

Name Sally Willock
By 1/2 Tumalo Irrigation Dist
Address 64697 Cook Ave.
Bend Or. 97701

Change in P.O.U.
Date filed January 19, 1979
Date of hearing _____
Place of hearing _____
Date of order 8-3-81 Vol. 35, page 64
Date for application of water 10-1-82 10-1-83 84
Proof mailed APR 27 1987 5-29-87 - to Alger
Proof received 6-11-87
Certificate issued _____ Vol. _____, page _____

4124
DESCRIPTION OF WATER RIGHT
Name of stream Tumalo Creek, et al
Trib. of _____ County of Deschutes
Use irrigation
Quantity of water _____ No. of acres 2.32
Name of ditch _____
Date of priority August 5, 1900
In name of tabulated in name of Sid Rogers
Tumalo Creek Adjudication, Vol. 16, page 196
App. No. _____ Per. No. _____ Cert. No. 26508 primary
Certificate cancelled _____
Notation made on record by _____

FEES PAID		
Date	Amount	Receipt No.
<u>1-10-79</u>	<u>30-</u>	<u>8436</u>
<u>2-22-83</u>	<u>20.00</u>	<u>34913</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED		
Date	Amount	Check No.

REMARKS

Surveyed 6/12/35 (Hach, McFerran, Alger)
Amended application and maps received 6-22-81
Need WM report 7-8-81
Proof not necessary for 1.0 acre Aug 5, 1900 to McFerran
finis

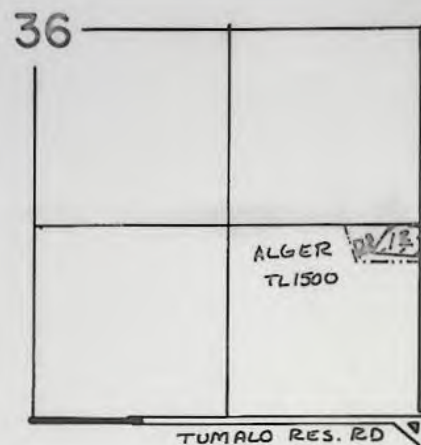
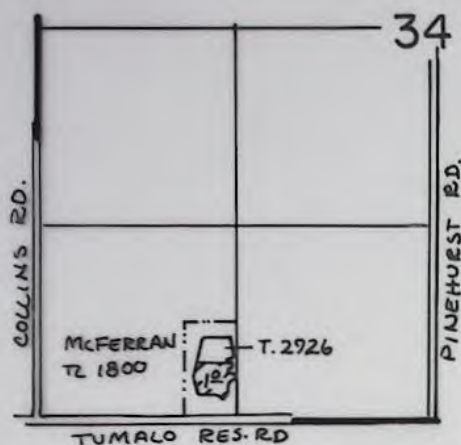
W.R.I.S.	
Assembled <u>7-11-85</u> by <u>SRB</u>	
Entered _____ by _____	
Verified _____ by _____	

Cert No 26050
" " 26051
" " 31412
Permit No 27841

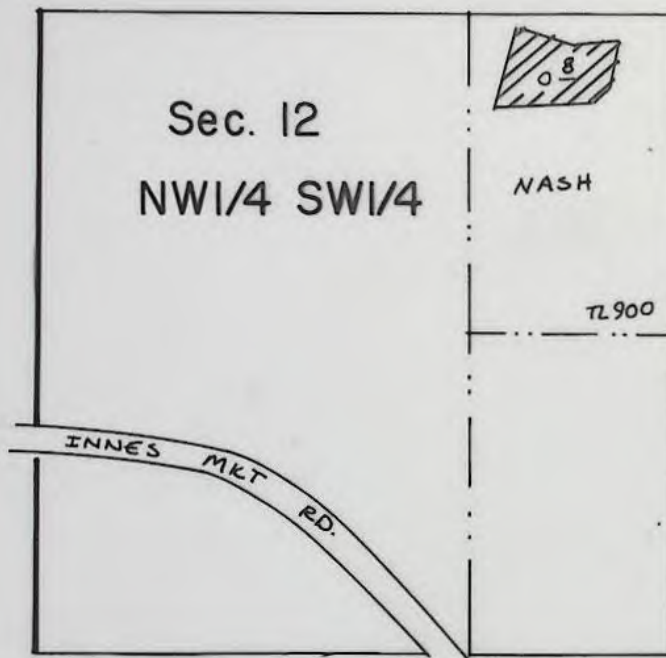
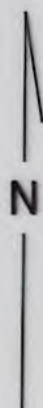
} Supplemental

INDEX CARDS:
Name ☒ Qj
Stream ☒ Qj
Pt. of Div. ☒ Qj
Calendar ☒ Qj
CHECKED TO RECORDS:
Twp. & Rco. SRB
Decree-vault SRB
Decree-safe SRB
Cert. of W/R SRB
Per. Folder SRB
Chainindex _____
Cross Ref. _____
Power Claim _____
Abstracts _____
TO BE ENTERED UNDER CHECKED

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



SCALE: 1" = 1320'



SCALE: 1" = 400'

FINAL PROOF SURVEY

UNDER

TRANSFER 4124

IN NAME OF

McFERRAN, ALGER, & NASH

Surveyed JUNE 12, 1985, by L. OLSON.....
OCT. 13, 1986

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
SARAH W. WILLOCK (TUMALO IRRIGATION)
DISTRICT) FOR APPROVAL OF A CHANGE)
IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 4124

On January 10, 1979, an application was filed in the office of the Water Resources Director by Sarah W. Willock 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 Ira E. Wimer, tabulated at page 139, Volume 1, for irrigation of, among other lands, a certain 0.8 acre in SW 1/4 SW 1/4, Section 27, Township 16 South, Range 11 East, WM, with a date of priority of August 5, 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.

By Decree of the Circuit Court for Deschutes County, Oregon, entered August 27, 1958, 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 Deschutes County Municipal Improvement District (now Tumalo Irrigation District), tabulated in the name of Sid Rogers at page 196, Volume 16, for irrigation of, among other lands, a certain 1.6 acres in SW 1/4 SW 1/4, Section 27, Township 16 South, Range 11 East, WM, with a date of priority of August 5, 1900, as now described by certificate issued in the name of Tumalo Irrigation District and recorded at page 26508, Volume 18, State Record of Water Right Certificates.

Certificate of water right issued to Tumalo Irrigation District and recorded at page 26050, Volume 18, State Record of Water Right Certificates, describes a right to the use of not to exceed 136.0 cubic feet per second of water from Tumalo Creek, supplemented by the use of not to exceed 40.0 cubic feet per second from Crater Creek; not to exceed 34.0 cubic feet per second from Little Crater Creek; and not to exceed 1.0 cubic foot per second from three spring branches for irrigation of, among other lands, a certain 0.6 acre in SW 1/4 SW 1/4, Section 27, Township 16 South, Range 11 East, WM, with a date of priority of October 29, 1913.

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 1.0 acre in NW 1/4 SW 1/4, Section 12 (McGuire); 1.0 acre in SW 1/4 SW 1/4, Section 34 (Don McFerran) and 1.0 acre in SE 1/4 SE 1/4, Section 36 (Alger), all 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.

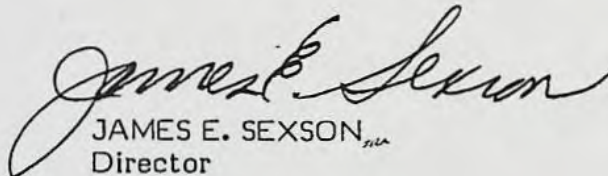
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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

AMENDED
Application for Transfer of Water Right

RECEIVED

JUN 22 1981

WATER RESOURCES DEPT.
 SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Sarah W. Willock
(Name of applicant)
 of c/o Tumalo Irrigation District, 64697 Cook Avenue, Bend
(Mailing address) (City)
 State of Oregon, 97701, 382-3053, do hereby make application for change
(Zip Code) (Phone number)
place of use
(In point of diversion; place of use; use heretofore made of the water)

C-31410, Trs E. Wimer v I, p 139 (marked)
C-26508, Sid Rogers v I, p 196 (marked)

1. Is the water right recorded in your name? NO: See Remarks
(If not, give name)

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

number of certificate 26508 Primary.

3. Was your water right acquired by Water Right Permit? See remarks 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 see remarks

5. What is the date of priority of your water right? August 5, 1900; October 29, 1913

6. The authorized point of diversion is located ft. and ft. from the corner of
(N. or S.) (E. or W.)
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 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 corner of
(N. or S.) (E. or W.)
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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
16 South	11 EWM	27	SW $\frac{1}{4}$ SW $\frac{1}{4}$.8 (31410)
			Deschutes County	
			Tax Lot 402	
16 South	11 EWM	27	SW $\frac{1}{4}$ SW $\frac{1}{4}$ (T.L. 405)	1.6 (26508)
16 South	11 EWM	27	SW $\frac{1}{4}$ SW $\frac{1}{4}$ (T.L. 405)	.6 (26050)

(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)

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

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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
16 South	11 EWM	34	SW $\frac{1}{4}$ SW $\frac{1}{4}$ (T.L. 1800)	1.0 (Don McFerran) #26508
16 South	11 EWM	36	SE $\frac{1}{4}$ SE $\frac{1}{4}$ (T.L. 1500)	1.0 (Alger) .4: #26508 .6: #26050
16 South	11 EWM	12	NW $\frac{1}{4}$ SW $\frac{1}{4}$ (T.L. 900)	1.0 (McGuire) .8: #31410 .2: #26508

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are more beneficial use

15. Construction work will be completed on or before April 1, 1981

16. The water will be completely applied to the proposed use on or before October 1, 1981

Remarks Water Rights: Primary: .8 acres: Cert. 31410 - Tumalo Creek; 8/5/1900 (1)
Primary: 1.6 acres: Cert. 26508 - Tumalo Creek; 8/5/1900 (2)
Primary: .6 acres: Cert. 26050 - Tumalo Creek and branches; 10/29/1913 (3)

Supplemental: Cert. 26050 -(1 and 2 only) - Tumalo Creek and branches; 10/29/1913

Cert. 26051 - Crescent Lake Reservoir; 4/7/1911

Cert. 31412 - Deschutes River; 1905

Permit 27841 - Crescent Lake Reservoir; 12/8/61

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, Sarah W. Willock, 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 8th day of August, 1980.

Sarah W. Willock
(Name of applicant)

Subscribed and sworn to before me this 8th day of August, 1980.

[Notarial Seal]

Janet L. Boettcher
NOTARY PUBLIC FOR OREGON

My commission expires May 10, 1983

RECEIVED

JUN 11 1987

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF DESCHUTES

PROOF OF APPROPRIATION OF WATER

Name: RICHARD ALGER

Address: 19565 Tumalo Reservoir Road, Bend, Oregon 97701

c/o Tumalo Irrigation District

64697 Cook Avenue, Bend, Oregon 97701

Source of Supply: Tumalo Creek, Crater Creek, Little Crater Creek, Deschutes River, and Crescent Lake Reservoir

Transfer: 4124

Priority Dates: Tumalo Creek - October 29, 1913; August 5, 1900, Deschutes River 1905, Crescent Lake Reservoir April 7, 1911; December 8, 1961

Use: irrigation of 1.2 acres; being 0.6 acre August 5, 1900 and 0.6 acre October 29, 1913

Location and Point of Diversion: Columbia Southern Canal, Tumalo Feed Canal and D.C.M.I.D. Canal

The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

1.2 acres SE 1/4 SE 1/4
Section 36
Township 16 South, Range 11 East, WM

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change in place of use approved by the order of the Water Resources Director entered August 3, 1981; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 5 day of June, 1987.

Richard Alger

Legal owner of the above described lands

RECEIVED

MAY 11 1987

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON
COUNTY OF DESCHUTES
PROOF OF APPROPRIATION OF WATER

Name: CHARLOTTE NASH AND MARY JANET KUBITSCHKE

Address: 25 Prospect Avenue, San Francisco, CA 94110

Name: c/o TUMALO IRRIGATION DISTRICT

Address: 64697 Cook Avenue, Bend, OR 97701

Source of Supply: Tumalo Creek, Crater Creek, Little Crater Creek, Deschutes River, and Crescent Lake Reservoir

Transfer: 4124

Priority Dates: Tumalo Creek - August 5, 1900, Deschutes River - 1905,
Crescent Lake Reservoir - April 7, 1911, December 8, 1961

Use: irrigation of 0.8 acre

Location and Point of Diversion: Columbia Southern Canal, Tumalo Feed Canal,
and D.C.M.I.D. Canal

The description of land given below and as shown on the attached map
corresponds to that found to be irrigated:

0.8 acre NW 1/4 SW 1/4
Section 12
Township 16 South, Range 11 East, WM

I have read the above and foregoing proof of appropriation of water defining
the extent of use of water under the change in place of use approved by the
order of the Water Resources Director entered August 3, 1981; I know the
contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 6TH day
of MAY, 1987.

Charlotte Nash

Mary Janet Kubitschke
Legal owner of the above described lands

POD
POL
USE

WATER RESOURCES DEPT
SALEM, OREGON

County Deschutes

1. Name Charlotte Nash; Don McFerran; Richard Alger

Address Tumalo ID, 64697 Cook Ave, Bend, OR 97701

2. Source of Water Temple Co, etc Trib of _____

3. Use irrigation of 2³ Ac.

4. Amount of Water -

5. Priority Date _____

6. Proposed Point of Diversion

7. Completion Date 10-1-84 C Notice Received: 11-29-84

8. Place of Use: Transfer Order: Vol 35, pg. 64

[illegible]

