE:ldh

cc: Robert F. Main, Jr., Watermaster Dist. #11  
Tumalo Irrigation District

CERTIFIED--RETURN RECEIPT REQUESTED





**Water Resources Department**  
**WATERMASTER DISTRICT 11**

117 NW LAFAYETTE, BEND, OREGON 97701 PHONE 388-6670

RECEIVED

MAR 24 1986

WATER RESOURCES DEPT.  
SALEM, OREGON

Sept. 30, 1985

Marguerite E. Davis  
760 Gretchen Rd.  
Chula Vista, CA 92010

RE: Tr. 4222

Dear Ms. Davis:

Thank you for your letter of Sept. 24. I need a bit more information in order to finish my report of your transfer. If you could please answer the following questions I would appreciate it.

- When was the water put to use. That is, which years was water applied to the ground. *1982*
- What was the intended purpose of the crop? Did you have hay cut or animals pastured? *pasture*
- What was the pump size in horsepower? Is it electric or gas? *1 1/2 hp elect*
- What type of sprinklers were used, how many? *impulse*

If you do not know this information, you need to obtain it from your irrigator or you could have them contact me. Please do not ask me to contact them for you.

Thank you very much for your time.

Sincerely,

*Leslie Olson*  
Leslie Olson  
Water Rights Examiner

*Marguerite E. Davis*





STATE OF OREGON

INTEROFFICE MEMO

TO: Steve Applegate  
Water Rights

FROM: Bob Main  
Watermaster Dist. 11

SUBJECT: Transfer 4222

DATE: February 16, 1988

RECEIVED

FEB 17 1988

WATER RESOURCES DEPT.  
SALEM, OREGON

Tumalo Irrigation Dist. has asked that final proof be completed as soon as possible. A re-transfer application is pending in their office.

Tumalo Irrigation Dist. made a complete set of maps of their water rights at a scale of 1" = 400', showing all tax lots that are involved with water rights. All maps are made at this scale. It is the intent of the district to maintain this set of 1" = 400' mylars, and it would be helpful to them if final proof maps in their district were done at this same scale.

RFM/ss



RECEIVED

JUL 17 1981

WATER RESOURCES DEPT.  
SALEM, OREGON

Amended  
**Application for Transfer of Water Right**

T-4222  
( Amended )

To the WATER RESOURCES DIRECTOR OF OREGON:

I, C. P. Gungura  
(Name of applicant)  
of C/O Tumalo Irrigation District, 64697 Cook Ave., Bend  
(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? Albert Harper  
(If not, give name)

2. Was your water right determined by Decree of Court? yes If so, give title of proceedings  
Tumalo Creed Adjudication (Yes or No)  
(Water Resources Records, Vol. 1, page 137) number of certificate 31410

3. Was your water right acquired by Water Right Permit? no 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, tributary of the Deschutes River

5. What is the date of priority of your water right? September, 1900

6. 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 Deschutes The name of the ditch used is Columbia Southern

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:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
16 South	12 EWM	8	SW¼ NE¼	5.0 acres

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes; deed copy attached to original application  
(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.? yes recorded May 23, 1977, book 250, page 810  
(Answer Yes or No) County of Deschutes

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

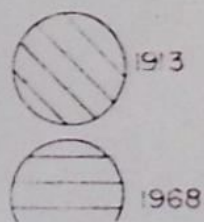
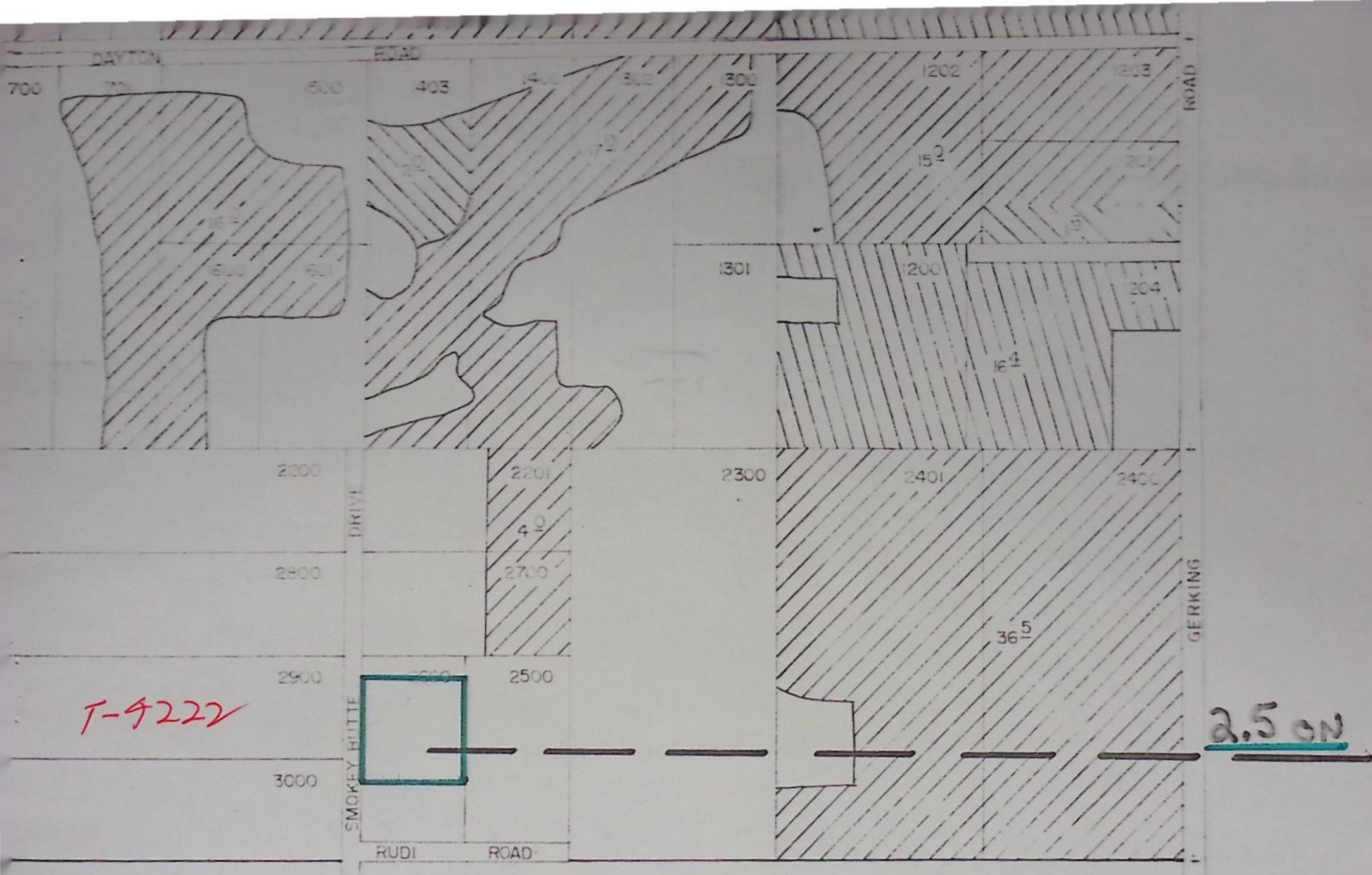
13. The use to which the water is to be applied is irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

