

4176 C. P. GUNGARA
(TUMALO I. D.)

Name C. P. Gungara
By % Tumalo Irr. Dist
Address 64697 Cook Ave
Bend, OR 97701

Change in P. O. U.
Date filed March 21, 1979
Date of hearing _____
Place of hearing _____
Date of order 6-28-79 Vol. 32 page 242
EXT 10-1-80
Date for application of water 10-1-80
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Tumalo Creek, et. al.
Trib. of _____ County of Deschutes
Use Irrigation
Quantity of water _____ No. of acres 40
Name of ditch Columbia Southern
Date of priority Sept. 1900
In name of Tumalo I. D ^{(tab in decree - James Mulvihill) 22}
Tumalo Cr. ^{Vol. 16 page 191} Adjudication, Vol. 1, page 137
App. No. _____ Per. No. _____ Cert. No. 31410
Certificate cancelled _____
Notation made on record by _____

4176

FEES PAID

Date	Amount	Receipt No.
<u>3-21-79</u>	<u>30.00</u>	<u>9789</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Cert # 26050 supplemental
" # 26051 "
" # 31412 "
Permit # 27341 "

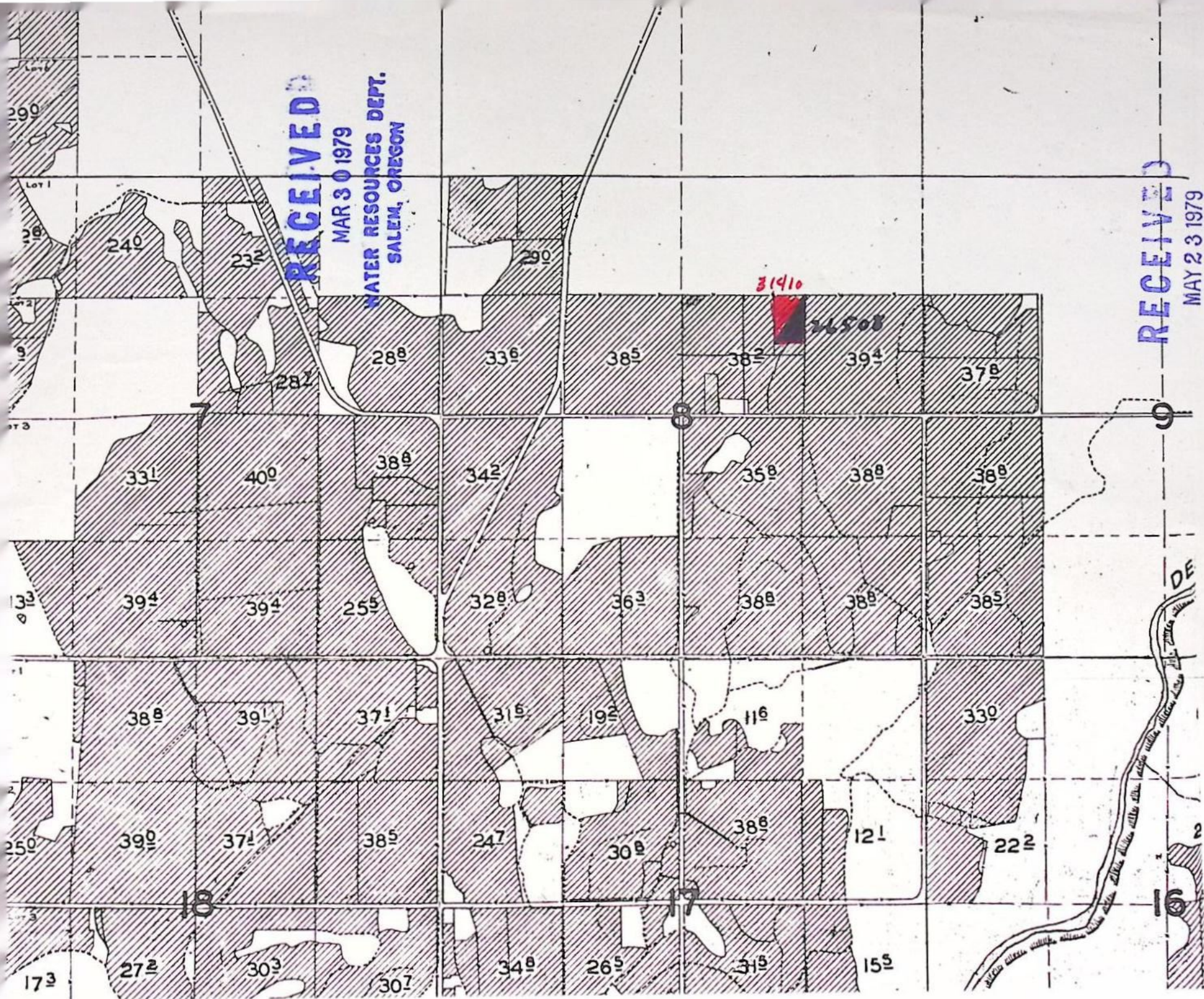
	INDEX CARDS:	
	Entered	Checked
✓ Name	<u>dcj</u>	---
✓ Stream	<u>dcj</u>	---
✓ Pl. of Div.	<u>dcj</u>	---
✓ Calendar	<u>dcj</u>	---
✓ CHECKED TO RECORD:		
✓ Twp. & Rge.	<u>dcj</u>	<u>dcj</u>
✓ Decree-vault	<u>dcj</u>	<u>dcj</u>
✓ Decree-safe	<u>dcj</u>	<u>dcj</u>
✓ Cert. of W/R	<u>dcj</u>	<u>dcj</u>
Per. Folder	---	---
Chaindex	---	---
Cross Ref.	---	---
Power Claim	<u>dcj</u>	---
✓ Abstracts	<u>dcj</u>	---

W.R.I.S.

Assembled 7-25-85 by SWA

Entered _____ by _____

Verified _____ by _____



RECEIVED
MAR 30 1979
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
MAY 23 1979
WATER RESOURCES DEPT.
SALEM, OREGON

TUMALO CREEK

HIF T-0582-C1

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

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

WATER RIGHT NO. T000071761 PERMIT NO. 001137 CERTIF. NO. 0031410

NAME: C. P. GUNGARA

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--->

CONSTR.COMPLT--> 10 01 1981

YR.LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 09 30 1900

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

LAST TRANS.DATE-->

LAST TRANS.TYPE-->

APPLICATION---> 03 21 1979

SURVEYED----->

EXAM.FEE-----> 20.00

RECORDING FEE-----> 10.00

PERMIT ISSUE--> 06 28 1979

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR.STRT.--> 06 28 1979

CERTIFIED----->

CORRES.INIT.----->

CORRES.DATE----->

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

05 1980 1320

RIV.MI. RATE

0029

STATUS S OR P

V P

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

** CHANGES POW 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:
 TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

1605 110E 24 D C 09 IR 100 2.00 V P

W.F.I.S.

Approved 4-25-85 J. S. M.

Entered _____

Verified _____

4.0173

TUMALO CREEK

LF T-0582-01

*** 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. T0000 *41762* PERMIT NO. 016 *191* CERTIF. NO. 0026508
 ORIG. NO. C000265081 PREV. NO. C000265081 SUPER. NO.
NAME: *C. P. GUNGARA*

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--->

CONSTR. COMPLT--> *10 01 1981*

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> *09 30 1900*PUT TO USE-----> *10 01 1981*

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> *03 21 1979*

SURVEYED----->

EXAM. FEE----->

RECORDING FEE----->

PERMIT ISSUE--> *06 28 1979*

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> *06 28 1979*

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

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

05 1980 1320

RIV. MI.