McFerran portion

Info: Don McFerran

Hds: 4 RB's on garden hose

Pump: 1 hp on Collins Rd ditch

Crop: pasture grass, & g

Tie: PTS on 279-1614

5-10-85

Gerlie Olson

WRE

T-4124
16-11-36

Richard Alsgr
19505 Tumalo Res Id

RECEIVED

NOV 27 1985

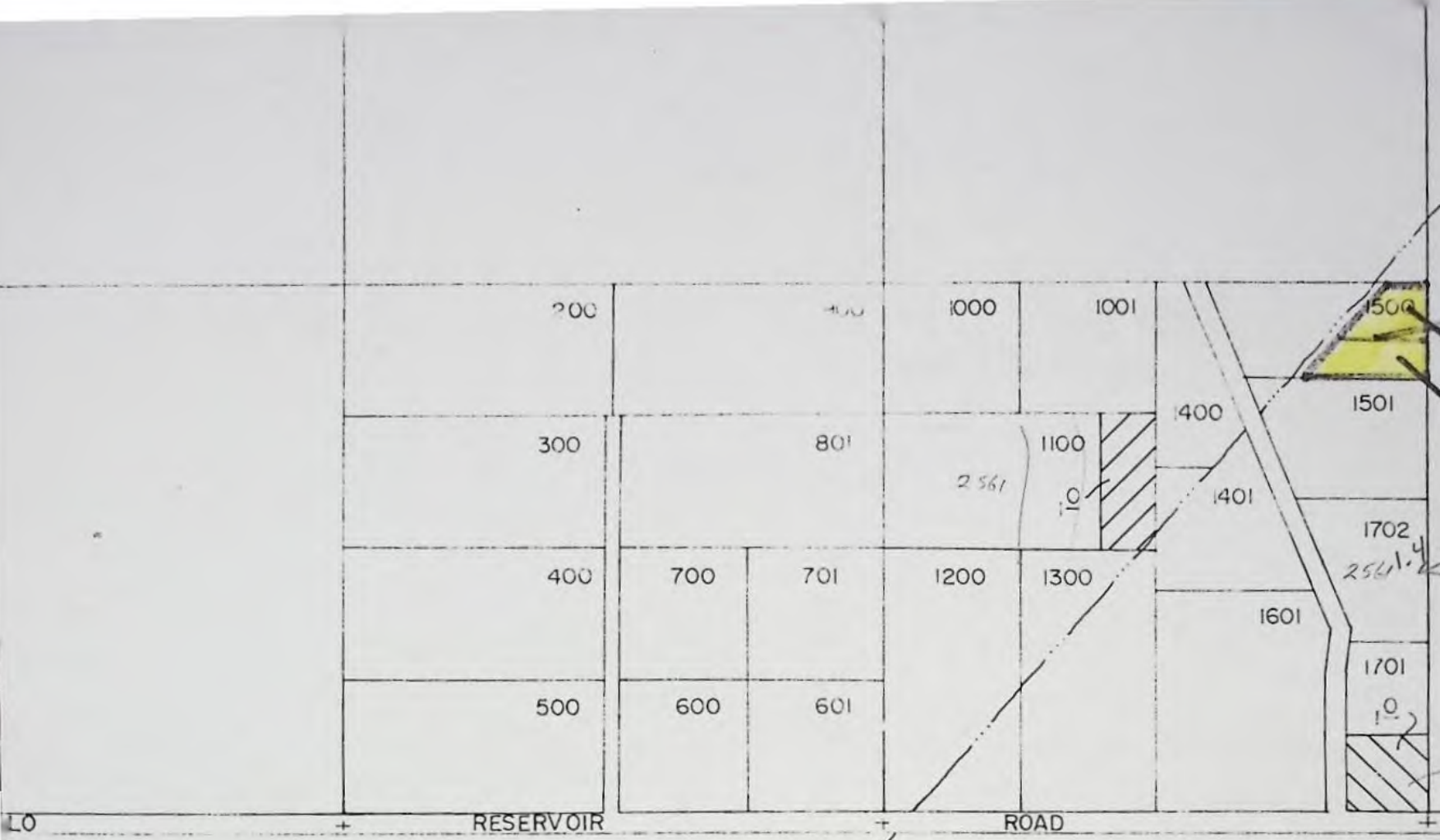
WATER RESOURCES DEPT
SALEM, OREGON

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JUN 2 1981

WATER RESOURCES DEPT.
SALEM, OREGON

SE Corner, Sec 36



Alger portion

Info. Mr. Alger

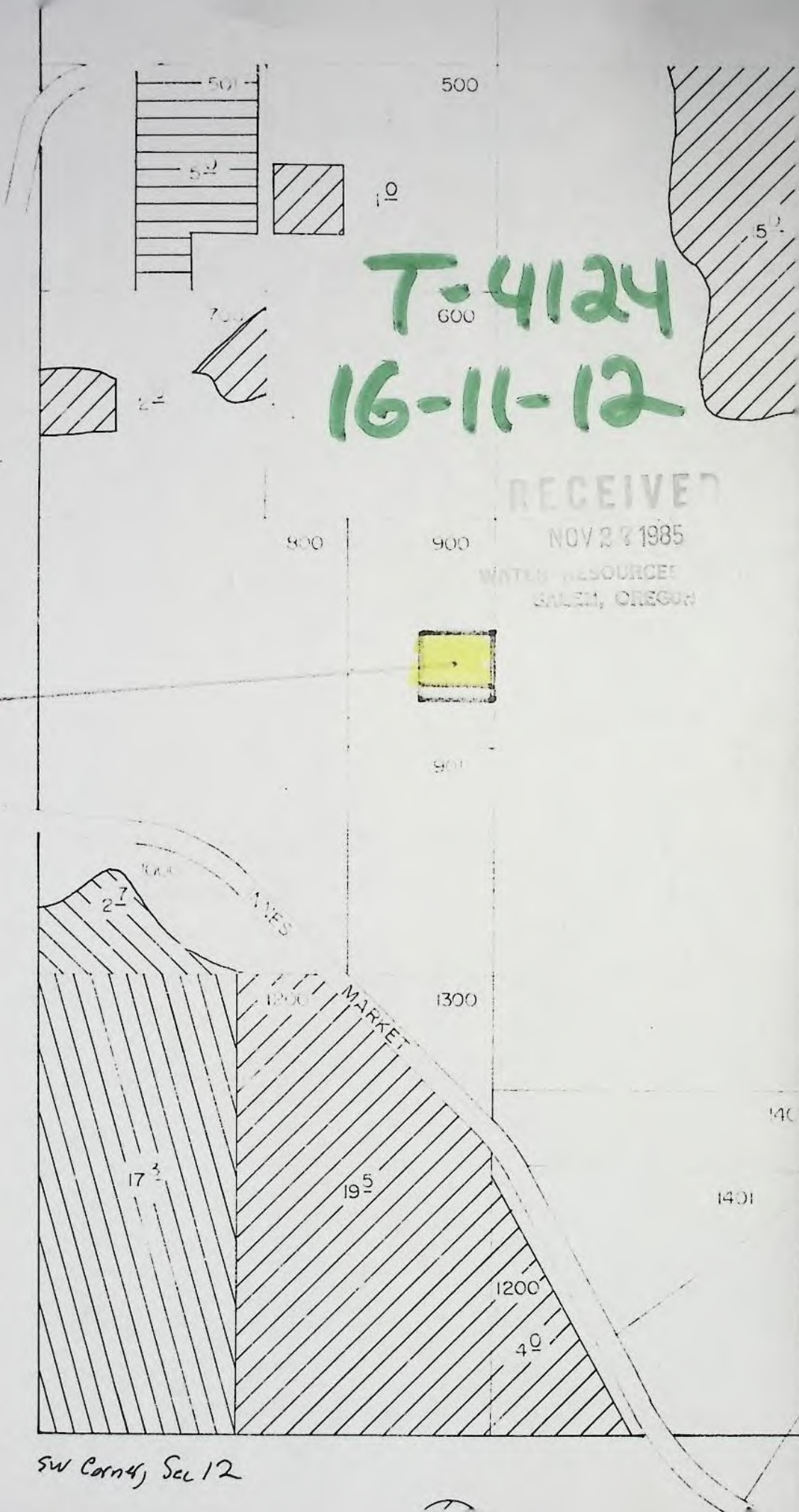
Irrigator ^{between property lines} from back fence line to ~~house~~ powerline and
around house. Pasture - 2 steers
Has added lower part of pasture & pond in last 5-6 yrs.

Pump: 1 hp

Hds: 5 RB's

Tie: 279-161R

June 10, 1985
Sensie Olson
WRE



T-4124
16-11-12

RECEIVED

NOV 27 1985

WATER RESOURCES
SALEM, OREGON

1.0 mi

S: #31410
2: #24008

RECEIVED

JUN 22 1981

WATER RESOURCES DEPT.
SALEM, OREGON

SW Corn 4, Sec 12

Noon / Kubitchek pasture
Info: personal observation

Nothing appears to have been irrigated
to beneficial use. There is a ditch that has
been cleared & diked. Some part have been
trimmed. 1 1/2" PVC runs from ditch on west
side of Sec. 12 (is about 100' short of reaching
ditch) to cleared area. Pipe runs, ditch,
cleared area but no heads & no pump. No
crop observed. Native vegetation (chickweed, ground cover, etc.)
starting to come back in. No evidence of vegetable
garden as described in interview app.

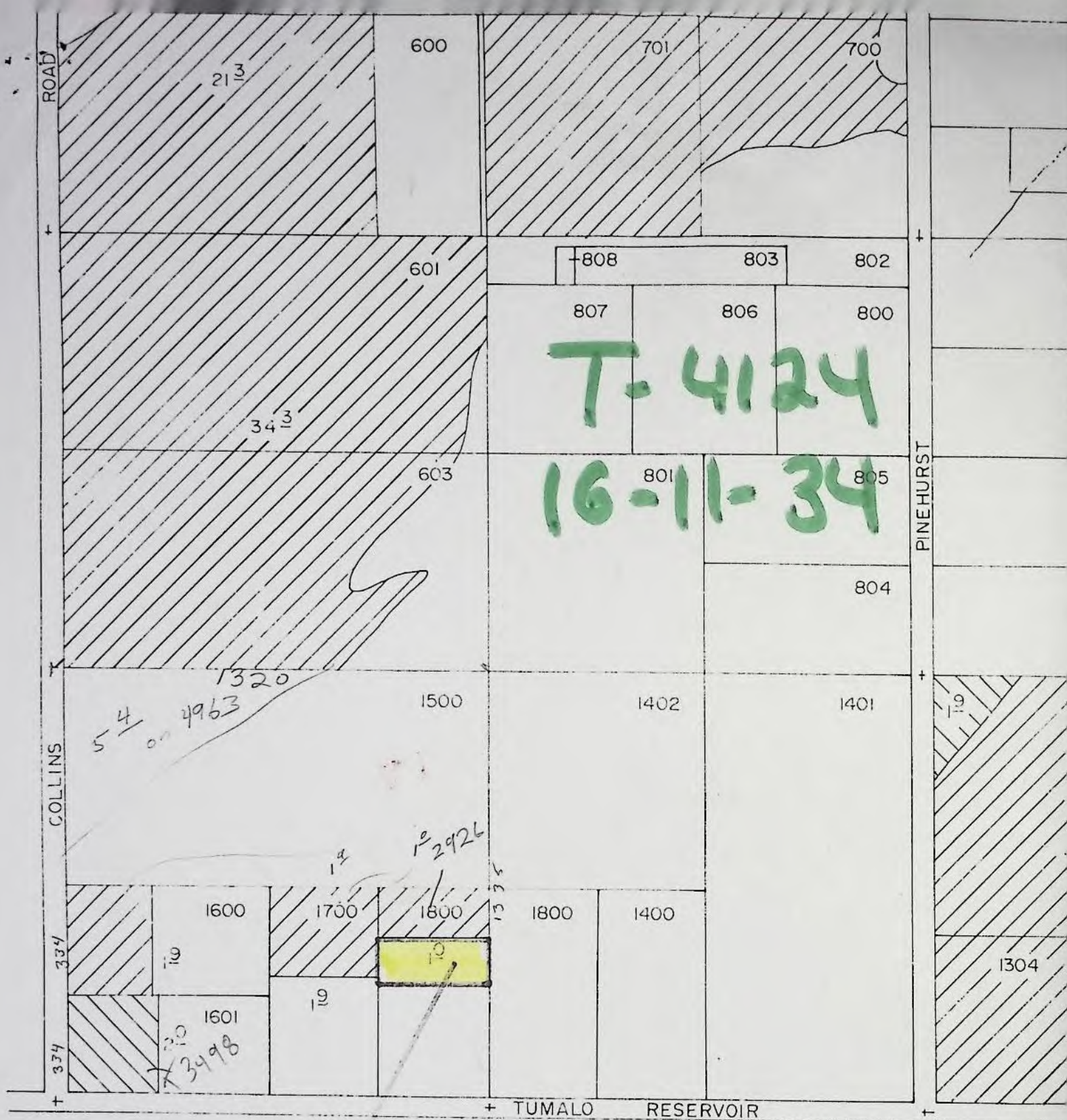
~~Advised report~~

PT311-1986-A

June 12, 1985
Sister Olson
WBE

Resurveyed 10-13-86 per letter (attached)
from Kubitchek claiming use in 1984

W/BAS



SW Corner Sec 34

LO ON
(#26508)



1900



1913



1907

RECEIVED

NOV 27 1985

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUN 22 1981

WATER RESOURCES DEPT.
SALEM, OREGON



Water Resources Department

117 NW Lafayette . BEND, OREGON 97701 PHONE 388-6670

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NOV 27 1985

WATER RESOURCES DEPT
SALEM, OREGON

June 14, 1985

Charlotte Nash & Mary Janet Kubitschek
25 Prospect Av.
San Francisco , CA 94110

RE: Transfer 4124

I have recently completed the final proof survey on your property under transfer 4124. This transfer involves 1.0 acre of water right to land that you own in T.16S., R.11E., Sec. 12. This land is in the delivery system of the Tumalo Irrigation District.

Upon inspection, I found no evidence that beneficial use of the water had been made. The area around the house looked about the same as described in the extension application of Oct., 1983. There was a cleared area of about $\frac{1}{2}$ acre with some plastic pipe on it. There was no evidence of a crop being planted and watered, no sprinklers, no pump and the plastic line did not extend all the way to the irrigation ditch.

If you have other evidence of 1.0 acre of water being put to beneficial use, I will be happy to look at it under this survey. Otherwise, this water right may be lost due to non-use. If you wish to apply for another extension of time, you should deal with Sam Allison in our Salem office. His address : 555 13th St. NE, Salem, OR 97310.

If you have further questions, I will be happy to answer them.

Sincerely,

Leslie Olson
Water Rights Examiner

19270 Innes Mkt. Rd.
Bend, OR 97701
March 31, 1986

RECEIVED

APR 8 1986

WATER RESOURCES DEPT
SALEM, OREGON

Bruce Estes
3850 Portland Rd. N.E.
Salem, Oregon

Dear Mr. Estes,

I did not know what the status of my water right was and called Martin Winch in Portland, who referred me to Sue Condare in Tumalo, who referred me to Leslie Olson in Bend. Ms. Olson said she had inspected my cultivated acre in 1985 and sent a negative report to you.

During the summer of 1984, the former co-owner of this property cleared one acre of land, removing several trees and taking off low branches of several others, per the requirements. She then had a bulldozer come and remove rocks and sage brush etc. After that was finished, she had the acre plowed, furrowed and seeded. This cost \$750.

This acre right of water is 1000 feet from the canal over another person's property. So we tried to get an easement but could

not. However the property owner did give permission to lay pipe temporarily above ground across his property to the ditch, which is what was done.

Since there was no easement granted, there was no reason to pay Central Electric Cooperative \$3000 for the power drop at that site. I would have lost the \$3000 if the easement was not granted. Therefore a gasoline pump was rented to get the water flowing over the acre. I think I complied with the requirement that I have a beneficial irrigation of water in 1984. But Noone inspected, although they told me they were going to. When I told this to Leslie Olson, she said, "No. I inspected the acre in 1985." Noone told me a thing about it.

While I was trying to find a route for a permanent water system, an irrigation contractor told me that I should have received notification that the water had been proved. I said that I had filled out a form that Tumalo Irrigation sent me in the winter of 1984 stating that I had planted and irrigated my acre. The contractor told me that he thought

...I was all night but that I should check.
I did and tracked all these people down
and found out all of this.

The minimum estimate I get for installation
of my irrigation system is \$5000, once I
have a good easement, and it looks as
though I can get one, by going under a
36 foot wide paved road and 1500 feet to
my property. I simply do not have \$5000
to put into a system all at once. I am
a retired school teacher on a fixed income.
I have done my best to deal with this
water right. I want to sell the water
and think I have that right based on
the irrigation in the summer of 1984.

Thank you for your consideration of this
whole affair.

Sincerely,

Mary Janet Kubitschek

Enclosed:

Copy of a letter to Kubic
" " " " Martin

RECEIVED

APR 8 1986

WATER RESOURCES DEPT
SALMON, OREGON

25 Prospect
San Francisco

3/25/86

Dear Kubie (M.J. Kubitschek)

I was unable to find my copy of the letter to Martin Winick. If it turns up, I'll send it

Anyway, in June of '84 I went to Tumalo to put in the water. Martin had sent a long detailed list of things for me to do to make sure I was in compliance

I took out about 20 trees & trimmed the rest. A bulldozer cleaned off the scrub. Then a fellow who specializes in small acreages plowed, furrowed & seeded. The irrigation pipe was laid out in a T formation & then run about 1000 feet to the ditch. We could not put it underground because Kurt Hon did not want his property dug up & would not give an easement. So we pumped using a big gas pump.

Sent field book back to recipient
with this info. 9 Apr 86

The cost of all this was \$800-1000.

There were three ~~off~~ four visits from the fellow who was in charge of Tumalo Irrigation. The last time he was out he said "As far as I'm concerned, all you have to do now is be inspected by the state. My mother was visiting at the time and felt the situation was OK, as did I. When we left for San Francisco in October, I had some green growth and that was it for the time being.

I'm sorry I can't be of help now. Let me know if I can give any more information though.

Best

Charlotte

RECEIVED

APR 8 1986

WATER RESOURCES DEPT

SALEM, OREGON

19270 Innes Mkt Rd

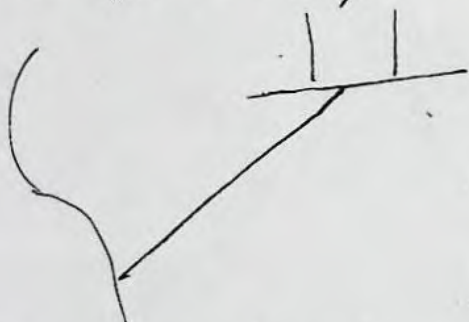
Bend

Oct 2, 1984

Dear Martin: (Winch).

I thought, since you are the one I've been dealing with re: Tumalo water; that I'd write & tell you what's gone on this summer.

I got permission to lay pipe across Kirk Horn's property, but not to put it underground until he sees the route. The boys from Thompson pump put it down from the canal to the area ~~to~~ a simple T. formation ~~it~~



like so.

The land has been bulldozed, rototilled, harrowed & seeded. It was irrigated from 7-21 to recently. (gasoline pump)

The man who bulldozed is digging a small pond after hunting season. Then Thompson is installing an electric pump.

I should think that would suffice.

Tumalo. Water in the person of a man from Pennsylvania looked at the set-up & said O.K., that there was nothing else required by Tumalo. That there was only the state who might appear & might not.

Thanks for your help the past two years. ~~the water issue~~ The water issue is a bit quixotic & even stranger to people ~~often~~ California but I think its difficult for people who live here year around...

I had hoped to meet you this summer. Maybe next summer when I put the water on the other 40 acres. I was demotivated enough to buy.

Sincerely,

Charlotte Nash

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-4124

I, CHAROLETTE NASH, 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 OCTOBER 1, 19 84.

10 1984

Date

Charlotte Nash

Signature

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

Walter Lamson, Mgr
Tumalo Irr. Dist.