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
16 South	11 EWM	24	SW¼, SE¼ Tax Lot 2600	2.5 acres Marguerite Davis
16 South	11 EWM	25	NW¼ NE¼ Tax Lot 205	2.5 acres R.G. Davis

(If more space required, attach separate sheet)





RECEIVED  
JUL 17 1981  
WATER RESOURCES DEPT.  
SALEM, OREGON

16-11-24



SECTION 25 T.16S. R.11 E. W.M.

 $1'' = 400'$ 

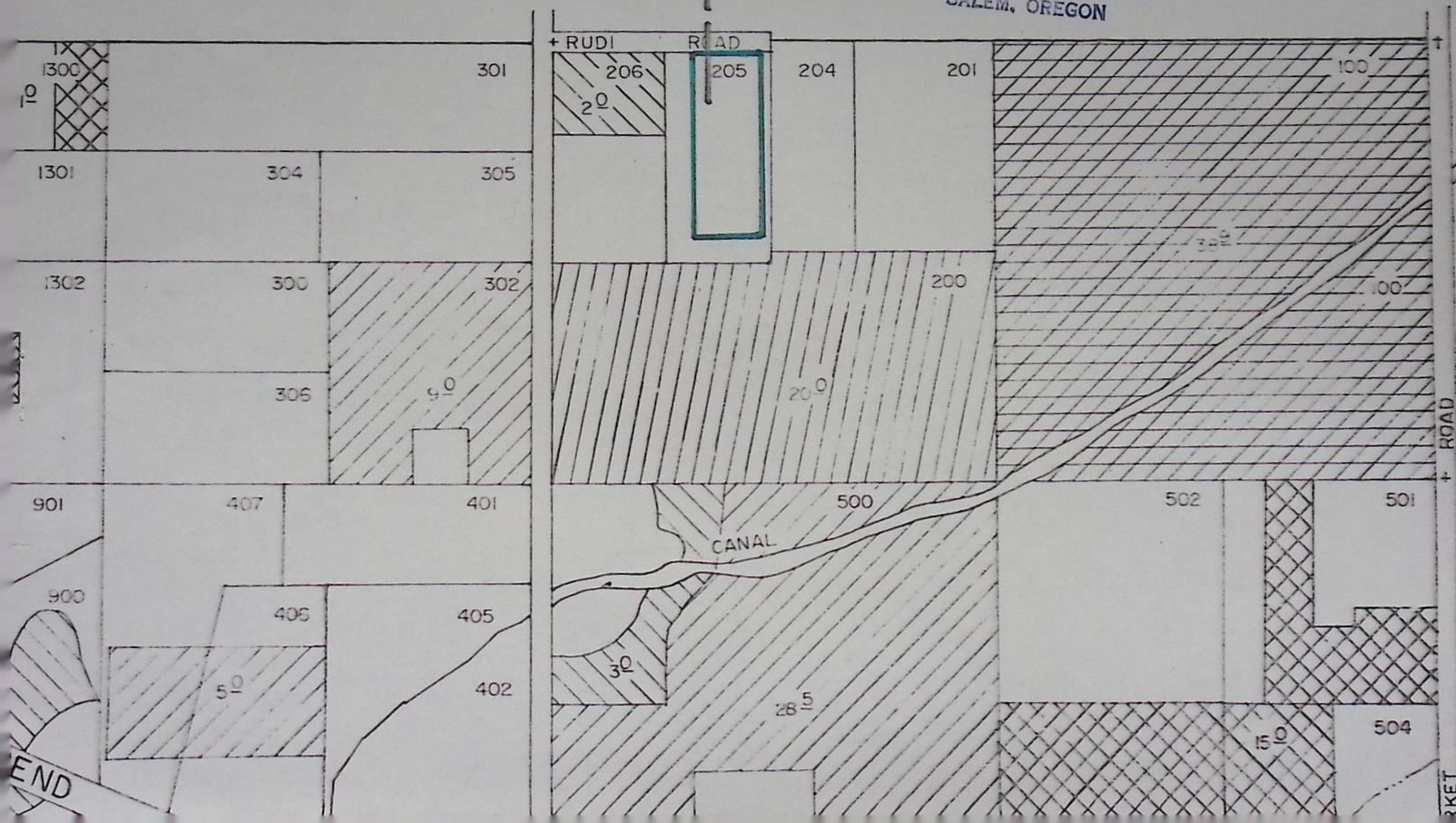
T-4222

2.5 ON

RECEIVED

JUL 17 1981

WATER RESOURCES DEPT.  
SALEM, OREGON





# TUMALO IRRIGATION DISTRICT

## WATER RIGHTS SUMMARY

RECEIVED

JUL 17 1981

WATER RESOURCES DEPT.

SALEM, OREGON

### THIS TRANSACTION

<u>ACRES</u> <u>PRIMARY</u>	<u>ACRES</u> <u>SUPPLEMENTAL</u>
--------------------------------	-------------------------------------

5.0

CERTIFICATE 31410 (Tumalo Creek Adjudication, decree 5/1/1911) Covers 1939.75 acres, all for primary irrigation. Recorded at Volume 23, Page 31410 and tabulated starting at Volume 1, Page 135, State Record of Water Right Certificates. Source: Tumalo Creek. Duty: .0143 cfs per acre up to 1.8 acre feet per acre to be measured within 1/2 mile, 4/15 to 10/15. Priority: 8/5/1900; 9/1900; 4/28/1905; 5/27/1907.