RATE

STATUS S OR P

0.028

V P

 ** REMARKS; - - - - -
 ** DATED-->
** *CHANGES POI PART OF TUMALO I. D.*** *C-26508 SUPP RIGHTS UNDER C-31412,*** *C-26050, C-26051, P-27841.*
 PLACE-OF-USE DATA:
 TWP/SP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS S OR P

1605 110E 24 D C 09 IR 100 2.00

V P

 **-----
 **-----
 **-----
 **-----

W.R.I.S.

Assembled *7-25-85*, *SW*Entered *by*Verified *by**0.014*

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

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 #1763 PERMIT NO. 019628 CERTIF. NO. 0026050

NAME: C. P. GUNGART

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--> 10 01 1981

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 10 29 1913

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

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 03 21 1979 SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE----->

10.00

PERMIT ISSUE--> 06 28 1979 CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 06 28 1979 CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

 POINT-OF-DIVERSION DATA;
 TWP/SP RGE SECT QTR/QTR STREAM-ID
 170S 110E 23 A C 05 1980 1320
 180S 100E 02 D B 05 1980 1320
 170S 090E 31 C A

RIV. MI.

RATE

STATUS

S OR P

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

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

** SUPP. RIGHTS UNDER C-31412, C-26051, 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 4.00

V

S

W.R.I.S.

Assembled 4-25-85 J. SVP

Entered _____

Verified _____ by _____

0.020

DESCHUTES RIVER

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 41764 PERMIT NO. 009493 CERTIF. NO. 0031412
 ORIG. NO. C000313121 PREV. NO. C000314121 SUPER. NO.

NAME: C. P. GUNGARA

ADDRESS: TID, 64697 COOK AVE

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

09

STREAM-ID 05 1980

RIV.MI.

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

CANCEL YEAR--->	CONSTR.COMPLT--> 10 01 1981	YR.LAST USED----->	---	NEXT ACTION DUE-->	---
PRIORITY-----> 12 31 1905	PUT TO USE-----> 10 01 1981	LAST TRANS.DATE-->	---	LAST TRANS.TYPE-->	---
APPLICATION---> 03 21 1979	SURVEYED----->	EXAM.FEE----->	20.00	RECORDING FEE----->	10.00
PERMIT ISSUE--> 06 28 1979	CONCURRENCE----->	CYCLE STATUS----->	---	REPORTED FLAG----->	---
CONSTR.STRT.--> 06 28 1979	CERTIFIED----->	CORRES.INIT.----->	---	CORRES.DATE----->	---

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

RIV.MI.

RATE

STATUS S OR P
 V S

0.003

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

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

1605 1101E 24 D C 09 IR 100 4.00 V S

*** - - - - -
 *** - - - - -
 *** - - - - -
 *** - - - - -

W.R.I.S.	
Approved	4-25-85 by SGP
Entered	by
Verified	by

0.0015

CRESCENT LAKE RES

LIF 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. T000041765 PERMIT NO. 000624 CERTIF. NO. 0026501

NAME: C. P. GUNGARA

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

ADDRESS: TID, 64697 COOK AVE

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

09

STREAM-ID 05 1980 1450 0260 080

RIV. MI.

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

CANCEL YEAR--->

CONSTR. COMPLT---> 10 01 1981 YR. LAST USED-----> —

NEXT ACTION DUE---> —

PRIORITY-----> 04 07 1911

PUT TO USE-----> 10 01 1981 LAST TRANS. DATE---> —

LAST TRANS. TYPE---> —

APPLICATION---> 03 21 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE--->

10.00

PERMIT ISSUE---> 06 28 1979

CONCURRENCE----->

CYCLE STATUS-----> —

REPORTED FLAG---> —

CONSTR. STRT.---> 06 28 1979

CERTIFIED----->

CORRES. INIT.-----> —

CORRES. DATE-----> —

POINT-OF-DIVERSION DATA:

TWNSP RNGE 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

V

S

V

S

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

** SUPP. IR. CHANGES POOL PART OF TUMALO

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

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

PLACE-OF-USE DATA:

TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS S OR P

V

S

160S 110E 24 DC 09 IR 100 4.00

V.R.I.S.

Assembled 9-25-85 by SNX

Entered by —

Verified by —

378-3066
or
1-800-452-7813
(message line)

December 8, 1981

Mary Knowles
c/o Tumalo Irrigation District
64697 Cook Avenue
Bend, OR 97701

Dear Ms. Knowles:

REFERENCE: File T-4176

We have received the Notice of Completion of Works and Use of Water for a change in place of use from Tumalo Creek, et al, as allowed by Water Right Transfer 4176. A survey will be made at a later date to confirm extent of use.

A new certificate based on the survey will be issued at a later date. In case of irrigation, any lands described in the order that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the order will be evidence of the water right in question as long as the authorized beneficial use of water is continued.

Sincerely,

LUCILLE C. JENSEN
Secretary
Transfer Section

LCJ:wpc
cc: Robert F. Main, Jr., Watermaster
0647A
8400A

RECEIVED

DEC 2 1981

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN
place of use of water from Tumalo Creek, et al

PURSUANT TO TRANSFER APPLICATION NO. 4176

I, MARY KNOWLES, 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 July 14th, 1981

Nov. 9, 1981
Date

Mary Knowles
Signature

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

ALL 4716



Bend Title Company

WARREN J. PEASE
Chairman of the Board
CHARLES T. HEMPHILL, JR.
President

Date May 5, 1981
Order No. 64687 MT
Escrow No. 16177 J111
OP \$
PP \$
MP \$
ALTA \$

RECEIVED

MAY 7 1981

WATER RESOURCES DEPT
SALEM, OREGON

Bend Title Company
Main Branch
Bend, OR 97701

We are prepared to issue title insurance policy of PIONEER NATIONAL TITLE INSURANCE COMPANY, in the usual form insuring the title to the land described as follows:

Lots One (1) and Two (2), in Block Two (2), of FOOTE HILLS SUBDIVISION, Deschutes County, Oregon.

Vestee:

EMERSON C. FOOTE and BRADFORD L. FOOTE,
as tenants by the entirety.

Dated as of
April 27, 1981, at 8:00 a.m.

BEND TITLE COMPANY

By:

MT:sw

Subject to the usual printed exceptions and stipulations contained in the policy and the following:

Taxes assessed under Code No. 2-7, Account No. 16 11 24 2201.

1. The 1979-1980 Taxes; \$237.30, Balance due \$118.66.
2. The 1980-1981 Taxes; \$185.01 UNPAID.

Taxes assessed under Code No. 2-7, Account No. 16 11 24 2700.

NOTE: The 1980-1981 Taxes; \$185.01 PAID IN FULL.

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

4. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein

As reserved by: State of Oregon

Recorded: December 18, 1961

Book/Page: 129/438, Deed records.

CONTINUED

P.O. BOX 752 • 1195 N.W. WALL STREET • BEND, OREGON 97701 • TELEPHONE (503) 389-7711

SW 1/4 SE 1/4
Sec. 24
T. 16 S R. 11 E

Page 2 of Order No. 64687 MT, Dated May 5, 1981

5. Reservation of minerals in deed from State of Oregon, December 18, 1961, in Book 129, Page 438, Deed records.

6. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
As granted to: Central Electric Cooperative, Inc.
Recorded: October 20, 1977
Book/Page: 260/703, Deed records.

7. Easement, including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein
As granted to: Tumalo Irrigation District
Recorded: June 8, 1978
Book/Page: 275/487, Deed records.

8. Covenants, Conditions and Restrictions as contained in instrument recorded June 20, 1978 in Book 276, Page 349, Deed records.