Wait: The above referenced 1-acre H₂O right was accomplished
this summer. The acre was cleared, harrowed, seeded & watered
per regulations set forth in water users hand book.

Sincerely

Charlotte Nash

RECEIVED

NOV 29 1984

WATER RESOURCES DEPT
SALEM, OREGON

58097 7.00

1082

244-408

WARRANTY DEED—STATUTORY FORM
NOTARIAL CERTIFICATE

BARBARA JOAN MCGUIRE

Grantee,

conveys and warrants to CHARLOTTE NASH and MARY JANET KUBITSCHKE

Grantee, the following described real property
free of encumbrances except as specifically set forth herein situated in Deschutes County, Oregon, to-wit:

See Description on Reverse Side

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free from encumbrances except

(a) The existence of roads, irrigation ditches and canals, telephone and telegraph and power transmission facilities.

(b) The premises under search fall within the boundaries of Tumalo Irrigation (continued on reverse side)

The true consideration for this conveyance is \$40,000.00 (Here comply with the requirements of ORS 92A09)

FORTY THOUSAND DOLLARS and no/100

Dated this 13th day of July, 1981

Barbara Joan McGuire
Barbara Joan McGuire



STATE OF OREGON, County of Benton, July 13, 1981

Personally appeared the above named Barbara Joan McGuire

and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

Margaret A. Buckles

Notary Public for Oregon—My commission expires: 04-12-92

WARRANTY DEED

BARBARA JOAN MCGUIRE
CHARLOTTE NASH, MARY JANET
25 Prospect KUBITSCHKE
San Francisco, CA

After recording return to:

Pioneer Nat'l Title Ins.
P.O. Box 858
Corvallis, OR 97339

NAME ADDRESS ZIP

Send a change to registered, all but statements
shall be sent to the following address:

CHARLOTTE NASH

MARY JANET KUBITSCHKE

25 Prospect
San Francisco, CA 94110

DATE INSTRUMENT FILED

STATE OF OREGON

County of Deschutes

I certify that the within instru-
ment was received for record on the
13th day of July, 1981,
at 11:00 o'clock A.M., and recorded
in book 244 on page 408 as
title/record number

Record of Deeds of said County.

Witness my hand and seal of
County official.

Rosemary Patterson

By: [Signature]
AM 264-408

1082

SPACE RESERVED
FOR
PROPRIETOR'S USE

ALL 04, 12, 92

RECEIVED

NOV 29 1984

Vol. 344 p. 407

PROPERTY DESCRIPTION

The North One-half (N-1/2) of the following described real property located in the Northwest One-quarter of the Southwest One-quarter (NW-1/4 SW-1/4) of Section Twelve (12), Township Sixteen (16) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon:

Beginning at a 1/2 inch rebar on the East-West centerline of Section 12, Township 16 South, Range 11, East of the Willamette Meridian, Deschutes County, Oregon, from which the West 1/4 corner of the said Section 12 bears North 89° 46' 33" West 903.56 feet; thence from said point of beginning South 89° 46' 33" East 422.69 feet to a 1/2 inch rebar; thence South 00° 04' 37" West 1318.73 feet to a point; thence North 89° 51' 20" West 437.03 feet to a railroad spike in Innes Market Road; thence North 00° 03' 56" East 1319.00 feet to the point of beginning.

TOGETHER with an easement along the West boundary of the South Half (S-1/2) of the following described property for ingress and egress.

A parcel of land located in the Northwest One-Quarter of the Southwest One-Quarter (NW-1/4 SW-1/4) of Section Twelve (12), Township Sixteen (16) South, Range Eleven (11) East, Willamette Meridian, Deschutes County, Oregon, described as: Beginning at a 1/2 inch rebar on the East - West centerline of Section 12, Township 16 South, Range 11 East, Willamette Meridian, Deschutes County, Oregon, from which the West 1/4 corner of the said Section 12 bears North 89° 46' 33" West 903.56 feet; thence from said point of beginning South 89° 46' 33" East 422.69 feet to a 1/2 inch rebar; thence South 0° 04' 37" West 1318.73 feet to a point; thence North 89° 51' 20" West 437.03 feet to a railroad spike in Innes Market Road; thence North 0° 03' 56" East 1319.00 feet to the point of beginning.

Free From Encumbrances Except, continued:

District and are subject to rules, regulations, assessments and liens thereon.

(c) Easements, conditions and restrictions of record.

TUMALO CREEK

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 *41241* PERMIT NO. 001/39 CERTIF. NO. 0031410NAME: *SALLY WILLOCK*

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 1984*

YR.LAST USED----->

NEXT ACTION DUE--->

PRIORITY-----> *08 05 1900*PUT TO USE-----> *10 01 1984*

LAST TRANS.DATE-->

LAST TRANS.TYPE-->

APPLICATION---> *01 10 1979*

SURVEYED----->

EXAM.FEE-----> *20.00*RECORDING FEE-----> *30.00*PERMIT ISSUE---> *08 03 1981*

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR.STRT---> *08 03 1981*

CERTIFIED----->

CORRES.INIT.----->

CORRES.DATE----->

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

05 1980 1320

RIV.MI. RATE

0.011

STATUS S OR P

V P

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

** *CHANGES FOR PART OF TUMALO I.D.*** *C-31410, TAB IN NAME OF SID ROGERS.*

** -----

** -----

** *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

160S 110E 12 C B 09 IR 100 0.80 V P

*TL 900 0876 C-31410**0.276 C-26050*

W.R.I.S.

*Approved 4-11-85 1,500**Exempted 4-11-85 1,500**Verified 4-11-85 1,500*

4-11-85

TUMALO CREEK

11F 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. T000041272 PERMIT NO. 016196 CERTIF. NO. 0026508
 ORIG. NO. C000265081 PREV. NO. C000265081 SUPER. NO.

NAME: SALLY WILLOCK

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 1984	YR. LAST USED----->	---	NEXT ACTION DUE-->	---
PRIORITY-----> 08 05 1900	PUT TO USE-----> 10 01 1984	LAST TRANS. DATE-->	---	LAST TRANS. TYPE-->	---
APPLICATION--> 01 10 1979	SURVEYED----->	EXAM. FEE----->	20.00	RECORDING FEE----->	30.00
PERMIT ISSUE--> 08 03 1981	CONCURRENCE----->	CYCLE STATUS----->	---	REPORTED FLAG----->	---
CONSTR. STRT.--> 08 03 1981	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

0.022

V

P

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

 ** CHANGES FOR 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 % CHSMTV ACRES STATUS S OR P

1605 110E 12	C B	09	IR	100	0.20	V	P
34	CC				1.00		
36	DD				0.40		

W.R.I.S.

Approved 4-11-85 L. S. D.

E. S. D.

Verified by

0.014

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

11F 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. T000041243 PERMIT NO. 019628 CERTIF. NO. 0026050

NAME: SALLY WILLOCK

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 1984

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 10 29 1913

PUT TO USE-----> 10 01 1984

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 01 10 1979

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 30.00

PERMIT ISSUE--> 08 03 1981

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 08 03 1981

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA;
 TWP/SP RNGE 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

0.060

STATUS S OR P

V
 V
 V
 V
 V
 V

P & S

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

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

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

*** 27841, - - - - -

*** - - - - -

*** - - - - -

*** - - - - -

*** - - - - -

180S 090E 02 B D
 PLACE-OF-USE DATA:
 TWP/SP RNGE SECT QTR/QTR CNTY USE % CHSMTV ACRES STATUS S OR P

160S 110E 12 C B 09 IR 100 1.00 V S
 34 C C 1.00 S
 36 D D 0.40 S
 36 D D 0.60 P

V.R.I.S.

Approved 4-11-85 L.S.M.

Entered 4-11-85

Verified by

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. T000041244 PERMIT NO. 009493 CERTIF. NO. 0031412
 ORIG. NO. C000313121 PREV. NO. C000314121 SUPER. NO.

NAME: SALLY WILLOCK
 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 1984

YR.LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 12 31 1905

PUT TO USE-----> 10 01 1984

LAST TRANS.DATE-->

LAST TRANS.TYPE-->

APPLICATION---> 01 10 1979

SURVEYED----->

EXAM.FEE-----> 20.00

RECORDING FEE-----> 30.00

PERMIT ISSUE--> 08 03 1981

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR.STRT.--> 08 03 1981

CERTIFIED----->

CORRES.INIT.----->

CORRES.DATE----->

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

RIV.MI.

RATE

STATUS S OR P

V

S

0.005

*** 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:
 TWSNP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

1605 110E 12 C B 09 IR 100 1.00 V S

34 C C 1.00

36 D D 1.00

W.R.I.S.

Approved 4-11-85 by SD

Entered 03

Verified by

2.0015

CRESCENT LAKE RES

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 41245 PERMIT NO. 000624 CERTIF. NO. 0026501 NAME: SALLY WILLOCK
 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--> <u>10 01 1984</u>	YR.LAST USED----->	---	NEXT ACTION DUE-->	---
PRIORITY-----> 04 07 1911	PUT TO USE-----> <u>10 01 1984</u>	LAST TRANS.DATE-->	---	LAST TRANS.TYPE-->	---
APPLICATION---> <u>01 10 1979</u>	SURVEYED----->	EXAM.FEE----->	<u>20.00</u>	RECORDING FEE---->	<u>30.00</u>
PERMIT ISSUE--> <u>08 03 1981</u>	CONCURRENCE----->	CYCLE STATUS----->	---	REPORTED FLAG----->	---
CONSTR.STRT.--> <u>08 03 1981</u>	CERTIFIED----->	CORRES.INIT.----->	---	CORRES.DATE----->	---

POINT-OF-DIVERSION DATA:						RIV.MI.	RATE	STATUS	S	OR	P
TWNSP	RNGE	SECT	QTR/QTR	STREAM-ID							
240S	060E	11	C D	05 1980 1450 0260 080			V		S		
240S	060E	11	D C	05 1980 1450 0260 080			V		S		

** REMARKS; - - - - -
 ** DATED-->
 ** SUPP. IR. CHANGES. POLL 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
160S	110E	12	C B	09	IR	100		1.00	V		S	
		34	C C					1.00				
		36	D D					1.00				

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

W.R.I.S.

Approved 4-11-85, sd
 Entered
 Verified by



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-3066

December 3, 1984

Walter V. Lawson, Manager
Tumalo Irrigation District
64697 Cook Avenue
Bend, OR 97701

Dear Mr. Lawson:

REFERENCE: Transfer Completion Notices

The Notices of Completion of Works and Use of Water under the provisions of the orders of the Water Resources Director approving the Water Right Transfer Applications noted below, for changes in place of use of water from Tumalo Creek, were received, and in line with the general practice of this office, surveys will be made at a later date.

After the surveys, proof may be made and Certificate of Water Right issued covering the actual use of water as found by the engineer. (In case of irrigation, any lands described in the orders that have not been irrigated will be automatically eliminated from the water right.

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

T-3872	T-4237	T-5020	T-5119
T-4049	T-4888	T-5048	T-5151
T-4124	T-4964	T-5050	
T-4222	T-5019	T-5087	

Enclosed is a copy of my letter to City of Bend, allowing an extension of time to October 1, 1989 for Transfer B-112.

Sincerely,

Samuel R. Allison

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wpc

cc: Robert F. Main, Jr., Watermaster, District 11

0056/t
5827C

TUMALO IRRIGATION DISTRICT

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

RECEIVED
NOV 29 1984
WATER RESOURCES DEPT.
SALEM, OREGON

November 26, 1984

Samuel R. Allison
Water Resources Department
Mill Creek Office Park
555 13th Street N.E.
Salem, Oregon 97310

re: Transfer Completion Notices - Your October 5, 1985 letter

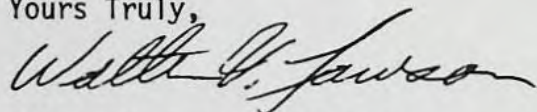
Dear Mr. Allison:

The TID sent letters and forms to all water users who had completion dates of October 1, 1984, per your above letter. Enclosed are signed Notices of Completion returned by nineteen (19) of the Twenty-three (23) owners involved. There was no response from four (4) owners either with Notices of Completion or requests for extension.

Also, enclosed is a Completion Notice for T-5464 which is due by October 1, 1985.

If I can be of further assistance, please let me know.

Yours Truly,



Walter V. Lawson, Manager
Tuamlo Irrigation District

WVL:sc
enclosures

APPLICATION FOR EXTENSION OF TIME
FOR TRANSFER OF WATER RIGHT

Transfer 4124
RECEIVED

OCT 14 1983

**WATER RESOURCES DEPT.
SALEM, OREGON**

To the WATER RESOURCES DIRECTOR OF OREGON:

WE X Charlotte Nash & Mary Janet Kubitschek C/O TUMALO IRRIGATION DISTRICT
(Name of Applicant)
of 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 4124, in the name
of Sarah W. Willock,
for 1.0 acre in NW 1/4 SW 1/4, 16-11-12 T.L. 900 (Nash & Kubitschek, formerly McGuire)

(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:

about 1,000 ft. of 1 1/2-inch pipe laid on the ground from the TID ditch to the area,
with verbal right-of-way; an area short of one acre has been prepared; pumped water
to grow vegetable garden with rented pump.

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

TO FULLY COMPLETE the change, it will be necessary to accomplish the
following: buy pump and install at ditch, finish working up, seeding and irrigating
full acre. T.I.D. Manager Reinhart assures us that he personally will shepherd the
project to completion.

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed,
because We have still not been able to move up from California. We have made every
attempt to get this water into use on acre of our ground, but we have had to rely on
two sets of renters, who have deducted their labor and costs from and request that the
time for completion be extended to October 1, 19 84. rent payments but have failed to
complete the project.

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

Fee 39473
\$20
10-14-83
Form 690-4B-0 11-82
3379B

56/8

10-1-84
Jcy

APPLICATION FOR EXTENSION OF TIME
FOR TRANSFER OF WATER RIGHT**RECEIVED**

FEB 22 1983

**WATER RESOURCES DEPT.
SALEM, OREGON**

C/O JUMALO IRRIGATION DIST.

To the WATER RESOURCES DIRECTOR OF OREGON:

Charlotte Nash

WE, ~~XX~~ Mary Janet Kubitschek, Charlotte Nash
Mary Janet Kubitschek (Name of Applicant)of 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: ☒ place of use () use heretofore madeof water under the terms of an order of the Water Resources Director entered
on August 3, 19 81, approving Transfer T-4124, in the name
of Sarah W. Willock,for 1.0 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, T 16 S, R 11 E.W.M. (T.L. 900, formerly McGuire)

(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 82 : have District permission to pump from a canal; have a concrete cistern constructed which will be filled with the water; it is now filled by tank truck for household use. For background on this right, see previous correspondence. Renters are now in house and have agreed to help get the water into use this season in return for rent abatement. (if for irrigation, how many acres, total, are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the following: acquire right-of-way to canal; buy and install pump, pipe, and system; cultivate, seed and irrigate one acre beneficially.

WE ARE ~~XXXXXX~~ UNABLE TO COMPLETE the change under the terms of the order, within the time allowed, because as California residents with no previous related experience, we knew nothing about the water, the water right, or the physical or legal rights and duties involved. Since becoming-aware of the right we have diligently pursued the matter and have now committed ourselves to putting the water right to use on an acre of our parcel and request that the of land. McGuire had left the house and land following the sudden premature death of her time for completion be extended to October 1, 19 83. husband.

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

Ext to 10-1-83
SRB 56/8



STATE OF OREGON

INTEROFFICE MEMO

TO: LARRY JEBOUSEK

DATE: NOVEMBER 17, 1982

FROM: SAM ALLISON *SRA*SUBJECT: T-4124, SALLY WILLOCK (TU *11-23-82*
Martin on vacation. He
will call. Maybe get next
irr next summer, please up
retransfer to Sec 13. (CT)

The original transfer application was for 2.0 acres to be divested from SW 1/4 SW 1/4, Section 27, T16S, R11E, WM, and placed in SE 1/4 SW 1/4 of Section 12, T16S, R11E, WM (1.0 acre to Barbara McGuire) and SE 1/4 SE 1/4 of Section 36, T16S, R11E, WM (1.0 acre to Richard Alger). The initial submittal was on December 15, 1978, in the names of Barbara McGuire and Richard Alger, but was signed by Sally Willock.

Wayne returned the application, asking for more information and fees of \$30.

The application was resubmitted January 10, 1979, along with \$30 and a note from Jack Vogt, legal owner of the Willock property, approving the transfer.

Wayne filed the application and returned everything to Tumalo Irrigation District, since it appeared that 1.0 acre was to go into SE 1/4 SW 1/4, Section 12 (McGuire) onto or near property receiving water via T-2666, and asking for clarification. Resubmitted January 19, 1979.

A map received February 21, 1979, showed Barbara McGuire's 1.0 acre in NW 1/4 SW 1/4 of Section 12. So, Wayne sent the application back so it too could be changed.