CERTIFICATE 26508 (Tumalo Creek Adjudication, decree 8/27/1958) Covers 3058.05 acres, all for primary irrigation and domestic. Recorded at Volume 18, Page 26508 and tabulated starting at Volume 16, Page 188, State Record of Water Right Certificates. Source: Tumalo Creek and its tributaries from point of origin to confluence with Deschutes River. Duty: .0143 cfs per acre. Priority: 8/5/1900; 9/1900; 4/28/1905; 5/27/1907; 6/1/1907.

CERTIFICATE 31412 (Tumalo Creek Adjudication, decree 2/10/1928) Covers 6483.9 acres, all for (supplemental ?) irrigation and storage. Recorded at Volume 23, Page 31412 and tabulated starting at Volume 1, Page 138, State Record of Water Right Certificates. Source: Deschutes River. Duty: .0015 cfs per acre up to 9.5 cfs, 4/1 to 11/1, and storage at Crescent Lake Reservoir. Priority: 1905.

5.0

CERTIFICATE 26051 (Application 1343, Permit 624) Covers 6767.9 acres, all for supplemental irrigation. Recorded at Volume 18, Page 26051 and tabulated starting at Volume , Page , State Record of Water Right Certificates. Source: Crescent Lake Reservoir (construction under Permit R-102). Duty: varies by date 4/1 to 10/1, not to exceed 35,000 acre feet per irrigation season. Priority: 4/7/1911.

5.0

CERTIFICATE 26050 (Application 3263, Permit 19628) Covers primary irrigation of 1632.9 acres and supplemental irrigation of 5135.0 acres, and stock water. Recorded at Volume 18, Page 26050, State Record of Water Right Certificates. Source: Tumalo Creek, Crater Creek, Little Crater Creek and Three Spring Branches. Duty: varies by date (4/1 to 11/1, .0125, .0167, .0309, .0167, 10125 cfs per acre) up to 9.91 acre feet and up to 20 cfs for non-irrigation stock water deliveries. Priority: 10/29/1913.

5.0

PERMIT 27841 (Application 37241) NOT CERTIFICATED; Due: 10/1/83) Covers supplemental irrigation of 7843.3 acres: 1198.8 acres with Permit 27840 as the primary right, and 6644.5 acres with Certificates 31410, 26508 and 26050 as the primary right. (actual certificated total = 6630.7). Source: Crescent Lake Reservoir (to be constructed under permit R-2744). Duty: difference between water available to covered lands under respective primary rights during irrigation season and 9.91 acre feet per acre per season at diversion, not to exceed 42,727 acre feet stored water per irrigation season. Priority: 12/8/1961.

5.0



14. Reasons for the proposed changes are more beneficial use; result of sale  
Owner does not intend to irrigate lands where water rights are presently  
appurtenant; transferring rights to other lands where water can be beneficially  
used for irrigation purposes.

15. Construction work will be completed on or before October 1, 1982

16. The water will be completely applied to the proposed use on or before October 1, 1982

Remarks: Supplemental rights to be transferred with primary right:

Certificate 31412: Deschutes River, priority 1905

Certificate 26050: Little Crater Creek, Crater Creek & 3 spring branches; 10/29/13

Certificate 26051: Crescent Lake Reservoir, priority April 7, 1911

Permit No. 27841: Crescent Lake Reservoir, priority December 8, 1961

Approved by Board of Directors May 8, 1979

**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, CP Gungura, 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 5<sup>th</sup> day of May, 1981.

x CP Gungura  
(Name of applicant)

Subscribed and sworn to before me this 5<sup>th</sup> day of May, 1981.

[Notarial Seal]

Sharon L. True  
NOTARY PUBLIC FOR OREGON

My commission expires 10-21-83



## TUMALO CREEK

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 4222 / PERMIT NO. 001 137 CERTIF. NO. 0031410

NAME: C. P. GUNGURA

ORIG. NO. C000314101 PREV. NO. C000314101 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 SC

STATUS V

CANCEL YEAR---&gt;

CONSTR.COMPLT--&gt; 10 01 1984

YR.LAST USED-----&gt;

NEXT ACTION DUE--&gt;

PRIORITY-----&gt; 09 30 1900

PUT TO USE-----&gt; 10 01 1984

LAST TRANS.DATE--&gt;

LAST TRANS.TYPE--&gt;

APPLICATION---&gt; 05 17 1979

SURVEYED-----&gt;

EXAM.FEE-----&gt; 20.00

RECORDING FEE-----&gt; 10.00

PERMIT ISSUE---&gt; 08 03 1981

CONCURRENCE-----&gt;

CYCLE STATUS-----&gt;

REPORTED FLAG-----&gt;

CONSTR.STRT.--&gt; 08 03 1981

CERTIFIED-----&gt;

CORRES.INIT.-----&gt;

CORRES.DATE-----&gt;

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

05 1980 1320

RIV.MI.

RATE

STATUS

S OR P

0.072

V

P

 \*\* REMARKS: - - - - -  
 \*\* DATED-->

\*\* CHANGES POI PART OF TUMALO I. D. -----

\*\* C-31410 TAB IN NAME OF ALBERT -----

\*\* HARPER -----

\*\* -----

\*\* SUPP. RIGHTS UNDER C-31412, C-26050. -----

\*\* C-26051, P-27841. -----

\*\* -----

PLACE-OF-USE DATA:

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

1605 110E 24 D C 09 IR 100 2.50 V P

25 AB

2.50

W.R.I.S.

Approved: 52-85, SOW

Examined: \_\_\_\_\_

Verified: \_\_\_\_\_

4.0173



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

WF 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 # 2222 PERMIT NO. 019628 CERTIF. NO. 0026050

NAME: C. P. GUNGURA

ORIG. 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--&gt; 10 01 1984 YR.LAST USED-----&gt;

NEXT ACTION DUE--&gt;

PRICRITY-----&gt; 10 29 1913

PUT TO USE-----&gt; 10 01 1984 LAST TRANS.DATE--&gt;

LAST TRANS.TYPE--&gt;

APPLICATION--&gt; 05 17 1979

SURVEYED-----&gt;

EXAM.FEE-----&gt;

RECORDING FEE-----&gt;

PERMIT ISSUE--&gt; 08 03 1979

CONCURRENCE-----&gt;

CYCLE STATUS-----&gt;

REPORTED FLAG-----&gt;

CONSTR.STRT.--&gt; 08 03 1979

CERTIFIED-----&gt;

CORRES.INIT.-----&gt;

CORRES.DATE-----&gt;

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

RIV.MI.