9. Easement as shown on the official plat of said land.

10. Easement as shown on the official plat of said land for canal.

11. Unrecorded Contract of Sale, including the terms and provisions thereof
Vendor: Emerson C. Foote and Bradford L. Foote, as tenants in common
Vendee: Mary E. Knowles and Sharon M. Hayes
As disclosed by: Memorandum of Contract
Recorded: February 16, 1979
Book/Page: 293/765, Deed records.

NOTE: We find no unsatisfied judgments of record as of the date hereof against RALPH H. and SANDRA L. STEED.

END

1"=400'

16 11 24

See Map 16 11

SALEM, OREGON

WATER RESOURCES DEPT.

See Map 16 11 25

See Map 16 12

16 11 24



COMPLIMENTS OF
BEND TITLE
COMPANY

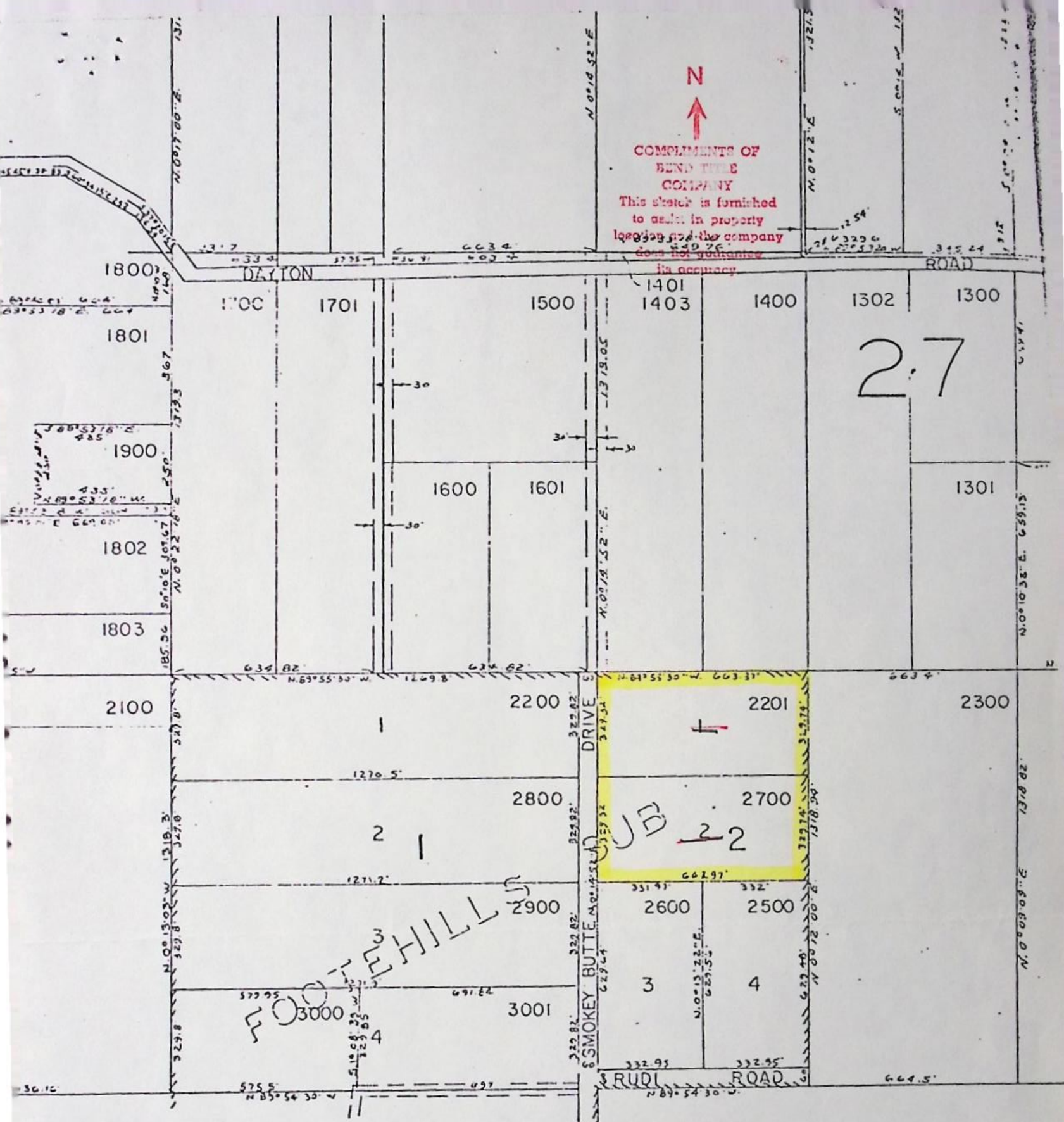
This sketch is furnished
to assist in property
location and the company
does not guarantee
its accuracy

2.7

JB 2.2

FOOTEHILL
3000

See Map 16 11 25



RECEIVED

MAY 23 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR 30 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

No. 4176

To the WATER RESOURCES DIRECTOR OF OREGON:

send response:

I, C.P. Gungara c/o Tumalo Irrigation District, 64697 Cook Avenue, Bend, OR 97701
(Name of applicant)of c/o Tumalo Irrigation District, 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? no: 2.0 acres name of Albert Harper, C/o T.I.D.
2.0 acres Name of Mulvahill " " "
(If not, give name)2. Was your water right determined by Decree of Court? yes If so, give title of proceedings
Tumalo Adjudication, vol. 1, page 137, name of Albert Harper primary certificate 31410
Tumalo Adjudication, vol. 16, page 188, name of James Mulvahill primary certificate 265083. Was your water right acquired by Water Right Permit? yes If so, give number
remarks (Yes or No)
of permit please see 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 Deschutes River5. What is the date of priority of your water right? September 19006. The authorized point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the $\frac{1}{4}$ $\frac{1}{4}$ of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of The name of the ditch used is

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

7. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the $\frac{1}{4}$ $\frac{1}{4}$ 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 1/4-1/4 of Section	Number Acres To Be Irrigated
16S	12E	8	SW 1/4 NE 1/4	4.0 Ac
Priority: 2.0 acres primary certificate 31410, September 1900, per map 1909 (map: red)				
2.0 acres primary certificate 26508, September 1900, per map 1958 (map: black)				

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)
copy attached: warranty deed 19993, vol. 232, page 859, recorded 6/15/76 Deschutes Cty.

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
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
<u>none</u>		

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 1/4-1/4 of Section	Number Acres To Be Irrigated
16S	11E	24	SW 1/4 SE 1/4 Tax Lot 2701	2.0 ac.
16S	11E	24	SW 1/4 SE 1/4 Tax Lot 2700	2.0 ac.
Each of the lots listed above is jointly owned by the partnership of Sharon Hayes and Mary Knowles.				

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are

~~that this water will be more beneficially used~~

15. Construction work will be completed on or before none

16. The water will be completely applied to the proposed use on or before on state's approval
on or before October 1980

See sheet attached for detailed breakdown by parcel:

Remarks Primary right; Cert # 31410 Tumalo Cr. 1900 prior waters of Tumalo Creek 27.0 ac.

Primary Cert. # 26508 Prior 1900 Tumalo Creek 11.2 ac.

Supp. Cert. # 31412 Prior 1905 Deschutes River

Supp. 26050 Permit # 19628 Prior Oct. 29, 1913 water of Tumalo Cr, Crater Cr.
Little Cr. Cr. and three Springs Branches

Supp. Cert. # 26051 Permit # 624 Prior Apr. 7, 1911 Crescent Lake Reservoir

Date of Board approval; March 13, 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, C.P. Gungara, 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 8 day of March, 1979

C.P. Gungara
(Name of applicant)

Subscribed and sworn to before me this 8 day of March, 1979

[Notarial Seal]

Mayon H. Ellison
NOTARY PUBLIC FOR OREGON

My commission expires March 28, 1981

Application No.