Received again March 9, 1979, Jan Boettcher sent Wayne a list of transfers showing action being taken to complete.

On October 29, 1979, the application and maps are resubmitted, still for 2.0 acres; 1.0 acre still to go to Barbara McGuire in NW 1/4 SW 1/4, Section 12, map shows Tax Lot 900.

I sent the maps back November 6, 1979, since they were confusing, and requested accurate maps and descriptions.

An amended application with new maps, but with 1.0 acre added (now 3.0 acres) was submitted June 22, 1981. Barbara McGuire was to get 1.0 acre of water right in Tax Lot 900, NW 1/4 SW 1/4, Section 12. The application seemed to be in order, so the transfer was approved August 3, 1981. Completion date was set at October 1, 1982.

On September 2, 1982, notices of completion were received from Tumalo Irrigation District for Richard Alger (1.0 acre) and Don McFerran (1.0 acre).



STATE OF OREGON

INTEROFFICE MEMO

TO: LARRY JEBOUSEK

DATE: NOVEMBER 17, 1982

FROM: SAM ALLISON *SA*

SUBJECT: T-4124, SALLY WILLOCK (TUMALO IRRIGATION DISTRICT)

The original transfer application was for 2.0 acres to be divested from SW 1/4 SW 1/4, Section 27, T16S, R11E, WM, and placed in SE 1/4 SW 1/4 of Section 12, T16S, R11E, WM (1.0 acre to Barbara McGuire) and SE 1/4 SE 1/4 of Section 36, T16S, R11E, WM (1.0 acre to Richard Alger). The initial submittal was on December 15, 1978, in the names of Barbara McGuire and Richard Alger, but was signed by Sally Willock.

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Memo
November 17, 1982
page two

On November 2, 1982, Lucille sent a request for either a completion notice or extension application to Barbara McGuire, c/o Tumalo Irrigation District. Martin Winch called me and told me that Ms. McGuire had not used the water, was no longer in the area, and the buyers had not used the water. The portion of Tax Lot 900 shown on the transfer maps is above the ditch, some distance away, has no power available, and thus could not be irrigated at reasonable cost.

We then discussed the possibility that a nearby (unspecified) parcel might have been the actual proposed place of use. Martin apparently located the closest irrigated acreage to put the 1.0 acre. This was in Tax Lot 401 in SW 1/4 NW 1/4 of Section 13, T16S, R11E, WM. This property is located about 3/4 mile away.

By letter dated November 8, 1982, I asked Martin for further information on which we could base an amended order. If a mistake had been made on the application and map, and it could be shown that Tax Lot 900 was not the correct proposed place of use, the order would be amended.

By phone on November 15, 1982, Martin stated that he could find no data to indicate that Tax Lot 900 was not the proposed place of use.

He had contacted the owners of Tax Lot 401, in Section 13, because they are irrigating more than allowed, and that was the closest place to put an extra acre of water. There was no prior agreement with the owners of Tax Lot 401.

It appears that there is no basis for amending the order approving T-4124, and since no work has been done toward completion in Tax Lot 900 by the specified completion date of October 1, 1982, the right to the use of 1.0 acre of right (0.8 acre under Certificate 21410 and 0.2 acre under Certificate 26508) has been lost.

}

3616B

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

November 8, 1982

Martin Winch
Tumalo Irrigation District
64697 Cook Avenue
Bend, OR 97701

Dear Martin:

REFERENCE: File T-4124

The statement from the Tumalo Irrigation District Board requesting an amendment of the order approving Transfer 4124, together with supporting documentation, was received November 3, 1982.

It does appear that Tax Lot 900 in Section 12, Township 16 South, Range 11 East, W/M, may not have been the intended destination for the 1.0 acre transferred to Barbara McGuire.

I have to request more data before I can consider amending the order, however.

In the first place, did Barbara McGuire own more than Tax Lot 900 and 901 at the time of the original application (January, 1979)? Did she own any of the SE 1/4 SW 1/4 of Section 12? This was the location first noted on the transfer application. We need to establish the intent of the principals involved at the time of filing.

How did Tax Lot 401 in Section 13 get into the act? Did the owner of that lot at the time of filing T-4124 have an agreement with Sally Willock to transfer a water right?

Or, was the 1.0 acre supposed to go to the SE 1/4 SW 1/4 of Section 12, at the east end of Tax Lot 1400? This is about the location noted on the original transfer map, and is near an area that is apparently being irrigated.

I realize that it may take some time to gather the requested information, so I will hold the subject file until I hear from you.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wp
cc: Robert F. Mein, Watermaster
36588

RE: T-4124

RECEIVED

NOV 3 1982

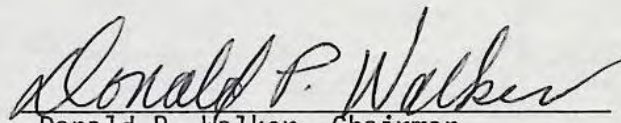
To Whom It May Concern:

WATER RESOURCES DEPT.
SALEM, OREGON

By unanimous vote, the Board of Directors of Tumalo Irrigation District, duly convened in regular meeting on October 12, 1982 did confirm that completed transfer application T-4124 requires amendment of the transfer order and of the transfer map, and survey at a different location, as follows:

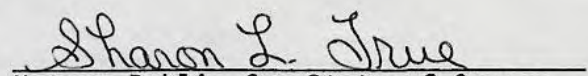
1.0 acre should have gone to Tax Lot 401 in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13 rather than to Tax Lot 900 in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, both in Township 16 South, Range 11 E.W.M., Deschutes County, Oregon.

Staff informs us that there has been no notice of completion on this transfer, that the deadline is October 1, 1982, that no part of tax lot 900 has been irrigated, that an acre is now being irrigated without a water right on a part of tax lot 401, and there is no feasible way to deliver the water to tax lot 900 because there is no right-of-way for pipe or electric power to the district waterway, the topography is adverse to delivery, and the costs of acquiring right-of-way and of creating a delivery would be prohibitive to the landowner. District records shed no light on how transfer to tax lot 900 might have been approved, if it was indeed approved. The deed to tax lot 900 makes no mention of a water right, and the seller's whereabouts are unknown. Based on this information and on the attached affidavits, the Board has determined this 1.0-acre water right was erroneously transferred to tax lot 900 and should be transferred instead to tax lot 401.


Donald P. Walker, Chairman

STATE OF OREGON)
) ss.
DESCHUTES COUNTY)

Personally appeared Donald P. Walker, known to me to be Chairman of the Board of Directors of Tumalo Irrigation District, and acknowledged the foregoing to be his voluntary act.


Notary Public for State of Oregon
My Commission Expires: 10-21-83



T-4124

STATE OF CALIFORNIA }
Santa Barbara COUNTY } ss.

RECEIVED
NOV 3 1982
WATER RESOURCES DEPT.
SALEM, OREGON

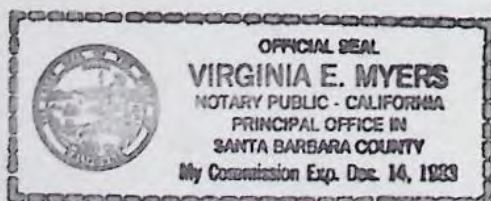
I, Charlotte Nash, being first duly sworn, say that I am the owner of tax lot 900 in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, Township 16 South, Range 11 E.W.M., and that I consent to the removal of the 1.0-acre water right which I am informed was transferred to my land in T-4124.

Charlotte Nash
Charlotte Nash

Subscribed and sworn to this 13th day of September, 1982.

Before me: Virginia E. Myers

Virginia E. Myers
Notary Public for California
My Commission Expires:



STATE OF CALIFORNIA)
)
 Santa Barbara COUNTY)

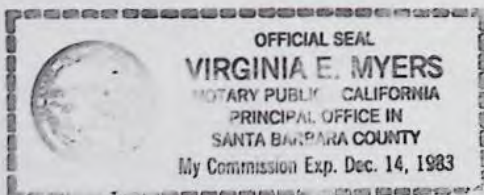
RECEIVED
 NOV 3 1982
 WATER RESOURCES DEPT.
 SALEM, OREGON

I, Mary Janet Kubitschek, being first duly sworn, say that I am the owner of tax lot 900 in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12, Township 16 South, Range 11 E.W.M., and that I consent to the removal of the 1.0-acre water right which I am informed was transferred to my land in T-4124.

Mary Janet Kubitschek
 Mary Janet Kubitschek

Subscribed and sworn to this 13th day of September, 1982.

Before me: Virginia E. Myers



Virginia E. Myers
 Notary Public for California
 My Commission Expires: 12/14/83

T-4124

STATE OF OREGON)
) ss.
DESCHUTES COUNTY)

RECEIVED
NOV 3 1982
WATER RESOURCES DEPT.
SALEM, OREGON

We, Robert E. Gardner and Joyce L. Gardner, being first duly sworn,
say that we are the owners of tax lot 401 in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section
13, Township 16 South, Range 11 E.W.M., Deschutes County, Oregon, and that
1.0-acre of the water right transferred in T-4124 should be located in
our tax lot, as shown on the accompanying map-

Robert E. Gardner
Robert E. Gardner

Joyce L. Gardner
Joyce L. Gardner



Subscribed and sworn to this 15th day of June, 1982.

Before me:

Sharon L. True
Notary Public for Oregon
My Commission Expires: 10-21-83

58097 7.00

FORM No. 998—Revised May 1969 Publishing Co., Portland, Ore. 97241

1082

344-408

WARRANTY DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

BARBARA JOAN MCGUIRE

Grantor,

conveys and warrants to CHARLOTTE HASH and MARY JANET KUBITSCHKE

Grantee, the following described real property
free of encumbrances except as specifically set forth herein situated in Deschutes County, Oregon, to-wit:

See Description on Reverse Side

RECEIVED

NOV 3 1982

WATER RESOURCES DEPT.
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free from encumbrances except

(a) The existence of roads, irrigation ditches and canals, telephone and telegraph and power transmission facilities.

(b) The premises under search fall within the boundaries of Tumalo Irrigation (continued on reverse side)

The true consideration for this conveyance is \$40,000.00 (Here comply with the requirements of ORS 93.630)

FORTY THOUSAND DOLLARS and no/100

Dated this 13th day of July, 1981

Barbara Joan McGuire
Barbara Joan McGuire

STATE OF OREGON, County of Benton, July 13, 1981

Personally appeared the above named Barbara Joan McGuire

and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: Margie A. Buckles

Notary Public for Oregon—My commission expires: 04-12-82

WARRANTY DEED

BARBARA JOAN MCGUIRE
CHARLOTTE HASH, MARY JANET GRANTOR
25 Prospect KUBITSCHKE GRANTEE
San Francisco, CA

After recording return to:

Pioneer Nat'l Title Ins.
P.O. Box 858
Corvallis, OR 97339

NAME ADDRESS ZIP

If a change is requested, all tax statements

shall be sent to the following address:

CHARLOTTE HASH

MARY JANET KUBITSCHKE

25 Prospect
San Francisco, CA 94110

DATE PREPARED BY

STATE OF OREGON

County of Deschutes

I certify that the within instrument was received for record on the 13 day of July, 1981, at 2:40 o'clock P.M., and recorded in book 144 on page 455 as a file/rec'd number

Record of Deeds of said County.

Witness my hand and seal of County attested.

Rosemary Patterson

By [Signature]

AM 367

JUL 13 1982

Vol. 344-407

PROPERTY DESCRIPTION

The North One-half (N-1/2) of the following described real property located in the Northwest One-quarter of the Southwest One-quarter (NW-1/4 SW-1/4) of Section Twelve (12), Township Sixteen (16) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon:

Beginning at a 1/2 inch rebar on the East-West centerline of Section 12, Township 16 South, Range 11, East of the Willamette Meridian, Deschutes County, Oregon, from which the West 1/4 corner of the said Section 12 bears North 89° 46' 33" West 903.56 feet; thence from said point of beginning South 89° 46' 33" East 422.69 feet to a 1/2 inch rebar; thence South 00° 04' 37" West 1318.73 feet to a point; thence North 89° 51' 20" West 437.03 feet to a railroad spike in Innes Market Road; thence North 00° 03' 56" East 1319.00 feet to the point of beginning.

TOGETHER with an easement along the West boundary of the South Half (S-1/2) of the following described property for ingress and egress.

A parcel of land located in the Northwest One-Quarter of the Southwest One-Quarter (NW-1/4 SW-1/4) of Section Twelve (12), Township Sixteen (16) South, Range Eleven (11) East, Willamette Meridian, Deschutes County, Oregon, described as: Beginning at a 1/2 inch rebar on the East - West centerline of Section 12, Township 16 South, Range 11 East, Willamette Meridian, Deschutes County, Oregon, from which the West 1/4 corner of the said Section 12 bears North 89° 46' 33" West 903.56 feet; thence from said point of beginning South 89° 46' 33" East 422.69 feet to a 1/2 inch rebar; thence South 0° 04' 37" West 1318.73 feet to a point; thence North 89° 51' 20" West 437.03 feet to a railroad spike in Innes Market Road; thence North 0° 03' 56" East 1319.00 feet to the point of beginning.

Free From Encumbrances Except, continued:

District and are subject to rules, regulations, assessments and liens thereon.

(c) Easements, conditions and restrictions of record.

RECEIVED

SEP 2 1982

WATER RESOURCES DEPT.
SALEM, OREGON

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

PURSUANT TO TRANSFER APPLICATION NO. 4124

I, DON McFERRAN, 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 October 1, 1981

Oct 1, 1981
Date

Don McFerran
Signature

ok
Gin

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

RECEIVED

SEP 2 1982

WATER RESOURCES DEPT.
SALEM, OREGON

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

PURSUANT TO TRANSFER APPLICATION NO. 4124

I, RICHARD ALGER, 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 1 JUNE, 1980

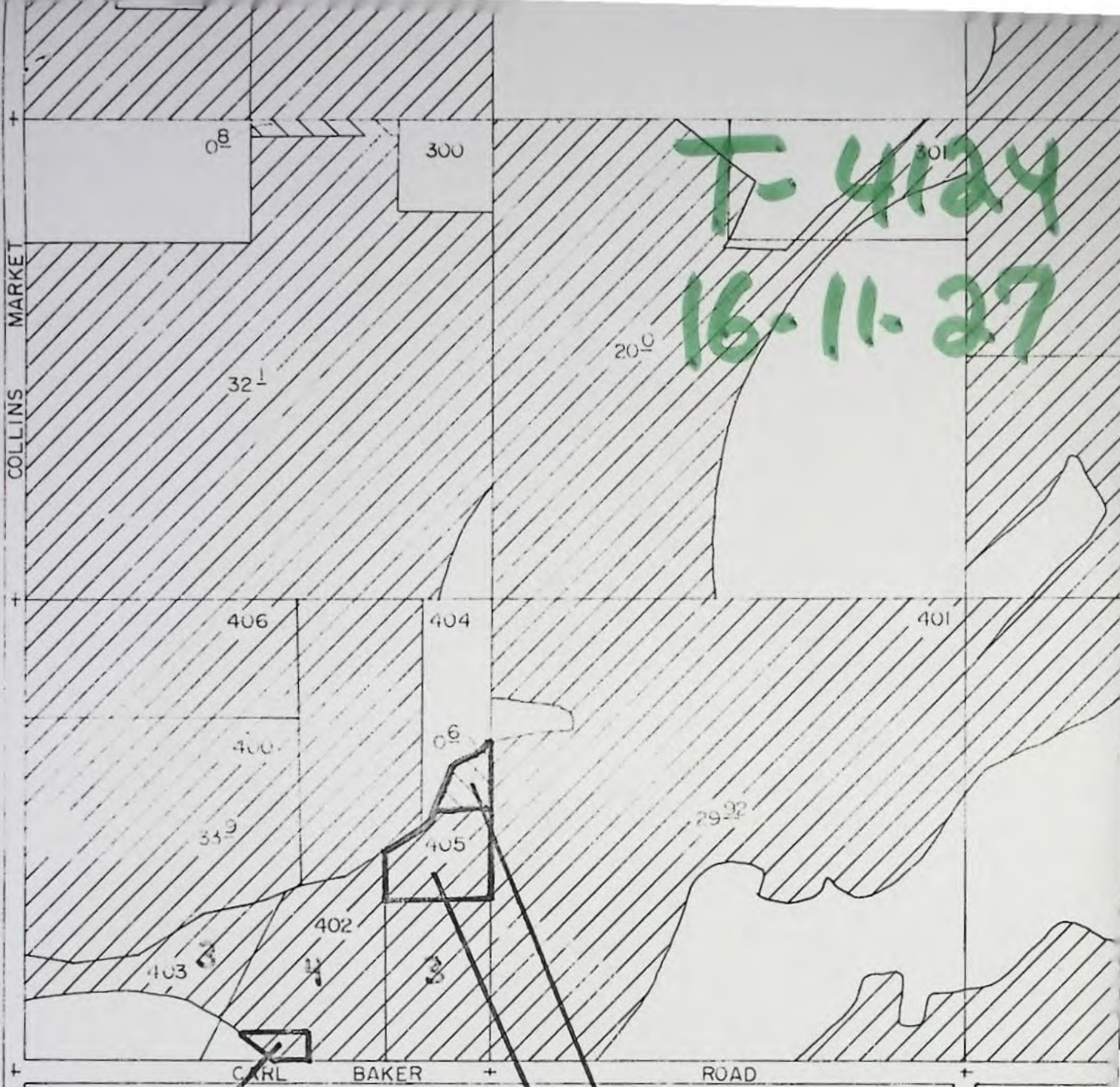
31 AUG. 1981
Date

Richard Alger
Signature

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

ok
fin

COLLINS MARKET



.8 OFF [#31419]



1900



1907



1913



1961



RECEIVED

JUN 22 1981

WATER RESOURCES DEPT.
SALIM, OREGON

.6 OFF [#26050]

1.6 OFF [#26508]



STATE OF OREGON

INTEROFFICE MEMO

*Good problem to garden***RECEIVED**

JUL 22 1981

TO: TRANSFER SECTION, WATER RIGHTS DIVISION

DATE: 7-15-81

FROM: WATERMASTER, DISTRICT NO. 11WATER RESOURCES DEPT
SALEM, OREGON(signature) Jim R. MannSUBJECT: Water Right Transfer Application 4124 for change in POU POD Use of waterIn the name(s) of Sally Willock / TID

In my opinion (assuming the water right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.*The approval of this transfer application would result in injury to other water rights because _____

_____The existing right may not be valid because _____

_____Headgate notices HAVE HAVE NOT been issued for diversion from the source(s) which serve(s) this right.If for change in point of diversion, is there any intervening point(s) of diversion between the authorized and proposed points of diversion? _____
(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- _____ (1) PRIOR to the diverting of water at the new point of diversion ... ,
- X (2) WHEN IN the judgment of the watermaster it becomes necessary

The enclosed copy of the transfer application and map(s) is for your records.