RATE

STATUS

S OR P

170S 110E 23 A C 05 1980 1320

0,100

V

S

180S 100E 02 D B 05 1980 1320

V

170S 090E 31 C A

V

D B

V

D D

V

180S 090E 02 B D

V

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

160S 110E 24 D C 09 IR 100 2.50 V S

25 A B

2.50

 \*\* REMARKS:----->  
 \*\* DATED-->

\*\* CHANGES POIN PART OF TUMALO I. D. C-26050.

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

\*\* 27841,-----

\*\*-----

\*\*-----

\*\*-----

\*\*-----

W.R.I.S.

Assembled 5-2-85 J.S.D.

Entered -----

Verified ----- by -----

0.020



## DESCHUTES RIVER

L.F. 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. T000042223 PERMIT NO. 009493 CERTIF. NO. 0031412  
 ORIG. NO. C000313121 PREV. NO. C000314121 SUPER. NO.

NAME: C. P. GUNGURA

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---&gt;

CONSTR.COMPLT--&gt; 10 01 1984

YR.LAST USED-----&gt;

NEXT ACTION DUE--&gt;

PRIORITY-----&gt; 12 31 1905

PUT TO USE-----&gt; 10 01 1984

LAST TRANS.DATE--&gt;

LAST TRANS.TYPE--&gt;

APPLICATION---&gt; 05 17 1979

SURVEYED-----&gt;

EXAM.FEE-----&gt; 20.00

RECORDING FEE-----&gt; 10.00

PERMIT ISSUE--&gt; 08 03 1979

CONCURRENCE-----&gt;

CYCLE STATUS-----&gt;

REPORTED FLAG-----&gt;

CONSTR.STRT.--&gt; 08 03 1979

CERTIFIED-----&gt;

CORRES.INIT.-----&gt;

CORRES.DATE-----&gt;

 POINT-OF-DIVERSION DATA:  
 TWP/SP RNGE SECT QTR/QTR STREAM-ID  
 05 1980

RIV.MI.

RATE

STATUS S OR P

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:  
 TWP/SP RNGE SECT QTR/QTR CNTY USE % CHSMTV ACRES STATUS S OR P  
 1605 110E 24 D C 09 IR 100 2.50 V S

25 AB

2.50

W.R.I.S.

Assembled 5-2-85 by SPA

Entered by

Verified by

0.0015



## CRESCENT LAKE RES

L.F. 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 42224 PERMIT NO. 000624 CERTIF. NO. 0026501

NAME: C. P. GUNGUR

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--&gt;

CONSTR. COMPLT--&gt; 10 01 1984 YR. LAST USED--&gt;

NEXT ACTION DUE--&gt;

PRIORITY--&gt; 04 07 1911

PUT TO USE--&gt; 10 01 1984 LAST TRANS. DATE--&gt;

LAST TRANS. TYPE--&gt;

APPLICATION--&gt; 05 17 1979

SURVEYED--&gt;

EXAM. FEE--&gt; 20.00

RECORDING FEE--&gt; 10.00

PERMIT ISSUE--&gt; 08 03 1979

CONCURRENCE--&gt;

CYCLE STATUS--&gt;

REPORTED FLAG--&gt;

CONSTR. STRT.--&gt; 08 03 1979

CERTIFIED--&gt;

CORRES. INIT.--&gt;

CORRES. DATE--&gt;

 POINT-OF-DIVERSION DATA;  
 TWP/SP. RGE SECT QTR/QTR STREAM-ID

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

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

RIV. MI.

RATE

STATUS

S OR P

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

\*\* SUPP. IR. CHANGES POIL PART OF TUMALO

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

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

## PLACE-OF-USE DATA:

TWP/SP. RGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

160S 110E 24 D C 09 IR 100 2.50 V S

25 AB 2.50

 \*\*-----  
 \*\*-----  
 \*\*-----  
 \*\*-----

W.R.I.S.

Assembled 5-2-85 by SOP

Entered by

Verified by



RECEIVED

NOV 29 1984

WATER RESOURCES DEPT.  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

PLACE OF USE OF IRRIGATION WATER RIGHT

PURSUANT TO TRANSFER APPLICATION NO. T-4222

*We*

I, David W. Chandler & Bonnie K. Chandler 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, 1984.

October 1, 1984

Date

Bonnie K. Chandler

Signature

(Mail completed form to Tumalo Irrigation District,  
64697 Cook Avenue, Bend, Oregon 97701)

C.P. Gungura transferred (T-4222) 5.0 acres of water from SW1/4NE1/4, Sect. 8, T16S, R12E, WM by way of 2.5 acres to TL2600, SW1/4SE1/4, Sect. 24 (Marquerite Davies) and 2.5 acres in TL205, NW1/4NE1/4, Sect. 25 (R.G. Davis) both T16S, R11E, WM.

David A. & Linda L. Fanning bought 2.5 acres on TL205 from Richard Gary Davis.

Fannings then sold TL205 and 2.5 acres water to David W. and Bonnie K. Chandler.



RECEIVED

NOV 29 1984

WATER RESOURCES DEPT.  
SALEM, OREGON

16-11-25 PE NWNG  
205

73385 21-

84- 4157

vol 47 FILE 606

STATUTORY BARGAIN AND SALE DEED AND ASSIGNMENT

DAVID A. FANNING and LINDA L. FANNING, husband and wife,  
Grantor, conveys to DAVID W. CHANDLER and BONNIE K. CHANDLER,  
husband and wife, Grantee, the following described real property:

See Exhibit "A" attached hereto and by reference made a  
part hereof.

TOGETHER WITH such water rights as may be appurtenant to  
the above described real property.

SUBJECT TO:

Real property taxes.

The existence of roads, railroads, irrigation ditches  
and canals, telephone, telegraph and power transmission  
facilities.

Easement, including the terms and provisions thereof,  
affecting the portion of said premises and for the pur-  
poses stated therein as granted to United States of  
America, recorded August 6, 1965, in Book 144, Page 554,  
Deed records.