Application for Extension of Time
for Transfer of Water Right

RECEIVED

FEB 11 1981

WATER RESOURCES DEPT
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Sharon Hayes and Mary Knowles
(Name of applicant)
of c/o Tumalo Irrigation District, 64697 Cook Ave, 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
June 28, 1979, approving transfer application No. 4176,
in the name of C. P. Gungura, Tumalo Irrigation District *.

The following has been accomplished toward completion of the
change within the time allowed, which expired on October 1, 1980 :
All of the land has been cleared (2.0 acres where the water is to be
applied). 80% is ready to plant, pump and lines for delivery system
have been installed accordingly. This last season, 1980, we were
able to plant and irrigate 20% of the land.
(If for irrigation, how many acres, total, are now irrigated)
About 1/2 acre irrigated in 1980.

*If you are not the applicant named above, please explain your interest in
(Gungura)
this matter. The above applicant transferred the water right from his
property to ours. All certificates are in the name of Tumalo Irrigation
District.

2-11-81
5.00 + 5.00
22772 + 22773

Ext to 10-1-81
SRA

To fully complete the change, it will be necessary to accomplish the following: Plant the remaining 80% of ground and irrigate, using equipment and lines already in place.

I am unable to complete the change under the terms of the order, within the time allowed, because The bridge to the property broke during the last irrigation season so we did not have access. We will have access this season.

and request that the time for completion be extended to October 1, 1981.

AFFIDAVIT OF APPLICANT

I, Sharon Hayes and Mary Knowles, 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 4th day of

February, 1981.

X Mary Knowles

X Sharon M. Hayes

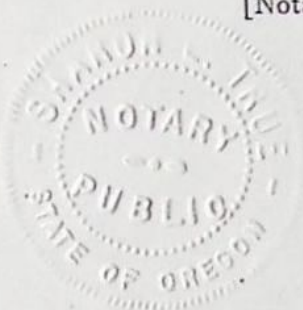
Subscribed and sworn to before me this 4th day of February, 1981.

[Notarial Seal]

Sharon L. True

Notary Public for Oregon

My commission expires 10-21-83.



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

TO:

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

SECTION 24 T16S. R11E.W1M.
DESCHUTES COUNTY

16 11 2

TO:

Tax lot 2700, Section 24, Township 16, Range 11, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.0 acresTax lot 2701, Section 24, Township 16, Range 11, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.0 acres

4.0 acres

RECEIVED

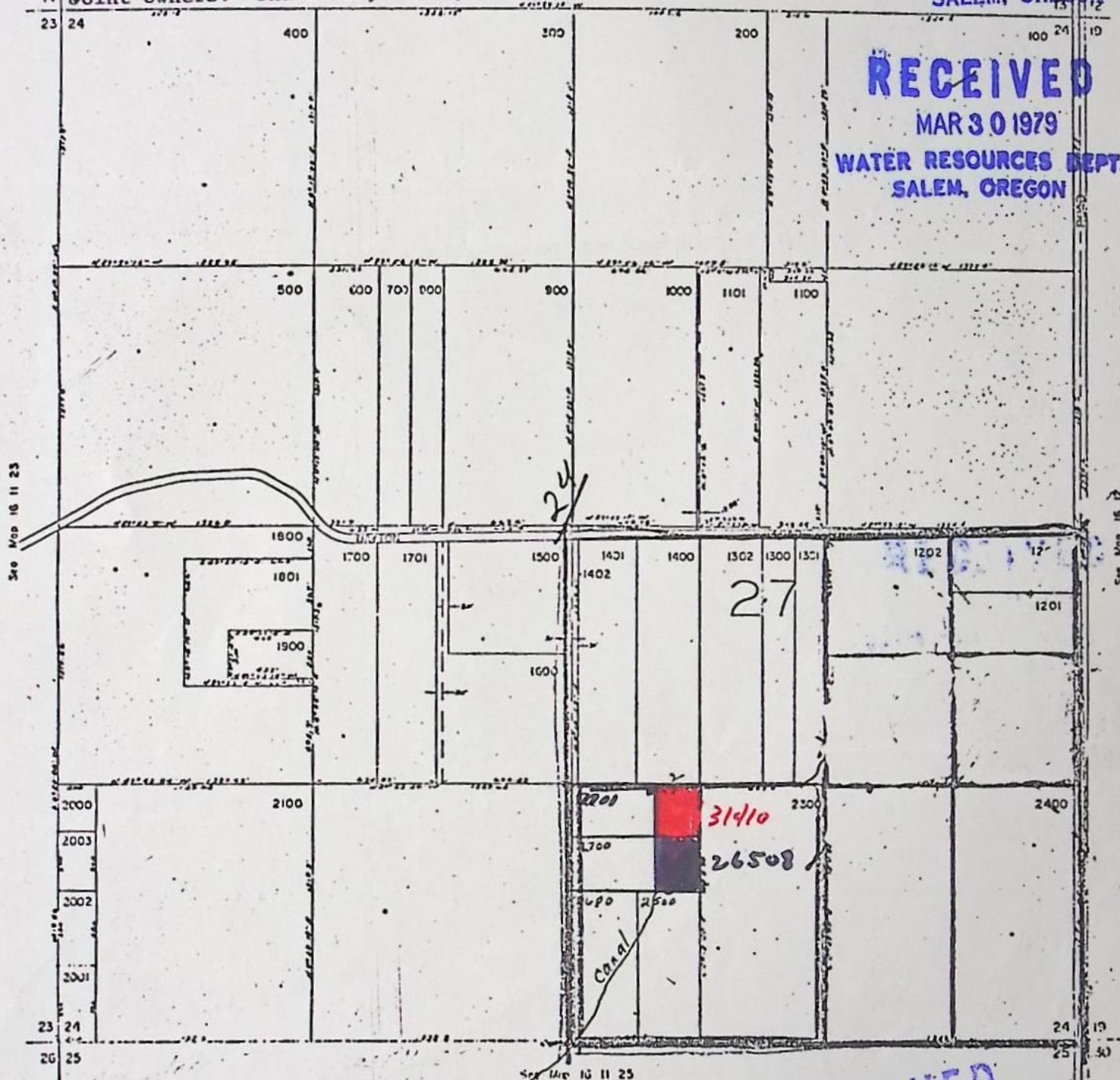
MAR 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Joint owners: Sharon Hayes/Mary Knowles