Contains
Recycled
Materials

81-125-1387

SP-75683-125

RECEIVED

JUN 22 1981

WATER RESOURCES DEPT.
SALEM, OREGONDate 5/18/81

I, David Thomas LaBar, agree to transfer
2.2 acres of water right from my property located at
Township 16 South, Range 11 E.W.M., Section 27, SW of SW, Tax Lot 405

I understand that this transaction in no way affects my 3.0
acres of recorded water rights.

Signed: David Thomas LaBar
Address: 930 Sommerville Lp.
Harrisburg, Or 97346
Phone: 995-6997

6607

KNOW ALL MEN BY THESE PRESENTS, That

ALFRED A. SMITHEE and RUBY J. SMITHEE, husband and wife,
hereinafter called the grantor, for the consideration hereinafter stated,
to grant and sell by

hereinafter called the grantee,
does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that
certain real property, with the tenements, hereditaments and appurtenances thereto belonging or appertaining, sit-
uated in the County of Deschutes and State of Oregon, described as follows, to wit:

That portion of the Southwest Quarter of the Southwest Quarter
(SW 1/4 SW 1/4) of Section Twenty-Seven (27), Township Sixteen (16)
South, Range Eleven (11) East of the Willamette Meridian, Deschutes
County, Oregon, that lays South of the Tumalo Irrigation District
Canal;

Together with sixteen (16) acres of Tumalo Irrigation water.

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that
grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, subject
to easements for roads, irrigation ditches, canals, telephone,
telegraph and power transmission facilities of record, and any legal
encumbrances chargeable to grantees subsequent to August 1, 1973.

and that
grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the law-
ful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$25,000.00

In construing this deed and where the context so requires, the singular includes the plural.
WITNESS grantor's hand this 23 day of July, 1973.

Alfred A. Smithee
Ruby J. Smithee

STATE OF OREGON, County of Deschutes, ss. July 12, 1973.
Personally appeared the above named Alfred A. Smithee and Ruby J. Smithee

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: *Anna C. Duthie*
Notary Public for Oregon
My commission expires *May 1, 1974*

NOTE: The space between the spaces, if not applicable, should be deleted. By Chapter 652, Oregon Laws 1971, as amended by the 1973 Special Session.

WARRANTY DEED

6607

TO

DO NOT USE THIS
SPACE HERE FOR
RECORDING
LABEL IN COUN-
TY WHERE
USED

AFTER RECORDING RETURN TO

STATE OF OREGON

County of *Deschutes*
I certify that the within instru-
ment was received for record on the
12 day of *July*, 1973,
at 4:12 o'clock P.M., and recorded
in book 329 on page 433 or as
filing fee number

Record of Deeds of said County.
Witness my hand and seal of
County of *Deschutes*
Rosemary Patterson
County Clerk
By *[Signature]* Deputy

RECEIVED
JUN 22 1981
WATER RESOURCES DEPT.
SALEM, OREGON

Vol 32B pg 429

SARAH M. WILLOCK
1858 WALTON RD
BEAD, OR 97101

6605

WARRANTY DEED

CHARLES H. COFFIN, MARY L. TISCHLAUSER and VAL A. BUBB, co-
partners doing business as CITIES HARARDS, Grantor, convey and
warrants to SARAH M. WILLOCK, Grantee, the real property described on
EXHIBIT "A" attached hereto and by this reference made a part hereof.

Free of encumbrances save and except:

1. Reservations in patents;
2. Easements and restrictions of record; and
3. Liens and encumbrances suffered or permitted by
Grantees.

The true and actual consideration for this conveyance is:
\$25,000

DATED this 3rd day of September, 1980.

CITIES HARARDS

Charles H. Coffin
Charles H. Coffin

Mary L. Tischlauser
Mary L. Tischlauser

Val A. Bubb
Val A. Bubb

STATE OF OREGON)
County of Jackson) ss.

B.L.W.

Personally appeared the above-named ~~Charles H. Coffin~~
and VAL A. BUBB and acknowledged the foregoing
instrument to be their voluntary act, before me.

Betty L. Whigle
Notary Public for Oregon
My Commission expires: 11/23/83

113 NW WALL STREET SUITE A BEND OREGON 97701 Phone (503) 334-3434



RECEIVED
JUN 22 1981
WATER RESOURCES DEPT.
SALEM, OREGON

Parcel 1

That portion of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twenty-seven (27), Township Sixteen (16) South, Range Eleven (11), East of the Willamette Meridian, Deschutes County, Oregon, that lays South of the Tumalo Irrigation District Canal.

STATE OF OREGON,

County of Jackson

FORM NO. 27 - ACKNOWLEDGEMENT
NOTARY PUBLIC - OREGON

BE IT REMEMBERED, That on this 28th day of August, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named CHARLES H. COFFIN

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Lucille Miller
Notary Public for Oregon,
My Commission expires 12/1/82

STATE OF OREGON,

County of Jackson

FORM NO. 27 - ACKNOWLEDGEMENT
NOTARY PUBLIC - OREGON

BE IT REMEMBERED, That on this 3rd day of September, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named MARY L. TISCHHAUSER

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Lucille Miller
Notary Public for Oregon,
My Commission expires 12/1/82

RECEIVED
JUN 2 1981
WATER RESOURCES DEPT.
SALEM, OREGON

13745

333 233

WARRANTY DEED

SARAH W. WILLOCK, Grantor, conveys and warrants to DAVID THOMAS LEBAN, Grantee, the real property described on Exhibit "A" attached hereto and by this reference made a part hereof.

Free of encumbrances save and except:

1. Reservations in patents;
2. The 1978-1979 Taxes, a lien not yet payable;
3. 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 or penalties and interest;
4. The existence of roads, railroads, irrigation ditches and canals, telephone, telegraph and power transmission facilities;
5. The premises fall within the boundaries of Tumalo Irrigation District and are subject to rules, regulations, assessments and liens thereon;
6. Rights of the public in streets, roads and highways; and
7. An easement as shown on the Deschutes County Tax lot map for Deschutes County Municipal Improvement District Lateral.

The true and actual consideration for this conveyance is

\$17,500.00.

DATED this 31st day of October, 1978.

Sarah W. Willock
Sarah W. Willock

STATE OF OREGON

County of Deschutes

ss.

DATED: October 31, 1978

Personally appeared the above-named SARAH W. WILLOCK and acknowledged the foregoing instrument to be her voluntary act. Before me:

[Signature]
Notary Public for Oregon
My Commission expires:

WARRANTY DEED

1101 N. WALL STREET SUITE A BEND OREGON 97701 Phone (503) 385-1964

RECEIVED
JUN 22 1981
WATER RESOURCES DEPT.
SALEM, OREGON

DESCRIPTION SHEET

A tract of land situated in the Southwest One-Quarter Southwest One-Quarter, Section Twenty-seven (27), Township Sixteen (16) South, Range Eleven (11) East, Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at a point on the section line common to Sections Twenty-seven (27) and Thirty-four (34), said point being South 89° 50' 45" East 1042.56 feet from the Southwest corner Section Twenty-seven (27); thence North 00° 02' 55" East 622.40 feet; thence North 55° 50' 05" East 167.36 feet; thence North 23° 26' 34" East 152.73 feet; thence North 60° 47' 03" East 89.56 feet; thence South 00° 02' 55" West 900.97 feet to the section line common to Sections Twenty-seven (27) and Thirty-four (34); thence along said section line North 89° 50' 45" West 277.24 feet to the point of beginning.

TOGETHER WITH three (3) acres of Tumalo Irrigation District water,

14448

EXHIBIT "A"

RECEIVED
JUL 12 1981
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

WATER RESOURCES DEPT.
SALEM, OREGON



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813

November 10, 1980

Jan Boettcher, Manager
Tumalo Irrigation District
64697 Cook Avenue
Bend, OR 97701

Dear Ms. Boettcher:

We have been holding the following files open pending receipt of additional information from you. Please advise me as to progress.

T-3872
T-4121
T-4124
T-4204
T-4222
T-4237

Marian A. Allen (Cook)
Stanley Garside
Sally Willock
Helquist, Suffridge, Maston
C. P. Gungura
Jack Vogt

Sincerely,

Samuel R. Allison

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wpc
2868A



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813

July 1, 1980

Janet L. Boettcher, Manager
Tumalo Irrigation District
64697 Cook Avenue
Bend, Oregon 97701

Dear Ms. Boettcher:

REFERENCE: File number T-4124

Information on the status of transfer application number 4124, in the name of Sally Willock to change the place of use of water within your District, was requested on March 13, 1980. It appears from the file that we have not heard from you in regard to the matter since then.

If Ms. Willock is no longer interested in the change proposed by the application, we will close the file and refund unearned fees we are holding in the amount of \$10.

If we do not hear otherwise within sixty days from the date of this letter, we will assume you do not wish to proceed with the application.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:kaa
cc: Robert F. Main, Jr., Watermaster
1426A

*9-3-80 phoned TID. Jan intends to start on transfers when
auditors leave, which should be shortly.*

SRA



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

March 13, 1980

Janet L. Boettcher, Manager
Tumalo Irrigation District
64697 Cook Avenue
Bend, Oregon 97701

RE: File No. T-4124

Dear Ms. Boettcher:

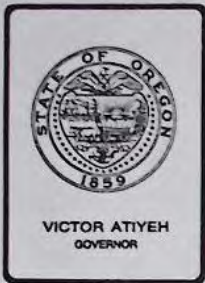
New maps and additional information for water right transfer application No. 4124, in the name of Sally Willock, to change the place of use of water within your District, were requested on November 6, 1979. It appears from the file that we have not heard from you in regard to the matter since then.

Please advise as to when we may expect the requested information.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj
cc: Robert F. Main, Jr., Watermaster



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

November 6, 1979

Janet L. Boettcher, District Manager
Tumalo Irrigation District
64697 Cook Avenue
Bend, Oregon 97701

RE: File No. T-4124

Dear Ms. Boettcher:

I am returning the maps submitted with transfer No. 4124, and the authorization signed by Jack Vogt.. The authorization does not describe just which part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27 is being divested of water rights. Since Martha C. Vogt is also shown as owner of the property, she must sign the authorization.

The "from" map does not agree with the adjudication map, nor do all of the "to" maps seem to agree.

A note on what is apparently the original "from" map shows T-4126 in Willock's name and T-4124 in Gates' name. Transfer 4124 is assigned to Sally Willock.

Legal descriptions of the 2.0 acres to be divested of water, and the parcels to receive water, together with large scale maps especially drawn for this transfer would seem to be in order at this time.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj

cc: Robert F. Main, Jr., Watermaster

Called TID 12-20-79. Sharon will bring this to Jan's attention, & let us know what they intend.

Amended application received 6-22-81

TUMALO IRRIGATION DISTRICT

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

RECEIVED

OCT 29 1979

WATER RESOURCES DEPT
SALEM, OREGON

Superseded

TO WHOM IT MAY CONCERN:

Amended app received 6-22-81

I Jack N Vogt of 19525 Hwy 20, Bend Oreg
hereby give my permission to transfer 2.0 acres of water off _____
SW 1/4 SW 1/4 16S 11E 27.

Contract on this property still being \$,000⁰⁰.

Signed; X Jack N Vogt
Dated; 12-8-78

2 1/2 AC water

RECEIVED

MAR 9 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Bob Gates

WATER RESOURCES DEPT.
SALEM, OREGON

3 8.0 ACRES

5.0 AC
water

0 ft
3.0

793.51'

25 ACRES

AC ~~water~~ Land.

2 1/2 AC

500°03'18"W 1400'
REFERENCE CORNER
SET 5/8" SP

475.38'

307.40'

N23°26'34"E
122.73'

N50°47'03"E
89.95'

2.0 AC
off in
Rod

S. Willcock
SW 1/4 SW 1/4

10-11-27

Tax Lot DE
E403

ACK
On +
60 ft
The
100 ft
the
from
over

IRRIGATION CANAL

N77°33'50"E 172.05'
N65°23'03"E 110.70'

BASED ON SURVEY

BY ROSENER & N.W. TYE

02/25/78



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OCT 20 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR - 9 1978

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JAN 19 1979

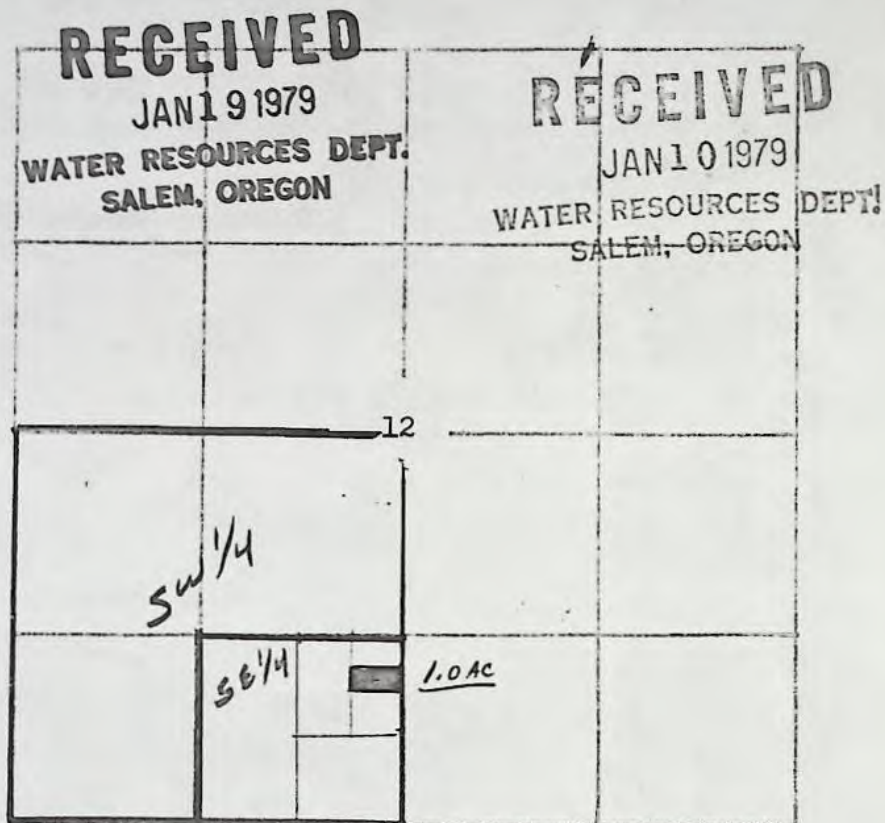
WATER RESOURCES DEPT.
SALEM, OREGON

FROM: Sally Willock & ~~Frank Willock~~

RECEIVED
to OCT 29 1979
WATER RESOURCES DEPT. 4124
SALEM, OREGON
RANGE 11E

SEC. SW $\frac{1}{4}$ SW $\frac{1}{4}$ 27

TWP 16 S



RECEIVED

MAR 9 1979

WATER RESOURCES DEPT.
SALEM, OREGON

TRANSFERRED FROM: SW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 27 TWP. 16S R. 11E

To; Barbara McGuire; 1.0 ac.