Easement, including the terms and provisions thereof,  
affecting the portion of said premises and for the pur-  
poses stated therein as granted to Bradford L. Foote and  
Emerson C. Foote, recorded December 6, 1977, in Book  
263, Page 575, Deed records.

Mortgage, including the terms and provisions thereof, to  
secure an indebtedness of the amount herein stated:

Amount: \$10,750.00  
Dated: September 15, 1978  
Recorded: September 19, 1978  
Book/Page: 253/526, Mortgage records  
Mortgagor: Emerson C. Foote and Bradford L.  
Foote, as tenants in common  
Mortgagee: R. J. Anliker and Marie M. Anliker,  
husband and wife

Unrecorded Contract of Sale, including the terms and  
provisions thereof

Vendor: Emerson C. Foote and Bradford L.  
Foote, as tenants in common  
Vendee: Richard Gary Davis and Susan Ann  
Davis, husband and wife,

As disclosed by: Memorandum of Contract  
Recorded: September 19, 1978  
Book/Page: 283/436, Deed records

Douglas C. Brown  
Attorney at Law

DEED - 1

33 NW Irving Ave. • P.O. Box 1247  
Sed, Oregon 97701

END FILE COMPANY



Vol 47 607

Amendment to Contract, including the terms and provisions thereof, by and between Emerson C. Foote and Bradford L. Foote, Seller, and Richard Gary Davis and Susan Ann Davis, husband and wife, Buyer, recorded August 9, 1982, in Book 360, Page 301, Deed Records.

The Vendee's interest thereunder duly assigned of record by Assignment recorded August 9, 1982, in Book 360, Page 305, Deed records, assigned to David A. Fanning and Linda L. Fanning.

Covenants, Conditions and Restrictions as disclosed by Memorandum of Contract recorded September 19, 1978, in Book 283, Page 436, Deed records.

This Bargain and Sale Deed shall also operate as an assignment of Grantor's interest in the above described contract of sale.

The taxes for the current tax year will be prorated between Grantor and Grantee as of 3/15/, 1984. Grantee agrees to pay when due and payable all of the property taxes which are hereafter levied against the property and all public or private, municipal or statutory liens which may be hereafter lawfully imposed upon the property.

Grantor warrants that:

Grantor is the owner of the purchaser's interest in the property and has the right to transfer possession of the same. Legal title to the real property is currently vested in EMERSON C. FOOTE and BRADFORD L. FOOTE.

Grantee shall pay said contract according to the terms thereof and shall protect, indemnify and hold Grantor harmless therefrom. The unpaid principal balance is \$13,963.53; interest at 13.5% percent per annum is paid to MARCH 15, 1984, 1984; the next monthly installment of \$159.75 is due



Vol 47 Page 608


April 15, 1984; and the entire balance is due August 1, 1988. Grantee acknowledges receipt of a copy of said contract and the amendment thereto and has had an opportunity to obtain legal advice as to its interpretation.

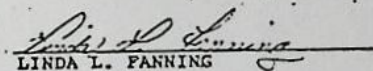
Said contract of sale is valid and current in every respect, and that Grantor has performed all terms and conditions required of Grantor without default.

The property which is subject to said contract of sale is free and clear of all encumbrances, except as above mentioned. The underlying mortgage in favor of R.J. Anliker and Marie M. Anliker, is paid from the proceeds of the Vendee's monthly contract installments. The contract is currently being collected through an escrow collection account at Wynwood Agency of Bend, Oregon, and said escrow collection agent is responsible for forwarding the monthly mortgage obligation to the mortgagee.

The consideration for this assignment is \$15,900.00.

DATED this 13th day of March, 1984.

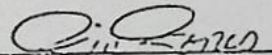
  
DAVID A. FANNING

  
LINDA L. FANNING

STATE OF OREGON                     )  
County of Deschutes               ) ss.

The foregoing instrument was acknowledged before me this 13th day of March, 1984, by DAVID A. FANNING and LINDA L. FANNING, husband and wife.



  
Notary Public for Oregon  
My Commission expires: 10/2/87



VZ 47<sup>th</sup> 609

Grantee hereby assumes said contract which Grantee shall pay according to the terms thereof. Grantee shall protect, indemnify and hold Grantor harmless therefrom.

Dated this 13 day of March, 1984.

David W. Chandler  
DAVID W. CHANDLER

Bonnie K. Chandler  
BONNIE K. CHANDLER

STATE OF OREGON )

County of Deschutes )

ss.

The foregoing instrument was acknowledged before me this 13 day of March, 1984, by DAVID W. CHANDLER and BONNIE K. CHANDLER, husband and wife.



David W. Chandler  
Notary Public for Oregon  
My Commission Expires: 10/3/87

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

AFTER RECORDING RETURN TO:

SEND TAX STATEMENTS TO:

PL 121  
BEND, OR 97708

3a-Panning



RECEIVED

NOV 29 1984

WATER RESOURCES DEPT  
SALEM, OREGON

VOL 47 PAGE 610

EXHIBIT A

A parcel of land located in the Northwest Quarter of the Northeast Quarter (NW-1/4 NE-1/4) of Section Twenty-five (25), Township Sixteen (16) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Commencing at the North Quarter corner (N-1/4) of Section 25; thence along the North/South centerline of said Section, South 0°06'03" West 30.00 feet to the true point of beginning; thence continuing along said North/South centerline, which is also the Easterly right of way line of Snokey Butte Drive, South 0°06'03" West 629.41 feet; thence South 89°49'29" East 663.87 feet; thence North 0°05'47" East 629.47 feet to the Southerly right of way line of Kudd Road; thence along said Southerly right of way line, North 89°49'46" West 663.82 feet to the true point of beginning.

EXCEPTING THEREFROM Beginning at the North Quarter corner (N-1/4) of said Section 25, thence South 00°06'03" West 30.00 feet to the true point of beginning; thence South 89°49'46" East 331.91 feet; thence South 00°05'56" West 629.44 feet; thence North 89°49'29" West 331.93 feet; thence North 00°06'03" East 629.41 feet to the true point of beginning.

END

U/17

STATE OF OREGON )  
COUNTY OF DESCHUTES ) ss.