RECEIVED

MAR 30 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAY 23 1979

WATER RESOURCES DEPT.
SALEM, OREGON

16 11 24

T-4176

RECEIVED

MAR 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

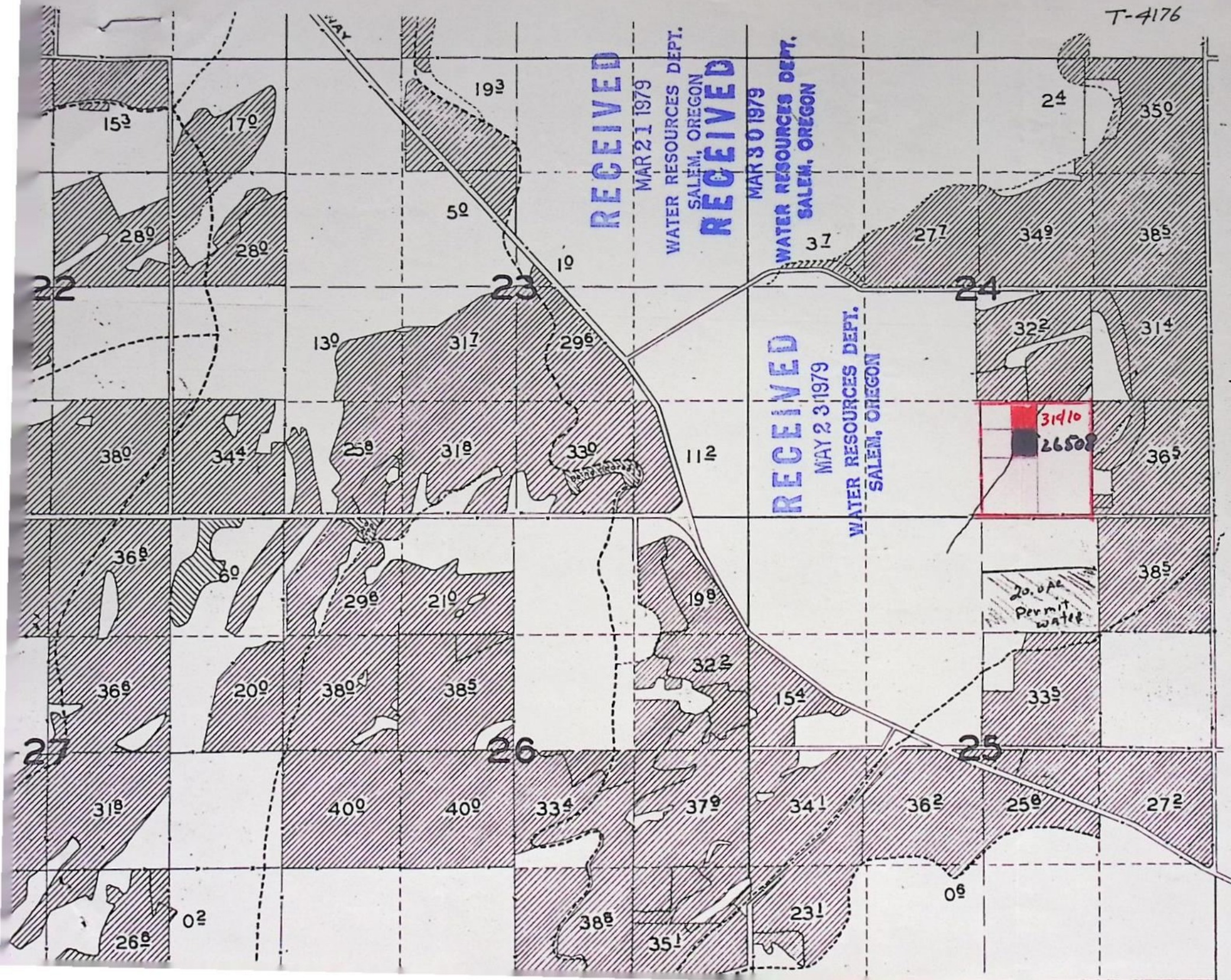
MAR 30 1979

WATER RESOURCES DEPT.
SALEM, OREGON

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MAY 23 1979

WATER RESOURCES DEPT.
SALEM, OREGON



Remove 4.0 acres of water from tax lot #701, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, Township 16, Range 12, as indicated in area designated in red (from property belonging to C.P. Gungura).

SECTION 8 T.16S. R.12E.W.M.
DESCHUTES COUNTY

1"=400'

FROM

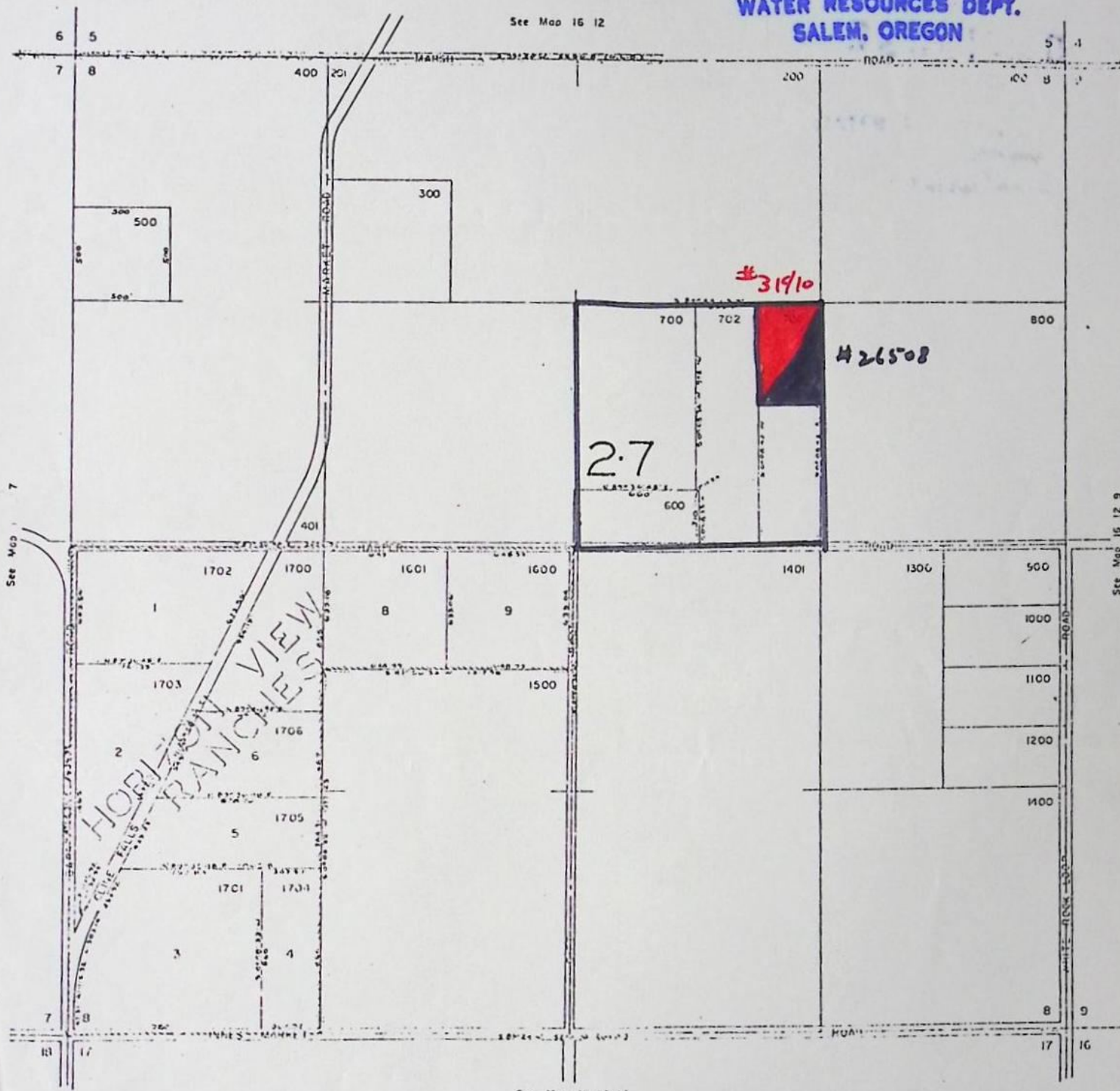
RECEIVED

MAR 30 1979

WATER RESOURCES DEPT.
SALEM, OREGON

16 12

See Map 16 12



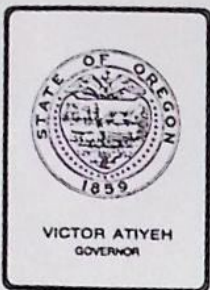
See Map 16 12 17

RECEIVED

MAY 23 1979

WATER RESOURCES DEPT.
SALEM, OREGON

16 12 8



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

September 14, 1979

George S. Fowler
Leisure Real Estate Company
P.O. Box 1059
Mammoth Lakes, California 93546

RE: File No. T-4176

Dear Mr. Fowler:

In response to your letter of July 26, 1979, concerning fees for new water right applications: The fees noted in my letter of July 24, 1979, are for examination of the application and supporting data, and for recording the water right certificate upon proof of application of water. There are no other fees.