TRANSFERRED TO: SE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 12 TWP. 16S R. 11E

RECEIVED

DEC 15 1978

WATER RESOURCES DEPT.
SALEM, OREGON

11222000
19276 Innes Mkt Ld.

Re: T # 4124

SECTION 12 TIGS. RITE W.M.
DESCHUTES COUNTY
1"=400'

16 11

RECEIVED

MAR 9 1979

WATER RESOURCES DEPT.
SALEM, OREGON

See Map 16 11

RECEIVED

FEB 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

11 16

RECEIVED

OCT 20 1979

WATER RESOURCES DEPT.
SALEM, OREGON



Mr. Quercash -
T. # 4124 Please review where Barbara Mc Guis's
1.0 AC is. Int. Ld. # 900 165 N E 12.
Thank you. J. Brown

16 11 12

RECEIVED

FROM

T 4125 OCT 29 1979

RECEIVED

MAR 9 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JAN 19 1979

WATER RESOURCES DEPT.
SALEM, OREGON

SEC. 27 TWP. 16S RANGE 11E

PRIMARY RIGHTS:

Cert. # 26508 16.9 ac.
priority date; Agu. 5, 1900
Sid Rogers Vol 2 pg. 294

SUPP. RIGHTS:

Cert. # 31412 37.5 ac.
priority date; 1905 vol. 2 pg. 294

Cert. #26050 36.9 ac.
priority date; 10/29/13 vol 2 pg 240

Cert. # 26051 37.5 ac.
priority date; 4/7/1011 vol. 2 pg 240

*Please see
adjudication map
on where off in
Section 27*

	27		

FROM SALLY WILLOCK

TRANSFERRED FROM: SW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 27 TWP. 16S R. 11E

TO: RICHARD ALGER SE $\frac{1}{4}$ SE $\frac{1}{4}$ 36 16S 11E 1.0 ac.
Barbara McGurie SE $\frac{1}{4}$ SW $\frac{1}{4}$ 12 16S 11E 1.0 ac.

TRANSFERRED TO: SEC. TWP. R.

FROM: Sally Willock & Frank Moorman

RECEIVED

OCT 23 1979

WATER RESOURCES DEPT.
SALEM, OREGON

T-4124

SEC. SW $\frac{1}{4}$ SW $\frac{1}{4}$ 27

TWP 16S

RANGE 11E

N
4
7

RECEIVED
JAN 19 1979
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JAN 10 1979

WATER RESOURCES DEPT.
SALEM, OREGON

36

SE $\frac{1}{4}$

SE $\frac{1}{4}$

10

RECEIVED

MAR 9 1979

FROM: Sally Willock & Frank Moorman

WATER RESOURCES DEPT.
SALEM, OREGON

TRANSFERRED FROM: SW $\frac{1}{4}$ SW $\frac{1}{4}$

SEC. 27

TWP 16S

R. 11E

TO: Richard Alger

TRANSFERRED TO: SE $\frac{1}{4}$ SE $\frac{1}{4}$

SEC. 36

TWP. 16S

R. 11E

RECEIVED

DEC 13 1978

WATER RESOURCES DEPT.
SALEM, OREGON

2.0 AC off in Red
S.W. block.
Switch Switch
16-11-27
+ #102

3.0 acres trasfered off;

Robert Gates SW $\frac{1}{4}$ SW $\frac{1}{4}$ 27-16-11

SEC. SW $\frac{1}{4}$ SW $\frac{1}{4}$ 27

FROM RECEIVED T-4124
OCT 29 1979

WATER RESOURCES DEPT
TWP 16S SALEM, OREGON RANGE 11E

PRIMARY RIGHTS:

Cert. # 26508 26.9 ac.
priority date; Aug. 5, 1900
Sid Rogers Vol. 2 pg. 294

SUPPLEMENTAL RIGHTS:

Cerb. # 31412 37.5 ac.
priority date; 1905 vol. 2 pg. 291

Cert. # 26050 36.9 ac.
priority date; 10/29/13 vol. 2 pg. 246

Cert. # 26051 37.5 ac.
priority date; 4/7/1911 Vol 2 pg 240

Robert Gates
TRANSFER

Please Note
in Red
sally w. ilock
2.0 ac off



RECEIVED JAN 19 1979 WATER RESOURCES DEPT. SALEM, OREGON		RECEIVED JAN 10 1979 WATER RESOURCES DEPT. SALEM, OREGON	
		RECEIVED MAR 9 1979 WATER RESOURCES DEPT. SALEM, OREGON	
sw $\frac{1}{4}$			
sw $\frac{1}{4}$	3.0		

FROM: Robert Gates

TRANSFERRED FROM: SW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 27 TWP. 16S R. 11E

TO: Dennis Flannery

TRANSFERRED TO: SE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 26 TWP. 16S R. 11E

RECEIVED
DEC 15 1978
WATER RESOURCES DEPT.
SALEM, OREGON

1/18/79

Please note on Transfer # 4126 Willlock 76
on adjudication map in green

Transfer # 4124 Gates 76
on adjudication map in yellow

*pd summary
dec
with pt 2 sale*

RECEIVED

JAN 19 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

MAR 9 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

DEC 15 1978

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

OCT 29 1979

JAN 10 1979

WATER RESOURCES DEPT.
SALEM, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

Sally Willock

I, ~~Barbara McGuire, Richard Alger~~ / Tumalo Irrigation Dist.
(Name of applicant)

T-4124

of 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? Sid Rogers Vol. 2 pg. 259 Cert. # 26508
(If not, give name)

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

Tumalo Cr. Adjudication number of certificate 26508 Primary.

3. Was your water right acquired by Water Right Permit? yes Supp. only If so, give number
(Yes or No)

of permit 624 Number of certificate 26051

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 Please see remarks, last pg.

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

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 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 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

SUPERCEDED

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:

FROM NOOSE CREEK, M3142

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
16S	11E	27	SW¼ SW¼	2.0 ac. Sally Willock

(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)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? no
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? no
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Contract of sale;	Jack Vogt	\$18,000.00

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	TO List ¼-¼ of Section	Number Acres To Be Irrigated
16S	11E	12	NW¼ SW¼ SE¼ SW¼	1.0 ac. to Barbara McGuire
16S	11E	36	SE¼ SE¼	1.0 ac. to Richard Alger
			Total Acres 2.0 transfered	

(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 No construction needed

16. The water will be completely applied to the proposed use on or before on States approval

Remarks Source of water is;

PRIMARY: Cert. # 26508; The waters of Tumalo Cr. tributary of Deschutes River;
8/5/1900

SUPP. Cert. # 26050; The waters of Tumalo Cr. Crater Cr. Little Crater Cr. and the
Three Springs Braches; Priority date; Oct. 29, 1913

SUPP. Cert. # 26051; The waters of Crescent Lake Reservoir Apr. 7, 1911 Permit
624

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.

NOTE: This transfer approved by the Tumalo Irrigation Dist. Board of Directors; dated;

AFFIDAVIT OF APPLICANT

I, Sally Willock, 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 12 day of Dec, 1988

x Sally Willock
(Name of applicant)

Subscribed and sworn to before me this 12 day of Dec, 1988

[Notarial Seal]

Morgan H. Ellison
NOTARY PUBLIC FOR OREGON

My commission expires March 28, 1989

RECEIVED

OCT 29 1979

WATER RESOURCES DEPT
SALEM, OREGON

7589
1410

4996

WARRANTY
DEED

Vol 223 Page 439

FRANK D. CROSS and DOLLY M. CROSS, husband and wife, and HELEN D. CROSS, a single woman, hereinafter called Grantors convey to JACK N. VOGT and MARTHA C. VOGT, husband and wife, all that real property situated in Deschutes County, State of Oregon, described as:

The Southwest Quarter of the Northeast Quarter; the Southeast Quarter of the Northwest Quarter; and the Southwest Quarter of Section Twenty-seven (27); the Northwest Quarter of the Northwest Quarter of Section Thirty-four (34), all in Township Sixteen (16) South, Range Eleven (11) East of the Willamette Meridian, Deschutes County, Oregon.

Including 184.6 acres of Tumalo Irrigation District water.

And covenant that Grantors are the owners of the above-described property free of all encumbrances save and except Reservations in Patents and Easements of record; and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above. The true and actual consideration for this transfer is \$ _____.

DATED this 20 day of Oct, 1969.

Frank D. Cross
Frank D. Cross

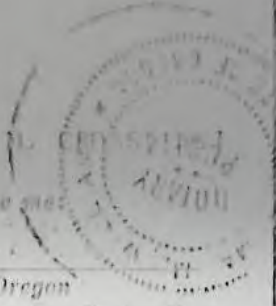
Dolly M. Cross
Dolly M. Cross

Helen D. Cross
Helen D. Cross

STATE OF OREGON
County of Deschutes } ss.

Personally appeared the above-named FRANK D. CROSS, DOLLY M. CROSS, and HELEN D. CROSS, and acknowledged the foregoing instrument to be their voluntary act. Before me

[Signature]
Notary Public for Oregon
My Commission Expires: 4-2-72



STATE OF OREGON,

County of Deschutes } ss.

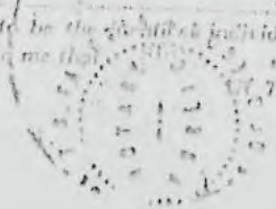
FORM NO. 20 - ACKNOWLEDGMENT
OFFICIAL USE ONLY - NOT FOR PUBLIC USE

BE IT REMEMBERED, That on this 24th day of October, 1969, before me, the undersigned, Notary Public in and for said County and State, personally appeared the within named Helen D. Cross, a single woman,

known to me to be the individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature]
Notary Public for Oregon
My Commission expires 10-28-72



TUMALO IRRIGATION DISTRICT

64697 COOK AVE.
BEND, OREGON 97701

Phone 382-3053

October 25, 1979

RECEIVED

OCT 29 1979

WATER RESOURCES DEPT
SALEM, OREGON

Water Resources Dept.
555 13th St. NE
Salem, Oregon 97310

Attention: Sam Allison

Re: File T-4124

Dear Sam:

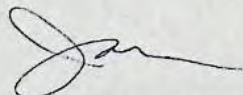
Wayne Overcash requested that Jean Brown forward a deed showing current ownership of the property to be divested of the water right regarding the above transfer.

Jack Vogt still holds the contract on the sale of property to Sarah (Sally) Willock. Attached is a release from him as mortgage holder. As you will note, the taxes are being paid by Ms. Willock but the ownership is still in the name of Jack Vogt until the obligation has been released.

Also enclosed is the original application previously returned to our office.

Sincerely,

TUMALO IRRIGATION DISTRICT



Janet L. Boettcher
District Manager

Enclosures

JB:st

TUMALO IRRIGATION DISTRICT

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

RECEIVED

AUG 1 - 1979

**WATER RESOURCES DEPT
SALEM, OREGON**

July 27, 1979

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

Dear Mr. Overcash:

We would like to request at this time that all of the pending applications being held for the Tumalo Irrigation District be held until September 10, 1979, or until such time as we can provide the additional required documents for completion prior to that date. We have received recent letters from your office stating that two of the applications being held would be closed unless responses were received soon.

We are experiencing a critical period in personnel function and although we are scheduled to have additional office and administrative assistance on Board by September, this does not relieve the paperwork required to complete the backlog of transfer applications due to the degree of training necessary for preparation. If you could bear with us for this next month and a half, I am devoting from August 15 through September 10 entirely to transfer work and hope to clear up all pending applications submitted by that time. Mrs. Brown has not been with us since June 15. You may address all future correspondence to my attention.

Following is a summation, from our records, of the status of pending transfer applications:

#3307 Jack Vogt to Terrill, Hoisington, Larson

In process of voiding pending amended application of #3954.

#3954 Wall Investment Co.

Amended application to be processed (in process).

#3872 Marian Allen Cook to Various

Signature required from ex-husband, Lawrence Allen, of Texas; cooperation not forthcoming at this time. Sale is pending on property in our District which he owns and we have requested his signature to clear the water rights before we will affirm water rights with the title company or approve a county partition for division of the land. As his sale is pending in September, we hope to have this resolved at that time. All work is complete and his signature only is necessary to forward these documents to you.

August 27, 1979

#2666 Martin Winch

Mr. Winch is in the process of completing the required paperwork. He has been in contact with our office and appears to be ready to forward completion documents to you.

#4051 Koehler/Hayes

Ownership documents to be researched and submitted. possibility of amendment of a previous transfer to correct legal description.

#4121 Garside/Mills/Martin

Correction of maps and confirmation of ownership documents; it now appears there may have been another owner at the time of transfer request.

#4124 Willock/McGuire

Copy of deed needed; have been unable to obtain deed through owner or title company, may require search of county records.

#4136 Johnson/Taylor

Release statement from legal owners; copy of deed of ownership. Investigate interest by George Webb in this property.

#4174 Knowles/Rivers

Need statement from Mr. and Mrs. Mastrud advising they release their interest, as legal owners (formerly signed statement as mortgage holders, but title cleared).

#4181 Kohler/Stafford/Bricken

Require statement from Ray Benzel of being agreeable to change in water rights; requires current ownership document.

#4194 R. Coats to R. Coats

Sent statement from District Manager 7/13/79 that prior transfer #2559 effecting current transfer #4194 had been irrigated in 1972.

#4204 Suffridge, et al

Priority rights to be reviewed and remapped.

#4235 Vogt/R. Olson

Need deed from Jack Vogt.

#4237 Vogt/Horseshoe Acres

Map proportions not correct. Maps did not take into account all prior transfers. Priorities to be reviewed and remapped.

#4222 Gungura/Davis, M. & G.

Research priority rights and remap.

Mr. Wayne Overcash
Page 3
August 27, 1979

Additional transfers received for processing, not submitted:

R. Thomson to W. Moore

D. Harris to B. Hoover

McNeil to Turner

Vogt/Schlicting

Boone & Stevens to Hitt & Flory

Yancy to McIntosh

Vogt to Hurlburt

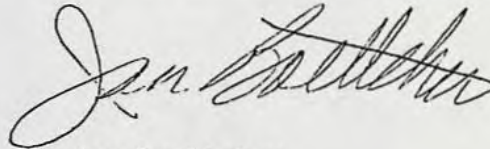
Oliver and Mary Fraser

Hopefully, the bulk of the above new transfers will also be able to be processed during the period of concentrated effort.

Thank you for your cooperation.

Sincerely,

TUMALO IRRIGATION DISTRICT

A handwritten signature in cursive script, appearing to read "Jan Boettcher".

Jan Boettcher
Office Manager

P.S. If there are any other pending applications not listed, would appreciate your response regarding them.

TUMALO IRRIGATION DISTRICT

64697 COOK AVE
BEND, OREGON 97701

Phone 382-3053

RECEIVED

JUN 4 1979

WATER RESOURCES DEPT.
SALEM, OREGON

5/31/79

Dear Mr. Quicash -

Please not current Deed Holder / Contract
for T # 4136 + T # 4124.

Any further information needed please

advise.

Thank You.

J. Brown



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

May 8, 1979

Jeannine Brown
Tumalo Irrigation District
64697 Cook Avenue
Bend, Oregon 97701

RE: File No. T-4124

Dear Ms. Brown:

Enclosed is transfer application No. 4124 in the name of Sally Willock along with the seven maps and the copy of the tax statement.

We will need a copy of the deed showing current ownership of the property to be divested of the right. We cannot specifically locate the property with relation to the government survey lines from the information given on the tax statement. Incidentally, Sally's name does not appear on the tax statement. The names that appear are Jack N. Vogt and Sarah W. Willock. Will you please explain each party's interest in the property in item No. 9 or in the remarks section of the application.

When you return the application, please return only the maps which correctly represent the proposed change.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj



Water Resources Department
MILL CREEK OFFICE PARK

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

RECEIVED

MAR 9 1979

WATER RESOURCES DEPT.
SALEM, OREGON

PHONE 378-3066

March 5, 1979

Jeannine Brown
Tumalo Irrigation District
64697 Cook Avenue
Bend, Oregon 97701

RE: File No. T-4124

Dear Ms. Brown:

Enclosed is transfer application No. 4124 in the name of Sally Willock along with the six supporting maps submitted and received at various times. There are still discrepancies in regard to both the area to be divested of the right and the proposed place of use.

OK
will send
The area illustrated by green shading on the print of the map prepared during the Deschutes River adjudication proceeding is within the property described by the deed conveying property to Robert and Phyllis Gates (see T-4123). If the right will be transferred from property owned by Sally Willock, it would be best to obtain a legal description of Sally Willock's property, plot it on a map, and then show the acreage to be divested of the right. Incidentally, to date, we have not received a copy of the deed showing Sally Willock as current owner of the property from which the right will be transferred.