I, MARY SUE PENNELLON, COUNTY CLERK AND  
RECORDER OF DEEDS, IN AND FOR SAID  
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN  
INSTRUMENT WAS RECORDED THIS DAY:

1984 MAR 14 10 9 45

MARY SUE PENNELLON  
COUNTY CLERK

BY: P. J. R. R. R. DEPUTY

NO. 84-4157 III. 21-  
DESCHUTES COUNTY OFFICIAL RECORDS



RECEIVED

Transfer 4222

OCT 8 1983

APPLICATION FOR EXTENSION OF TIME  
FOR TRANSFER OF WATER RIGHT  
WATER RESOURCES DEPT.  
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, David A. Fanning

(Name of Applicant)

of C/O Tumalo Irrigation District, 64697 Cook Avenue, Bend,  
(Mailing Address) (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 (X) place of use ( ) use heretofore made

of water under the terms of an order of the Water Resources Director entered  
on August 3, 19 81, approving Transfer 4222, in the name  
of C.P. Gungura

for 2.5 acres (16-11-25 NW $\frac{1}{4}$  NE $\frac{1}{4}$  T.L. 205, Richard G. Davis)

(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 83:

(see over)

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

TO FULLY COMPLETE the change, it will be necessary to accomplish the  
following: (see over)

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed,  
because (see over)

and request that the  
time for completion be extended to October 1, 19 84.

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$20 TO:

WATER RESOURCES DEPARTMENT

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

Form 690-4B-0 11-82  
3379B

32608  
330.00  
430.383  
10-3-83

56/6

Ext 10-1-84  
Sig



RECEIVED  
OCT 8 1984

I am asking for a second extension of my water rights due to after looking closely at my property it seemed that flood irrigating might work due to the lay of the land. I wanted to try this to save the additional cost of materials and power bills. However after working it this summer I have found that I cannot get full coverage of the acreage.

I would like to go ahead with my original plan in the spring of 1984 to pump irrigate. I have spent \$175 for pipe and fittings and \$57 for seed this year, also finished clearing and trimming trees. Also I have seeded the property but most of it did not germinate by flood irrigating. I do have a pump acquired and only need sprinkler heads and some more pipe and fittings to finish the job.

Thank you for considering this request.



# Application for Extension of Time for Transfer of Water Right

**RECEIVED**

OCT 21 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, David Fanning c/o TUMALO IRRIGATION DISTRICT

(Name of applicant)

of 64697 Cook Avenue

(Mailing address)

Bend

(City)

State of Oregon97701

(Zip Code)

382-3053

(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

August 3, 1981, approving transfer application No. T-4222,in the name of C.P. Gungura, c/o TUMALO IRRIGATION DISTRICT \*.

The following has been accomplished toward completion of the  
change within the time allowed, which expired on October 1, 1982:

1) 900 ft. of ditch dug for water line from District waterway to property;2) 300 ft. of 4" pipe and 650 ft. of 3" pipe layed; 3) pump is acquired;4) pond dug for pump; 5) half of brush has been cleared; 6) power companyhas surveyed their work to be done, and 7) backhoe work and material costs of(If for irrigation, how many acres, total, are now irrigated)\$1300.00 to date.

\*If you are not the applicant named above, please explain your interest in  
this matter. subsequent purchaser/transferee

10-21-82  
\$20.00  
#33335

Ext to 10-1-83  
SRB

56/6



To fully complete the change, it will be necessary to accomplish the following: 1) finish clearing brush and some rocks; 2) install pump; 3) by handline; 4) have power hooked up; 5) cultivate, plant and irrigate.

I am unable to complete the change under the terms of the order, within the time allowed, because In order to properly prepare land for planting and get a good start it was too late in the year for grass to survive the winter.

and request that the time for completion be extended to October 1, 1983.

#### AFFIDAVIT OF APPLICANT

I, David Fanning, 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 8<sup>th</sup> day of October

1982

Subscribed and sworn to before me this 8<sup>th</sup> day of October, 1982



[Notarial Seal]

David C. Fanning

Sharon L. Truitt  
Notary Public for Oregon

My commission expires 10-21-83

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$20.00

TO:

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



RECEIVED

OCT 21 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

PLACE OF USE OF WATER RIGHT

PURSUANT TO TRANSFER APPLICATION NO. I-4222

I, DAVIS, 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 9/6, 1982.

9/6/82  
Date

Marguerite E. Davis  
Signature

(Mail completed form to Tumalo Irrigation District,  
64697 Cook Avenue, Bend, Oregon 97701)

ok  
Gci



Unless a change is requested, all tax statements shall be sent to Grantees at the following address:

RECEIVED

OCT 24 1979

WATER RESOURCES DEPT VOL 250 PAGE 810  
SALEM, OREGON

25319

WARRANTY DEED

JAMES D. RATHBONE, Grantor, conveys and warrants to CONSTANTINE P. GUNGURA and LILLIAM M. GUNGURA, husband and wife, Grantees, the following described real property free of encumbrances except as specifically set forth herein:

A parcel of land situate in the Southwest Quarter Northeast Quarter (SW1/4NE1/4) of Section Eight (8), Township Sixteen (16) South, Range Twelve (12), East of the Willamette Meridian, Deschutes County, Oregon, and bounded as follows:

Beginning at a point from which the East center 1/16 corner of Section 8, Township 16 South, Range 12, East of the Willamette Meridian bears North 89° 36' 48" East, 333.12 feet; thence North 00° 08' 42" East, 1,308.05 feet; thence South 89° 44' 03" West, 335.60 feet; thence South 00° 08' 36" West, 998.76 feet; thence North 89° 36' 48" East, 11.24 feet; thence South 00° 08' 35" West, 310.00 feet; thence North 89° 36' 48" East, 324.36 feet to the point of beginning, containing 10.00 acres.

SUBJECT TO:

1. Taxes deferred under Exception #2 next below;
2. As disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes and interest;
3. The existence of roads, irrigation ditches and canals, telephone, telegraph and power transmission facilities;

GRAY, FANCHER, HOLMES & HURLEY  
ATTORNEYS AT LAW  
1044 N.W. BOND STREET  
BEND, OREGON 97701



4. The premises under search fall within the boundaries of Tumalo Irrigation District and are subject to rules, regulations and assessments thereon;

5. Easement, including the terms and provisions thereof, for an electric transmission line, granted to Pacific Power & Light Company, in right of way easement recorded December 5, 1960, in Volume 126, Page 415, Deed records;

6. Right of Way of Cline Falls Market Road and Harper Road;

7. Easement, including the terms and provisions thereof, for irrigation ditch, reserved by Roy T. Davis and Deloris A. Davis, in Contract dated April 20, 1973.