A water right has a priority date as of the date an application for use of water is filed with the Water Resources Director ("current priority date"). All water rights filed earlier, i.e. with an earlier priority date, would have precedence over this right for the use of water. Hence, the earlier the priority date, the better the chances of having water during 'short' years.

The order approving transfer No. 4176 stipulates that the water must be applied to the new land prior to October 1, 1980. (A copy of the order is enclosed for your information.) If you wish to irrigate the property you are considering buying, I would suggest contacting Tumalo Irrigation District to find out if someone in the area would irrigate the land for you. Tumalo Irrigation District may also be able to help you determine the cost of supplying domestic water when you do build.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

July 24, 1979

George S. Fowler
Leisure Real Estate Co.
P.O. Box 1059
Mammoth Lakes, California 93546

RE: File No. T-4176

Dear Mr. Fowler:

The water right under which this transfer was completed is for irrigation purposes only. The water can be used only for irrigation, and only during the irrigation season. Unless water is beneficially applied prior to October 1, 1980, the water right will be lost. An extension of that time limit can be made only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

If you want to use water for any purpose other than irrigation, you must apply to this office for a new water right. A new right would of course have a current priority date. Our fees for processing a new application for domestic use are \$20 for examination and \$15 for recording, making a total of \$35. A new irrigation right would require the examination fee of \$20 and a recording fee of \$10 for the first 30 acres.

We have no information on costs to obtain water with an older priority date. Tumalo Irrigation District may be of service in this regard.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj

TUMALO IRRIGATION DISTRICT

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

RECEIVED
MAY 23 1979
WATER RESOURCES DEPT.
SALEM, OREGON

To become a part of application T-4176

Remarks:

These rights are to be adjudicated, by transfer, to the following parcels of land:

Tax Lot 2701, Deschutes County, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Township 16 South, Range 11 EWM,
Section 24, 2.0 acres legend: red

Primary: certificate #31410
2.0 acres of 27.0 with priority of September 1900
as indicated on survey map of 1909 prepared by H. K. Donnelley
Circuit Court of Oregon, Crook County, State Engineer,
Volume 1, page 135, tabulated in the name of Albert Harper
from the Tumalo Creek, tributary of the Deschutes River

Supplemental:

certificate #31412, 1905 priority, Deschutes River
2.0 of 38.2 acres adjudicated

certificate #26050, October 29, 1913 priority, waters of
Tumalo Creek, Crater Creek, Little Crater Creek and Three
Springs Branches
2.0 of 38.2 acres adjudicated Permit #19628

certificate #26051, permit #624, priority April 7, 1911
Crescent Lake Reservoir
2.0 of 38.2 acres adjudicated

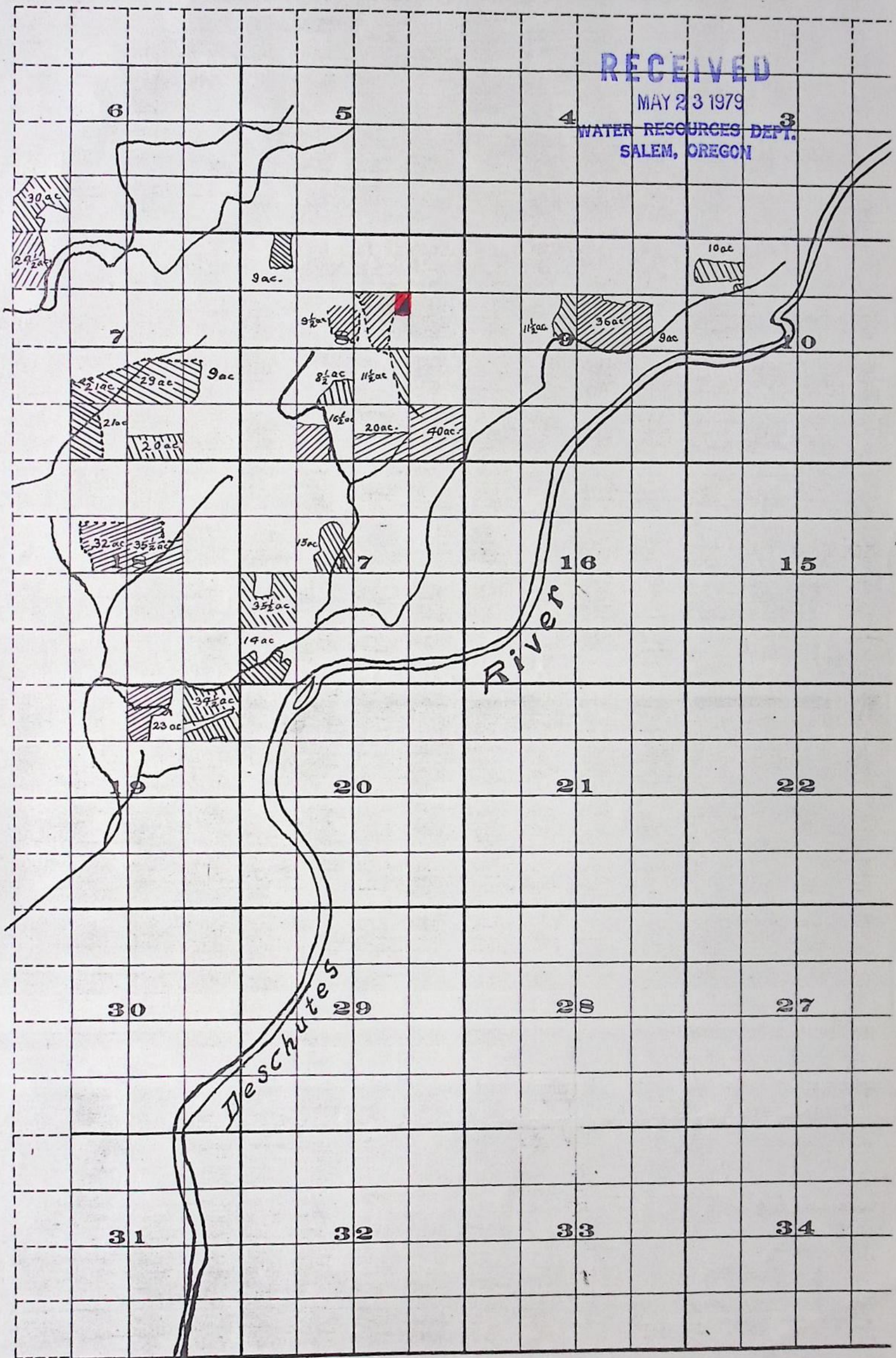
Tax Lot #2700, Deschutes County, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Township 16 South, Range 11 EWM,
Section 24, 2.0 acres legend: black

Primary: certificate #26508
2.0 acres of 11.2 acres with priority of September 1900
as indicated on adjudication map of 1958
Circuit Court of Oregon, Deschutes County, State Engineer
record Volume 16, Page 188
from the Tumalo Creek, tributary of the Deschutes River