OK
If the enclosed map received February 21, 1979 correctly represents the location of Barbara McGuire's property to which the right for 1.0 acre will be transferred, it will be necessary to amend item No. 13 by listing the proposed place of use as being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, instead of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ presently listed. Also, the area shaded red on the map of Barbara's property illustrated about 4.0 acres. If only a right for 1.0 acre will be transferred to her property, it will be necessary to specifically locate the 1.0 acre to be irrigated.

When you return the application, please return with it only the supporting maps which correctly represent the proposed transfer.

Sincerely,

Wayne J. Overcash
Wayne J. Overcash
Water Rights Engineer

Mr. Overcash
Please note I have corrected &
will resubmitt -
WJO:lcj

will a copy of Sally's title confirm ownership? I not
Please advise. J. Brown

TUMALO IRRIGATION DISTRICT

64697 COOK AVE.
BEND, OREGON 97701

Phone 382-3053

RECEIVED

JAN 19 1979

WATER RESOURCES DEPT.
SALEM, OREGON

1/18/79

Dear Mr. Overcash,

In receiving your letter on T- 4124 I
show that on T- 2666 that 2.0 AC was in the
SE $\frac{1}{4}$ SW $\frac{1}{4}$? But in the final prog survey
there was no survey in the SE $\frac{1}{4}$ SW $\frac{1}{4}$? I wonder
if the SE $\frac{1}{4}$ & SW $\frac{1}{4}$ should NE $\frac{1}{4}$ & SW $\frac{1}{4}$?

Martin Welch is our director and has no property
in the SE $\frac{1}{4}$ & SW $\frac{1}{4}$?

Please advise.

Thank you.

J. Brown.

RECEIVED

JAN 19 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**

Lake Reservoir, with a date of priority of April 7, 1911; and permit No. 27841 for the use of waters of Crescent Lake Reservoir, with a date of priority of December 8, 1961. that upon receipt of proof satisfactory

to the State Engineer. The applicant herein, owner of the lands above described, use proposes to transfer the water rights therefrom, without loss of priority to 1.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 3.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 3.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 16 South, Range 11 East, W.M. Salem, Oregon, this 21st day of November, 1978.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

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.

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 10.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 16 South, Range 11 East, W.M., as evidenced by certificate recorded at page 26508, with a date of priority of September, 1900, together with the supplemental rights evidenced by certificates recorded at pages 26050, 26051, and 31412, be severed therefrom and simultaneously and without loss of priority transferred to 1.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$.

2. ~~2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 3.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 3.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 16 South, Range 11 East, W.M.~~

T. 2666
Martin Winch

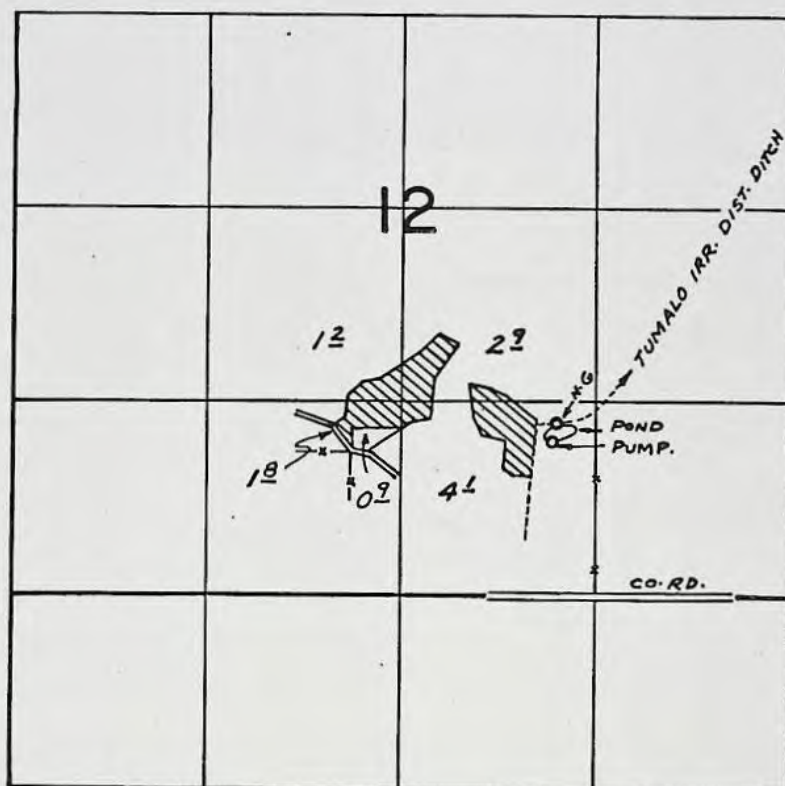
Regarding T- 4124

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

RECEIVED

JAN 19 1979

WATER RESOURCES DEPT.
SALEM, OREGON



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2666
Application No. _____ Permit No. _____
IN NAME OF

.....MARTIN T. WINCH.....

Surveyed AUG. 26, 1976, by R. MUCKEN

1976-Z-4

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 1979.

Authorized Representative for Tumalo
Irrigation District



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

January 17, 1979

Jeannine Brown
Tumalo Irrigation District
64697 Cook Avenue
Bend, Oregon 97701

RECEIVED
JAN 19 1979
WATER RESOURCES DEPT.
SALEM, OREGON

RE: Files No. T-4126, T-2666

Dear Ms. Brown:

The water right transfer application, in the name of Sally Willock, for approval of a change in place of use of water, together with supporting data and fees of \$30, was received January 10, 1979. Our receipt No. 8436 is enclosed.

As mentioned in my earlier correspondence, the majority of the area to be divested of the water right, as illustrated on the map of Section 27, is within the property described by deed conveying property to Robert and Phyllis M. Gates. If the right will be transferred from property being purchased by Sally Willock, it may be best for you to plot the legal description of the property being purchased and then show the area to be divested of the right within the property boundary.

Also, I mentioned in my earlier correspondence that the proposed location of the right for one acre is near the place of use allowed by approval of transfer No. 2666 on November 21, 1972. We can proceed with the new application providing there is no overlap. Therefore, I am enclosing the proof of appropriation of water form for transfer No. 2666, along with a print of our final proof survey map showing the lands found irrigated.

The data contained in the proof is based on an inspection and survey of the use of water allowed by the order approving transfer No. 2666 made by a representative of this office and defines the extent to which use of water was completed within the terms of the order.

Upon receipt of the proof properly signed by the owner of the lands illustrated by shading on the enclosed final proof map and by an authorized representative of Tumalo Irrigation District, we will be able to proceed with processing of Sally Willock's application. You may keep the print of the final proof map for your records. If Martin T. Winch is no longer owner of the property, it may be necessary to check the county tax records and deed records for the name of names of the present owners. If there are several owners now, a

*Please
see map
work.*

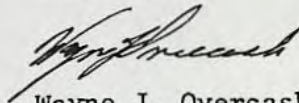
Willock/Tumalo I.D.
File No. T-4126, T-2666
page 2

RECEIVED
JAN 19 1979
WATER RESOURCES DEPT.
SALEM, OREGON

print of a map showing each ownership should be submitted with the proof form, such as a print of the tax assessors map.

I am returning the transfer application along with the three maps for completion. Please refer any correspondence to file No. T-4126.

Sincerely,



Wayne J. Overcash
Water Rights Engineer

WJO:lcj

TUMALO IRRIGATION DISTRICT

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

T-4124

RECEIVED RECEIVED

DEC 15 1978

JAN 10 1979

WATER RESOURCES DEPT. WATER RESOURCES DEPT.
SALEM, OREGON SALEM, OREGON

TO WHOM IT MAY CONCERN:

I Jack N Vogt of 19525 Hwy 20, Bend Oreg
hereby give my permission to transfer 2.0 acres of water off _____
SW 1/4 SW 1/4 16S 11E 27.

Contract on this property still being \$1,000.00.

Signed; X

Jack N Vogt

Dated;

12-8-78



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

January 17, 1979

Jeannine Brown
Tumalo Irrigation District
64697 Cook Avenue
Bend, Oregon 97701

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Willock/Tumalo I.D.
File No. T-4126, T-2666
page 2

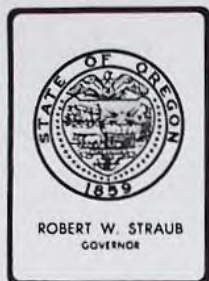
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Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj



Water Resources Department

MILL CREEK OFFICE PARK

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

T-4124

PHONE 378-3066

RECEIVED

JAN 10 1979

WATER RESOURCES DEPT.
SALEM, OREGON

December 28, 1978

Sally Willock
c/o Tumalo Irrigation District
64697 Cook Avenue
Bend, Oregon 97701

Dear Ms. Willock:

Your water right transfer application for approval of a change in place of use of a right for irrigation of 2.0 acres within Tumalo Irrigation District was not accompanied by the fees of \$30; therefore, it could not be filed.

OK If you are the applicant, as indicated in the affidavit of applicant section of the application, your name should appear on the first page of the application instead of the names of Barbara McGuire and Richard Alger.

See map. The majority of the 2.0 acre area to be divested of the water right as presently illustrated on your map of Section 27 is within the property described in the deed conveying property to Robert and Phyllis M. Gates. If the 2.0 acres to be divested of the right is supposed to be south of the Gates' property, the map should be corrected.

See below. It appears from our records that there is an overlap of the proposed location of the right for 1.0 acre in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, T 16S, R 11E, with the earlier right transferred in by transfer application No. 2666 approved November 21, 1972. If not, will you please show their relative locations.

OK The date the Board of Directors of Tumalo Irrigation District approved the change may be noted in the application or on a separate, attached sheet.

Will send later date. A deed showing current ownership of the property from which the right is to be transferred must be submitted to support the application.

I am returning the transfer application, three maps, and statement of permission signed by Jack Vogt.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

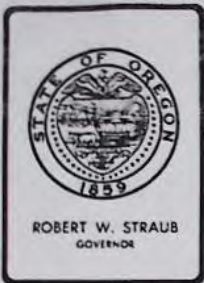
WJO:lcj

Dear Mr Overcash-

I do not have a map on T-2666
But- My adjudication map shows full water
So I do not know how T-2666 could have
been in that part of the 1/4 section? Unless
there had been a transfer out previously.

Thank you -

J. Brown



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

T-4124

December 28, 1978

Sally Willock
c/o Tumalo Irrigation District
64697 Cook Avenue
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Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj

X # 4124
JUNO 4 1979
WATER RESOURCES DEPT.
SALEM, OREGON 101 297

AGREEMENT

1 THIS AGREEMENT, made and entered into this 5th day
2 of February, 1965, by and between FRANK D. CROSS & HELEN D.
3 CROSS, hereinafter referred to as Sellers, JACK H. VOGT & MARTHA C.
4 VOGT, husband and wife, hereinafter referred to as Assignees,
5 and FRANK J. GARDNER & GLADYS E. GARDNER, husband and wife,
6 hereinafter referred to as Assignors,
7

W I T N E S S E T H:

8 WHEREAS, Sellers and Assignors have heretofore entered
9 into a certain contract, a copy of which is attached hereto and
10 by reference made a part hereof, and
11

12 WHEREAS, Assignors as buyers under such contract are
13 in default, and
14

15 WHEREAS, Assignees desire to replace Assignors in such
16 contract,
17

18 NOW, THEREFORE, In consideration of the mutual promises,
19 covenants, and conditions, it is hereby understood and agreed by
20 and between the parties as follows:

21 1. That in consideration of the payment of One
22 Thousand Five Hundred Dollars (\$1,500.00) to Assignors, said
23 Assignors agree to assign all of their interest in the Contract
24 attached hereto to the Assignees and to vacate the farm premises
25 forthwith upon receipt of such payment, provided, however,
26 Assignors shall be allowed occupancy of all buildings until
27 June 10, 1965, this right of occupancy subject to termination
28 in thirty days upon sale to a third party.
29

30 2. That in consideration of the payment of Ten
31 Thousand Dollars by the Assignee to the Sellers Sellers agree
32

AGREEMENT - 1

Vernon W. Robinson
Attorney at Law
SEASIDE, OREGON

New Office
81 Oregon Avenue

140 298

1 to accept the assignment of the contract to the Assignees and
2 acknowledge that as of the 15th day of February, 1965, the
3 balance due upon said contract is the sum of \$85,000.00.
4

5 3. The real property taxes upon the premises shall
6 be prorated between Sellers and Assignees as of the date of
7 this agreement.
8

9 4. That the annual payment date in such contract
10 shall be changed to the 15th day of October each year commencing
11 with the year 1965.
12

13 5. ~~That upon receipt of advance payments at the rate~~
14 ~~of \$200.00 per water acre and One Hundred Dollars (\$100.00)~~
15 ~~per land acre Sellers agree to release their interest in units~~
16 ~~of not less than 20 acres of the subject land, except as to~~
17 ~~the land upon which buildings and permanent improvements are~~
18 ~~located.~~
19

20 6. In all other respects the contract shall remain
21 unchanged and Assignees agree to comply with all the terms
22 thereof.
23

24 IN WITNESS WHEREOF, We have hereunto set our hands
25 the day and year first above written.
26

Vernon W. Robinson
Attorney at Law
115 West Main Street
BEND, OREGON

New Office
141 Oregon Avenue

27 Frank D. Cross
FRANK D. CROSS, Seller

28 Helen D. Cross
HELEN D. CROSS, Seller

29 Jack H. Vost
JACK H. VOST, Assignee

30 Marta C. Vost
MARTA C. VOST, Assignee

31 Frank J. Gardner
FRANK J. GARDNER, Assignor

32 Clayton E. Gardner
CLAYTON E. GARDNER, Assignor

CONTRACTUAL AGREEMENT

THIS AGREEMENT, Made and entered into this 21st day of Sept
by and between FRANK D. CROSS and HELEN D. CROSS, husband and wife, of the
County of Deschutes, State of Oregon, hereinafter referred to as the Sellers, and
GARDNER and GLADYS M. GARDNER, husband and wife, of the County of Deschutes
of Oregon, hereinafter referred to as the Buyers,

WITNESSETH:

That for and in consideration of the stipulations herein contained
payments to be made as hereinafter specified, the Sellers agree to sell to
and the Buyers agree to purchase from the Sellers, the following described
property located in the County of Deschutes, State of Oregon, more particu-
larly described as follows, to-wit:

The Southwest Quarter of the Northeast Quarter
(SW_{1/4}NE_{1/4}), the West Half of the Northwest Quarter
(W_{1/2}NW_{1/4}), the Southeast Quarter of the Northwest
Quarter (SE_{1/4}NW_{1/4}), the Southwest Quarter (SW_{1/4}) and
the Northwest Quarter of the Southeast Quarter
(NW_{1/4}SE_{1/4}) of Section Twenty-seven (27); the North-
west Quarter of the Northwest Quarter (NW_{1/4}NW_{1/4}) of
Section Thirty-four (34), all in Township Sixteen
(16) South, Range Eleven (11) East of the Willam-
ette Meridian, Deschutes County, Oregon.

That the purchase price for the above described real property shall
be the sum of One Hundred Twelve Thousand Five Hundred (\$12,500.00) Dollars and
said sum the Buyers agree to pay to the Sellers for the purchase thereof, and
further the Sellers agree to accept from the Buyers for the purchase thereof,
said sum is to be paid by the Buyers to the Sellers herein as follows:

The sum of Fifteen Thousand (\$15,000.00) Dollars shall be paid as a
payment from the Buyers to the Sellers at the time of the execution of this Co-
tractual Agreement, and an additional Ten Thousand (\$10,000.00) Dollars is to
be paid by the Buyers to the Sellers on or before March 1, 1963, and the balance
of the purchase price remaining, to-wit: Eighty seven Thousand Five Hundred (\$87,500
Dollars shall be paid by the Buyers to the Sellers at the rate and in installments
of Eight Thousand Five Hundred (\$8,500.00) Dollars annually, which said Eight
Thousand Five Hundred (\$8,500.00) Dollar payment shall include interest on the unpaid
balance of the purchase price at the rate of six (6%) per cent per annum. The first of
said installments shall be due and payable from the Buyers to the Sellers on or
before the 31st day of January, 1964, and the remainder of said installments shall
be paid from the Buyers to the Sellers on or before the 31st day of January of each
subsequent year.