The true consideration for this transfer is \$8,333.00.

DATED This 22 day of April, 1977.

James D. Rathbone  
JAMES D. RATHBONE

STATE OF OREGON, County of Deschutes, ss:



, 1977

Personally appeared the above named JAMES D. RATHBONE and acknowledged the foregoing instrument to be his voluntary act and deed before me:

Georgia Long  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 1-7-80

253110

INDEX STATE OF OREGON  
County of Deschutes  
I hereby certify that the within instrument of writing was received for Record the 23 day of May A.D. 1977 at 1:53 o'clock P. M. and recorded in Book 250 on Page 810 Records of Deeds  
ROSEMARY PATTERSON  
County Clerk  
By Deputy Deputy

Return to:  
C.P. Durguna  
66340 White Rock Loop Road  
Bend, OR 97701

GRAY, FANCHER, HOLMES & HURLEY  
ATTORNEYS AT LAW  
1044 N.W. 60th STREET  
BEND, OREGON 97701

Warranty Deed

Page Two



Unless a change is requested, all  
tax statements shall be sent to  
Grantees at the following address:

RECEIVED

OCT 24 1979

WATER RESOURCES DEPT  
SALEM, OREGON

VOL 250 PAGE 81

25319

WARRANTY DEED

JAMES D. RATHBONE, Grantor, conveys and warrants  
to CONSTANTINE P. GUNGURA and LILLIAM M. GUNGURA, husband  
and wife, Grantees, the following described real property  
free of encumbrances except as specifically set forth herein:

A parcel of land situate in the Southwest Quarter  
Northeast Quarter (SW1/4NE1/4) of Section Eight  
(8), Township Sixteen (16) South, Range Twelve  
(12), East of the Willamette Meridian, Deschutes  
County, Oregon, and bounded as follows:

Beginning at a point from which the East center  
1/16 corner of Section 8, Township 16 South, Range  
12, East of the Willamette Meridian bears North  
89° 36' 48" East, 333.12 feet; thence North 00°  
08' 42" East, 1,308.05 feet; thence South 89° 44'  
03" West, 335.60 feet; thence South 00° 08' 36"  
West, 998.76 feet; thence North 89° 36' 48" East,  
11.24 feet; thence South 00° 08' 35" West, 310.00  
feet; thence North 89° 36' 48" East, 324.36 feet  
to the point of beginning, containing 10.00 acres.

SUBJECT TO:

1. Taxes deferred under Exception #2 next below;
2. As disclosed by the tax roll, the premises  
herein described have been zoned or classified for  
farm use. At any time that said land is disquali-  
fied for such use, the property will be subject to  
additional taxes and interest;
3. The existence of roads, irrigation ditches and  
canals, telephone, telegraph and power trans-  
mission facilities;

GRAY, FANCHER, HOLMES, & HURLEY  
ATTORNEYS AT LAW  
1044 N.W. BOND STREET  
BEND, OREGON 97701

Warranty Deed

Page One



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OCT 24 1979

ATER RESOURCES DE  
SALEM, OREGON

4. The premises under search fall within the boundaries of Tumalo Irrigation District and are subject to rules, regulations and assessments thereon;

5. Easement, including the terms and provisions thereof, for an electric transmission line, granted to Pacific Power & Light Company, in right of way easement recorded December 5, 1960, in Volume 126, Page 415, Deed records;

6. Right of Way of Cline Falls Market Road and Harper Road;

7. Easement, including the terms and provisions thereof, for irrigation ditch, reserved by Roy T. Davis and Deloris A. Davis, in Contract dated April 20, 1973.

The true consideration for this transfer is \$8,333.00.

DATED This 22 day of April, 1977.

James D. Rathbone  
JAMES D. RATHBONE

STATE OF OREGON, County of Deschutes, ss:



Personally appeared the above named JAMES D. RATHBONE and acknowledged the foregoing instrument to be his voluntary act and deed before me:

Georgia Long  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 1-7-80

25319

INDEX STATE OF OREGON  
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 23 day of May A.D. 1977 at 1:53 o'clock P M., and recorded in Book 256 on Page 810 Records of Deeds

ROSEMARY PATTERSON  
County Clerk

By Donna Johnson Deputy

Return to:  
C. P. Durguna  
66340 White Rock Loop Road  
Bend, OR 97701

GRAY, FANCHER, HOLMES & HURLEY  
ATTORNEYS AT LAW  
1044 N.W. BOND STREET  
BEND, OREGON 97701

Warranty Deed

Page Two





## *Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-3066

May 22, 1979

Jan Boettcher  
Tumalo Irrigation District  
64697 Cook Avenue  
Bend, Oregon 97701

RE: File No. T-4222

Dear Ms. Boettcher:

The water right transfer application in the name of C. P. Gungura for approval of a change in place of use of water within Tumalo Irrigation District, together with supporting data and fees of \$30, was received May 17, 1979. Our receipt No. 10939 is enclosed.

We do have maps which generally show the location of the water rights in Tumalo Irrigation District. Just a few months ago, I mailed copies of the maps relative to rights described by certificates 31410 and 26508 to your District. The maps prepared from the survey by H. K. Donnelly-Sept, 1909, generally show the location of rights described by certificate 31410 and the other maps (Deschutes-Tumalo inchoate map) generally show the lands allowed rights described by both certificates 31410 and 26508.

In order to determine which primary right will be involved in a transfer, it is necessary to determine if the area to be divested of the right is within the area shown on the H.K. Donnelly-1909 maps, or on the Deschutes-Tumalo inchoate map, or in an area allowed a right perfected under the terms of a permit.

The location of the 5.0 acres to be divested of the right in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 8, T 16S, R 12E, illustrated on the map supporting C.P. Gungura's transfer application appears to be within the area shown on the H.K. Donnelly-1909 map. If the 5.0 acres to be divested of rights will totally be within the area shaded on the H.K. Donnelly-1909 map, the primary right involved would be described by certificate 31410 and the supplemental rights involved would be described by certificates 26050, 26051 and 31412, and permit No. 27841. I have prepared a sample application illustrating a manner of describing the rights to be involved in a transfer which you may use as a guide.