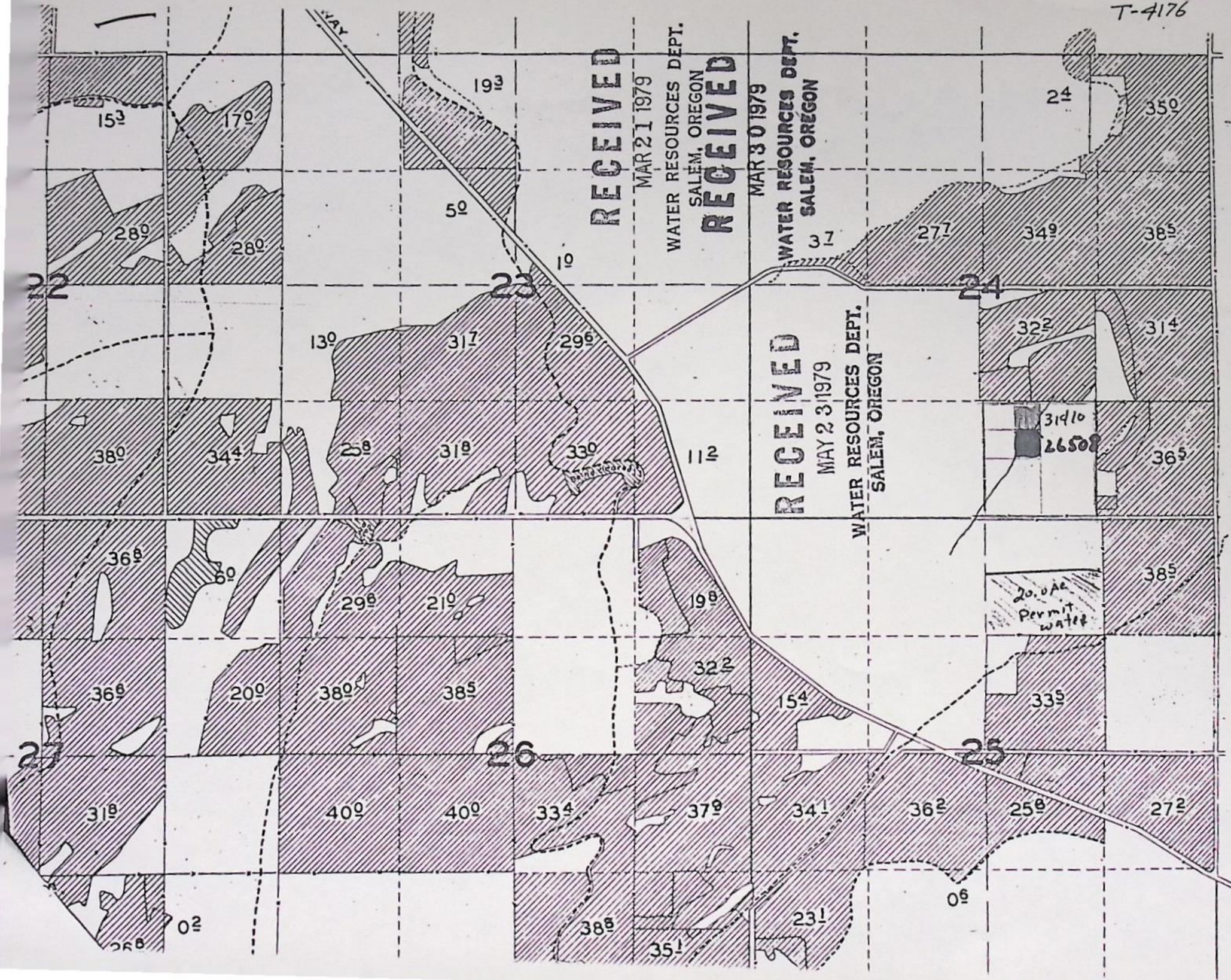
Supplemental: same supplemental as 3 certificates listed above

Board Approval: March 13, 1979

Township 16 South, Range



T-4176



Until a change is requested
all tax statements shall be
sent to: C.P. Gungura, et ux,
556 Calle Arroyo, Thousand Oaks 19900
CA 91360

TAX LOT 101

(101)

WARRANTY DEED

VOL 232 PAGE 859

JAMES D. RATHBONE, Grantor, conveys and warrants to

CONSTANTINE P. GUNGURA and LILLIAN M. GUNGURA, husband and wife,

Grantees, the real property described as:

Beginning at the East center 1/16 corner of Section
Eight (8), Township Sixteen (16) South, Range Twelve
(12) East of the Willamette Meridian, Deschutes
County, Oregon; thence North 00°08'42" East 1307.35
feet to the Northeast 1/16 corner of said Section 8;
thence South 89°44'03" West 333.12 feet; thence
South 00°08'42" West 1308.05 feet; thence North 89°
36'48" East 333.12 feet to the place of beginning.

Free of encumbrances save and except:

RECEIVED

MAR 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

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. In the event the property becomes so disqualified, Grantees shall pay any additional taxes and interest.
3. The existence of roads, irrigation ditches and canals, telephone, telegraph and power transmission facilities.
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.
8. Liens and encumbrances suffered or permitted by the Grantees.

RECEIVED

MAY 23 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Willizer & Forcum

LAW OFFICES P.O. BOX 1130 BEND, OREGON 97701

The true and actual consideration for this conveyance is the agreement to release contained in the contract between the parties dated March 20, 1975.

DATED this 20 day of May, 1976.

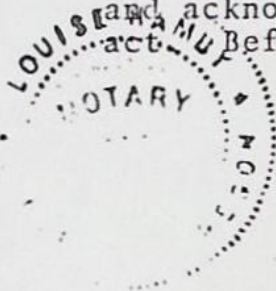
James D. Rathbone
James D. Rathbone

STATE OF OREGON)

County of DESCHUTES)

ss. DATED: 5-20-76

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



RECEIVED

MAR 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Louise Hamby
Notary Public for Oregon
My Commission expires: 10-16-76

19800

STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 20 day of May A.D. 1976 at 4:24 o'clock P. M., and recorded in Book 232 on Page 89 Records of Deschutes

ROSEMARY PATTERSON

By Robert D. Hester Deputy
County Clerk

Willcox & Forcum

LAW OFFICES P.O. BOX 1130 BEND, OREGON 97701

TUMALO IRRIGATION DISTRICT

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

May 21, 1979

RECEIVED
MAY 23 1979
WATER RESOURCES DEPT/
SALEM, OREGON

Mr. Wayne Overcash
Water Rights Engineer
Water Resources Department
555 13th Street N. E.
Salem, Oregon 97701

RE: File 4176
Gungura to Hayes/Knowles

Dear Mr. Overcash:

Tax lot 701 is the correct location from which the water is to be removed for the above referenced transfer. At the time I prepared that application I did not realize how the primary rights can be split, but having become more knowledgeable of the process, I reviewed your letter of May 9 and have changed the maps and other documents to show the split in the primary. Because the map of 1909 is in small detail, I calculate the portion of the water adjudicated to that particular area covered by the transfer would be about two acres according to the planometer. On that assumption I allocated 2.0 acres of water rights to the primary certificate #31410, part of 27.0 in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ with a priority of September 1900 and then the other 2.0 acres of rights to certificate #26508 with a priority of September 1900.

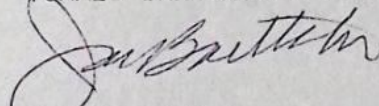
The priorities would pass to the the two designated areas where the water is to be placed, with one priority going to each area. The maps are corrected to show dark areas referring to certificate #26508 and the red areas to certificate #31410 as per the legend on the maps.