Boettcher/Tumalo I.D.  
File No. T-4222  
page 2

In reviewing our records, it appears that part of the right for the 5.0 acres of land shown on the map of Section 8 supporting C.P. Gungura's application was transferred out by approval of transfer No. 2939. I am enclosing a print of the map supporting transfer No. 2939 showing the location of the 3.2 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 8 where the rights were transferred from.

Will you also review the proposed location of the right in NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 25. The location of 2.5 acres illustrated on the tax assessors map is not in agreement with the location shown on the attached print of the adjudication map. Also, the area shaded as 20.0 acres on the adjudication map in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 25 is not in agreement with the location of the 20.0 acres as shown on the map supporting the District's permit No. 31120.

I am returning the transfer application, supporting maps and the copies of the certificates. Please refer any correspondence to file No. T-4222.

Sincerely,

Wayne J. Overcash  
Water Rights Engineer

WJO:lcj



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SALEM, OREGON

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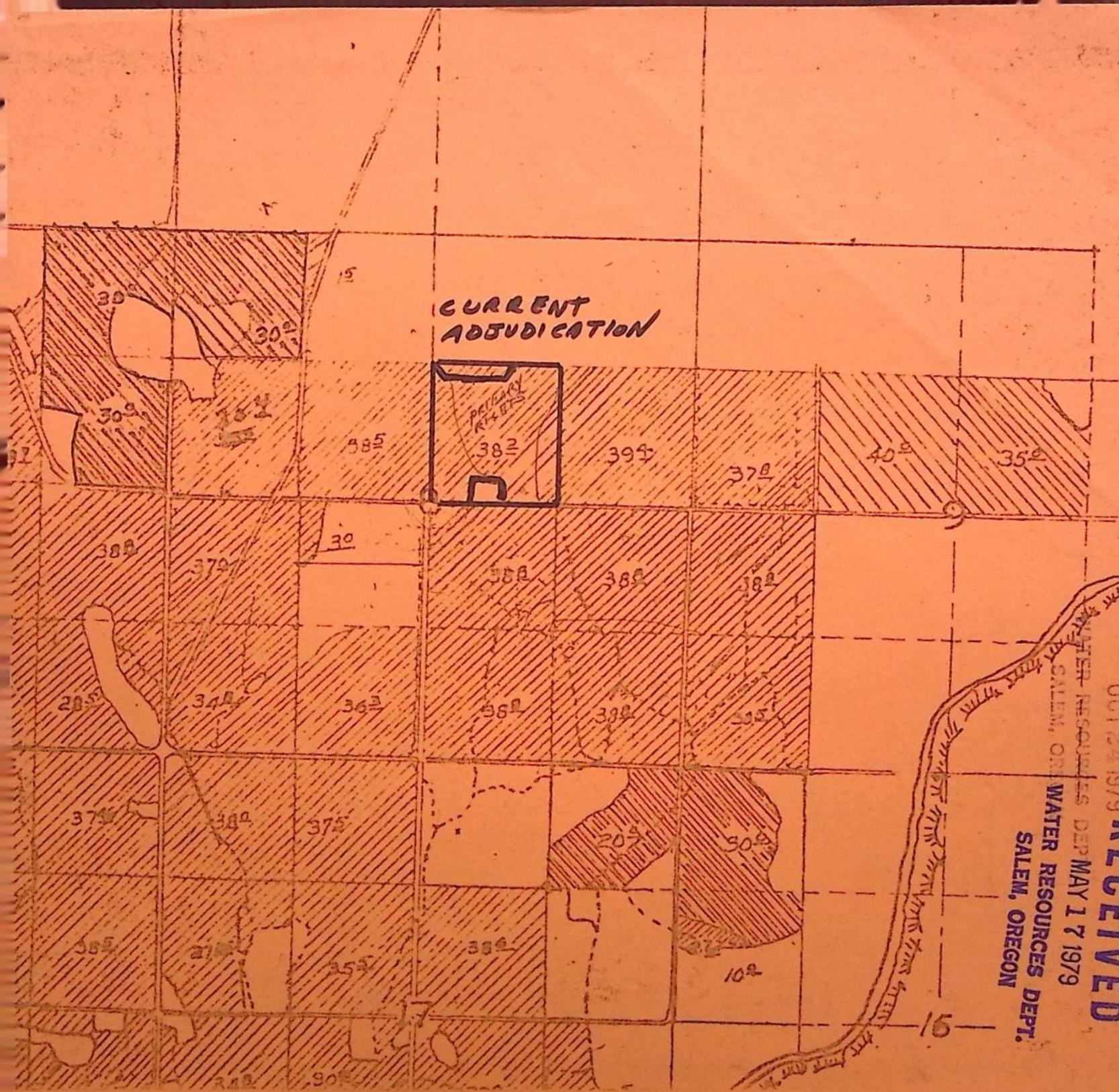
MAY 17 1979

**WATER RESOURCES DEPT.  
SALEM, OREGON**

## CURRENT ADJUDICATION

WEST





CURRENT  
ADJUDICATION

PRIMARY  
RIGHTS

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SALEM, OREGON

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WATER RESOURCES DEPT.  
SALEM, OREGON

T-4222



TUMALO IRRIGATION DISTRICT

64697 COOK AVE  
BEND, OREGON 97701  
Phone 382-3053

T-4222

May 16, 1979

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MAY 17 1979  
WATER RESOURCES DEPT.  
SALEM, OREGON

Mr. Wayne Overcash  
Water Resources Department  
555 West 13th St. N. E.  
Salem, Oregon 97310

Dear Mr. Overcash:

Enclosed is a transfer application approved by our Board May 8, 1979.

The priority rights for the 5.0 acres of water are included on several certificates. I have listed these certificates and forwarded copies, but I cannot verify which is the primary right as the oldest adjudication maps that I have are 1909. Are there maps available that cover the water rights appurtenant to 1900 and 1905 priorities? If so, please forward copies to us and we will reimburse you or advise the price and we will make remittance to you.

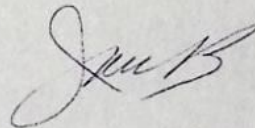
Just a minor point--is the signature of the applicant to appear on the first line (beginning "I,....., the applicant") or is it to appear on the line entitled "Name of Applicant"?

On line 14 is "result of sale" relevant or would it be more appropriate to exclude it in future remarks?

Thank you for your patience in answering my questions.

Sincerely,

TUMALO IRRIGATION DISTRICT



Jan Boettcher

Enclosures