In your letter of May 9 you refer to certificate #31410 and on the application, face page, the penciled comment "Tumalo adjudication, volume 1, page 137, tabulated in the name of Albert Harper" appears in item 2. Our copy of certificate #31410 is not broken down by names. Could you please provide us a copy, at our expense, of the certificate detailed by ownership names.

I hope this information will satisfactorily complete our application. Thank you for your assistance.

Sincerely,

TUMALO IRRIGATION DISTRICT


Jan Boettcher

Enclosures

TUMALO IRRIGATION DISTRICT

64697 COOK AVE.
BEND, OREGON 97701

Phone 382-3053

March 28, 1979

RECEIVED

MAR 30 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**

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

RE: File No. T-4176
Gungura/Knowles

Dear Mr. Overcash:

Enclosed is the transfer application as referenced above.

The maps indicating from where the water is to be removed have been redrawn in tax lot #701, Deschutes County, and on the water adjudication map. Corrected maps are attached to the application.

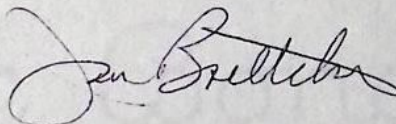
Our copy of certificate #31410 indicates 27.0 acres of water with priority of September 1900, per County of Deschutes Volume 2, page 292, originating Volume 1, page 135. There are pencil markings on the first page of the application: Tumalo adjudication Volume 1, page 137, tabulated in the name of Albert Harper, certificate #31410. As I do not have a copy of the document referring to VOL I, PG 137, I cannot verify that information.

We have record of 11.2 acres of water rights in the same area under cover of primary certificate #26508 with September 1900 priority, listed in the name of James Mulvahill, and then supplemental certificates as listed in the remarks section.

As I am in the learning process, I would appreciate your advising if I am misinterpreting the information at hand. Thank you for your consideration.

Sincerely,

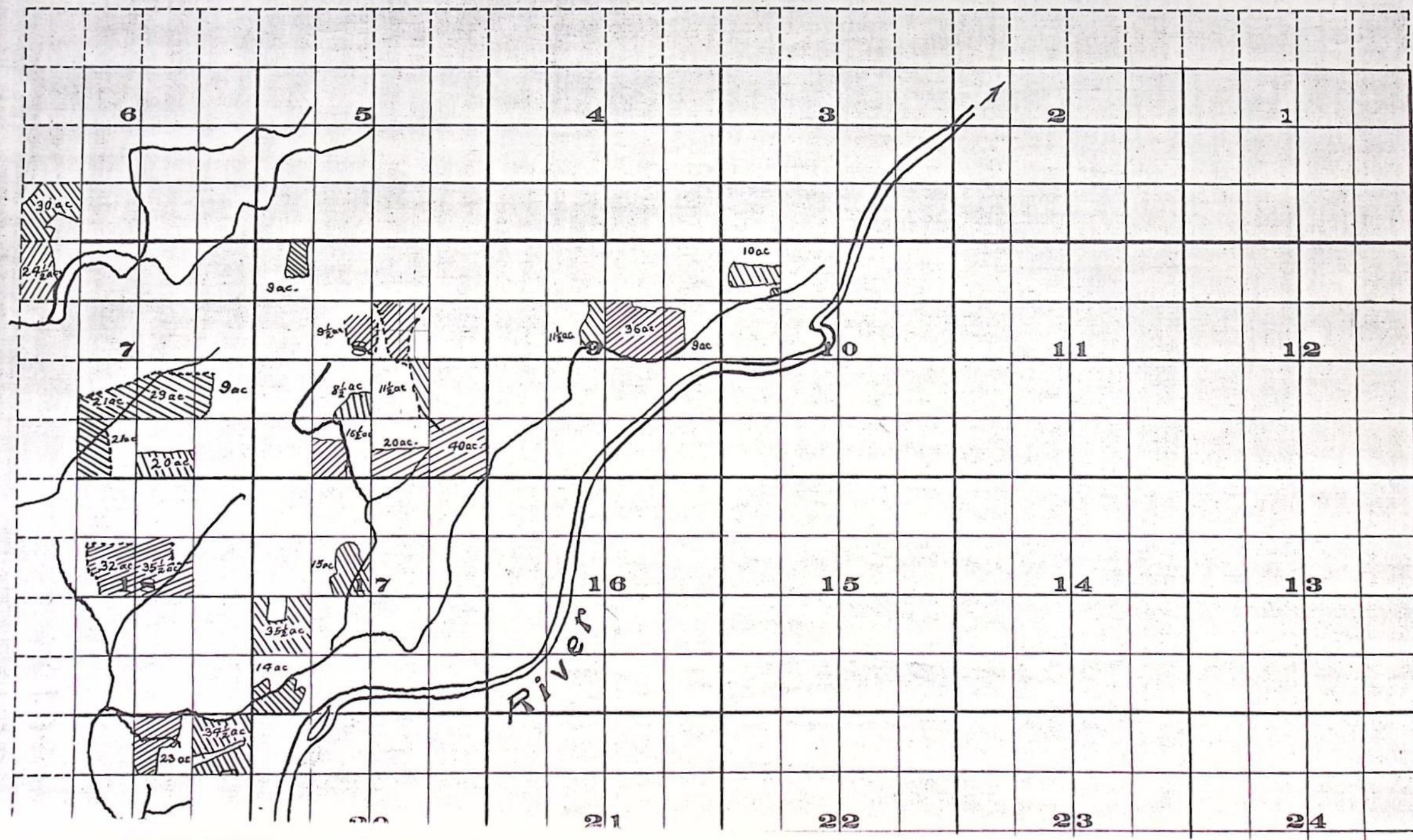
TUMALO IRRIGATION DISTRICT



Jan Boettcher
Office Manager

Enclosure

Township 16 South, Range 12 East W. M.



Until a change is requested
all tax statements shall be
sent to: C.P. Gungura, et ux,
556 Calle Arroyo, Thousand Oaks
CA 91360

RECEIVED

MAR 30 1979

WATER RESOURCES DEPT.

SALEM, OREGON

WARRANTY DEED

VOL 232 PAGE 859

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CONSTANTINE P. GUNGURA and LILLIAN M. GUNGURA, husband and wife,

Grantees, the real property described as:

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County, Oregon; thence North 00°08'42" East 1307.35
feet to the Northeast 1/16 corner of said Section 8;
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36'48" East 333.12 feet to the place of beginning.

Free of encumbrances save and except:

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. In the event the property becomes so disqualified, Grantees shall pay any additional taxes and interest.
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8. Liens and encumbrances suffered or permitted by the Grantees.

Williver & Forum

LAW OFFICES P.O. BOX 1130 BEND, OREGON 97701

The true and actual consideration for this conveyance is the agreement to release contained in the contract between the parties dated March 20, 1975.

DATED this 20 day of May, 1976.

James D. Rathbone
James D. Rathbone

STATE OF OREGON
County of DESCHUTES

ss. DATED: 5-20-76

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



RECEIVED
MAR 21 1979

Louise Hamby
Notary Public for Oregon
My Commission expires: 10-16-76

WATER RESOURCES DEPT.
SALEM, OREGON
RECEIVED
MAR 30 1979
WATER RESOURCES DEPT.
SALEM, OREGON

INDEX

19932
STATE OF OREGON
County of Deschutes
I hereby certify that the within instrument of writing was received for Record the 15 day of June A.D. 1976 at 4:24 o'clock P M., and recorded in Book 232 on Page 89 Records of Needs
ROSEMARY PATTERSON
County Clerk
By Robert Quinn Deputy