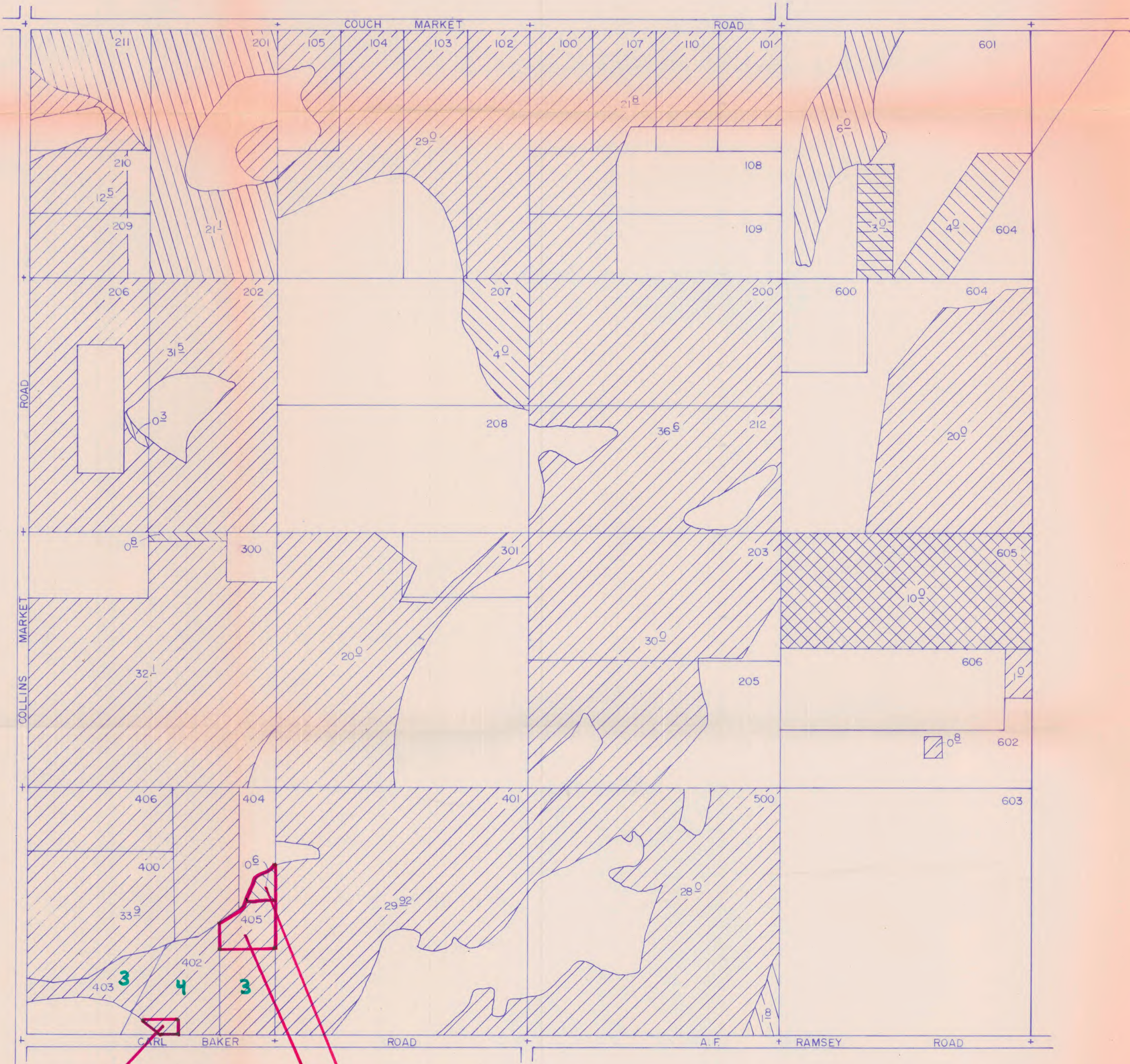
T-4124

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JUN 22 1981
WATER RESOURCES DEPT.
SALEM, OREGON

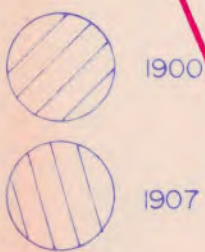
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JUN 22 1981
WATER RESOURCES DEPT.
SALEM, OREGON

SECTION 27 T.16S. R.11 E. W.M.

1" = 400'



.8 OFF [#31419]



.6 OFF [#26050]

1.6 OFF [#26508]

T-4124

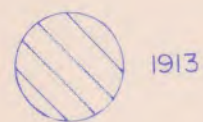
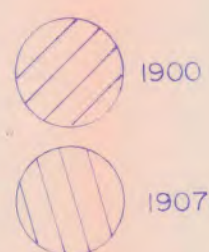
RECEIVED
JUN 22 1981
WATER RESOURCES DEPT.
SALEM, OREGON

SECTION 34 T.16S. R.11E. W.M.

1" = 400'



1.0 ON
(#26508)

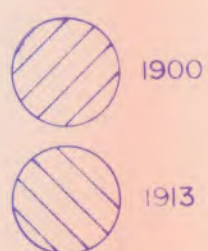
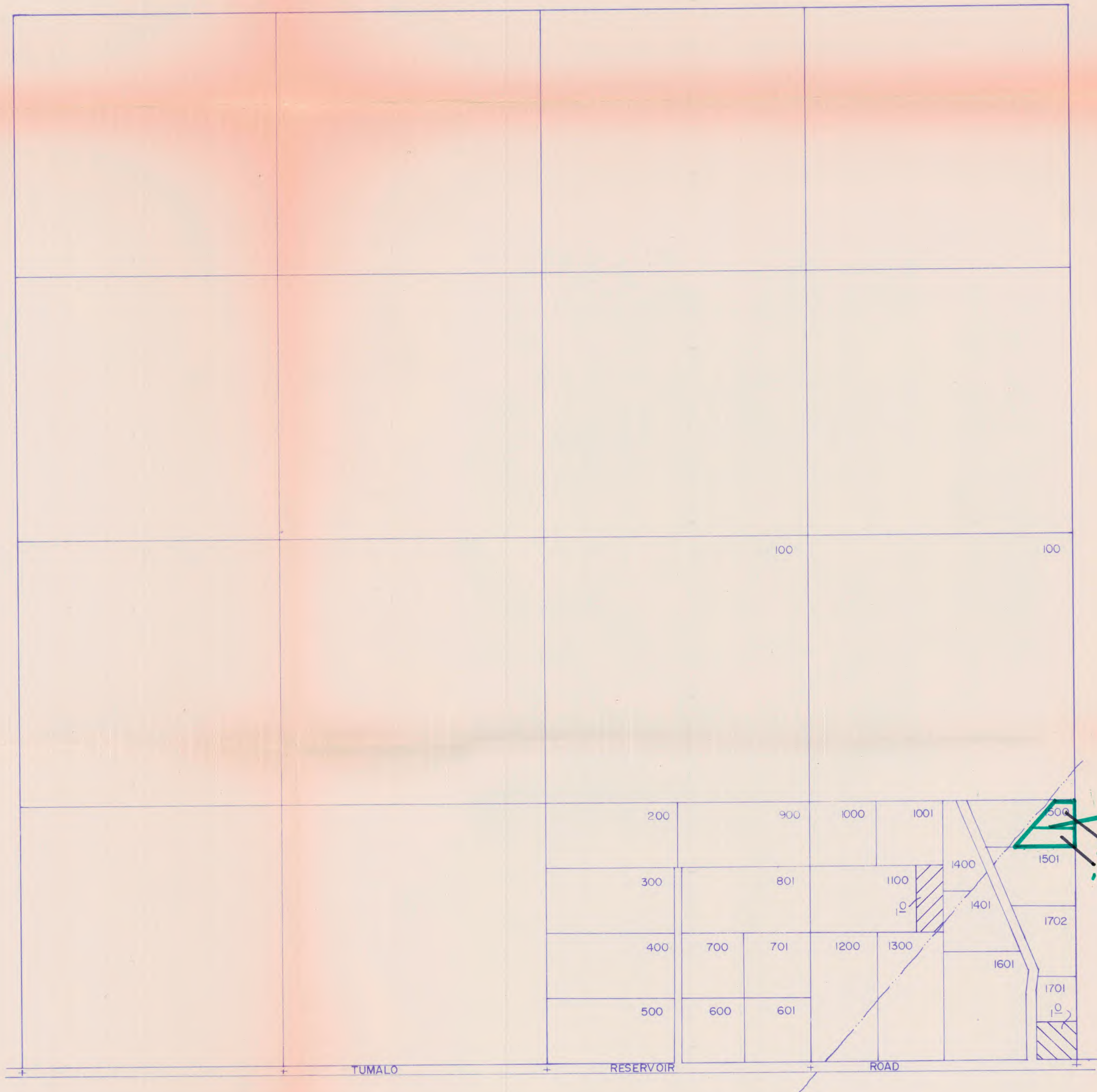


T-4124

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JUN 2 2 1981
WATER RESOURCES DEPT.
SALEM, OREGON

SECTION 36 T.16S. R.11E. W. M.

1" = 400'



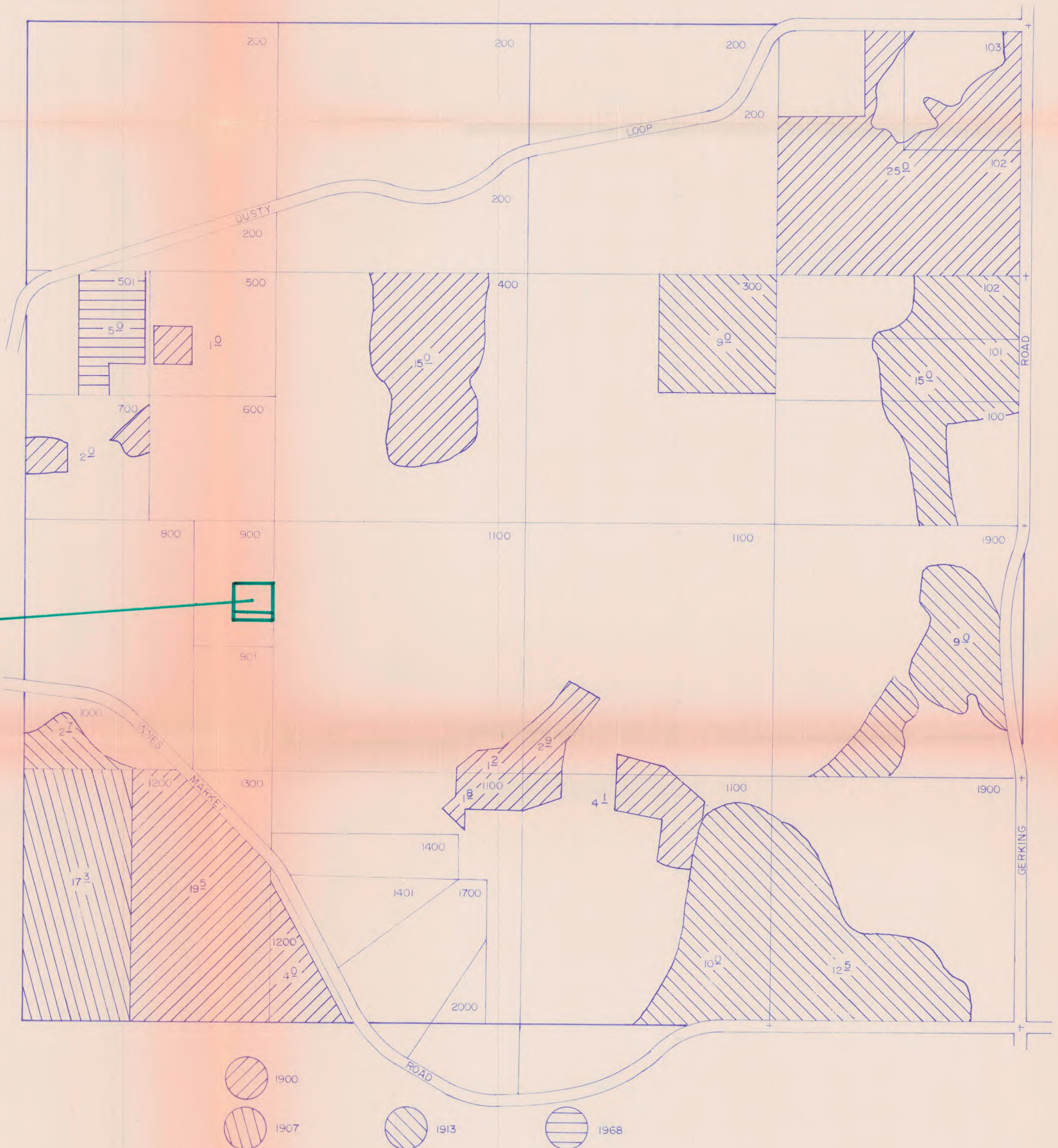
T- 4124

RECEIVED
JUN 22 1981
WATER RESOURCES DEPT.
SALEM, OREGON

SECTION 12 T.16S. R.11E. W.M.

1" = 400'

1.0 ON
.8: #31410
.2: #26508



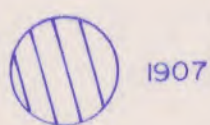
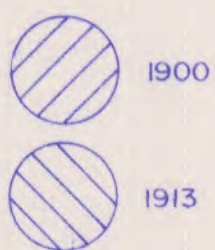
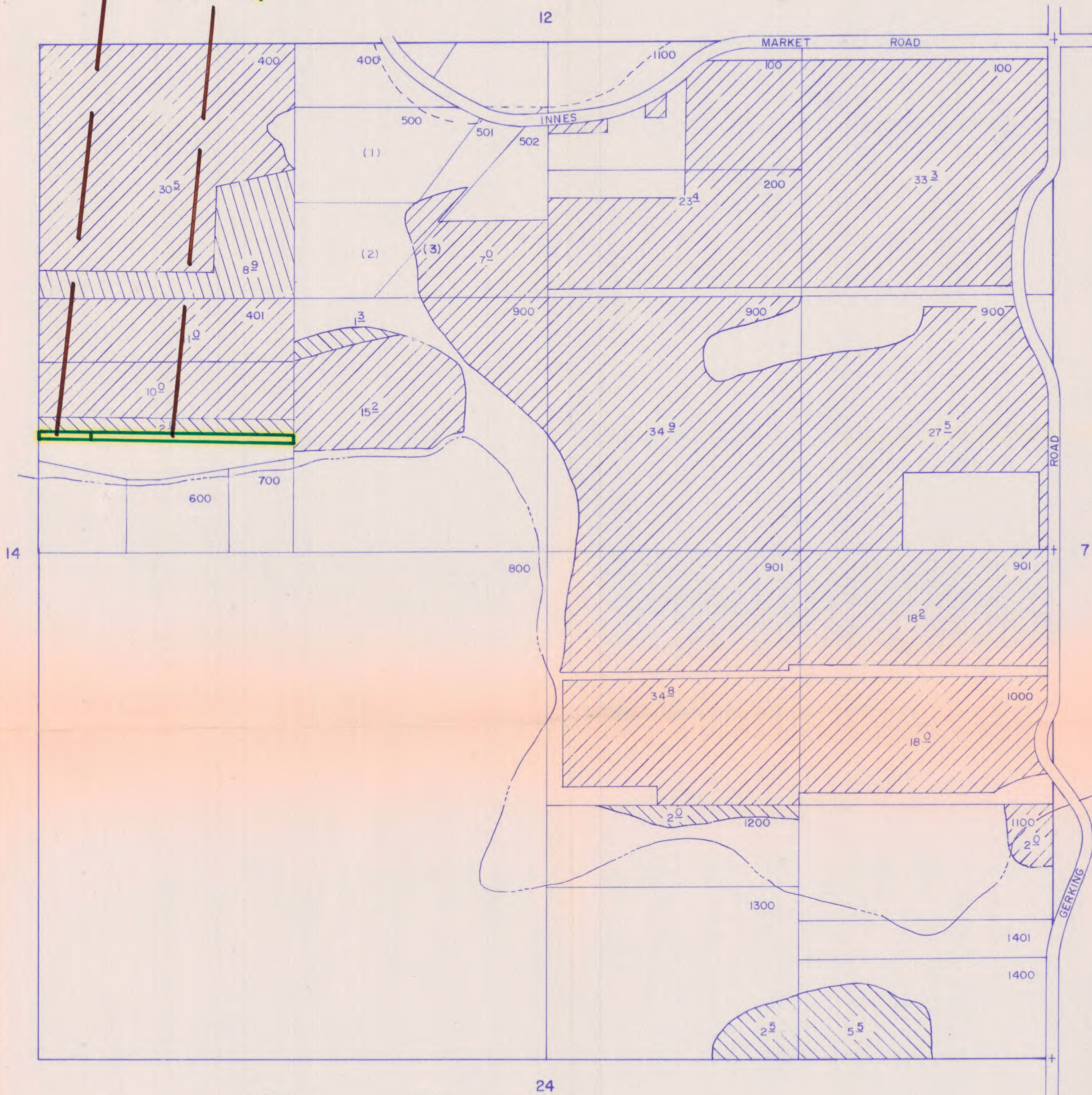
T-4124 (Amended)

SECTION 13 T.16S. R.11E.W.M.

.2 ON (C.26508, 8/5/1900)

1" = 400'

.8 ON (C.31410, 8/5/1900)



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NOV 3 1982
WATER RESOURCES DEPT.
SALEM, OREGON

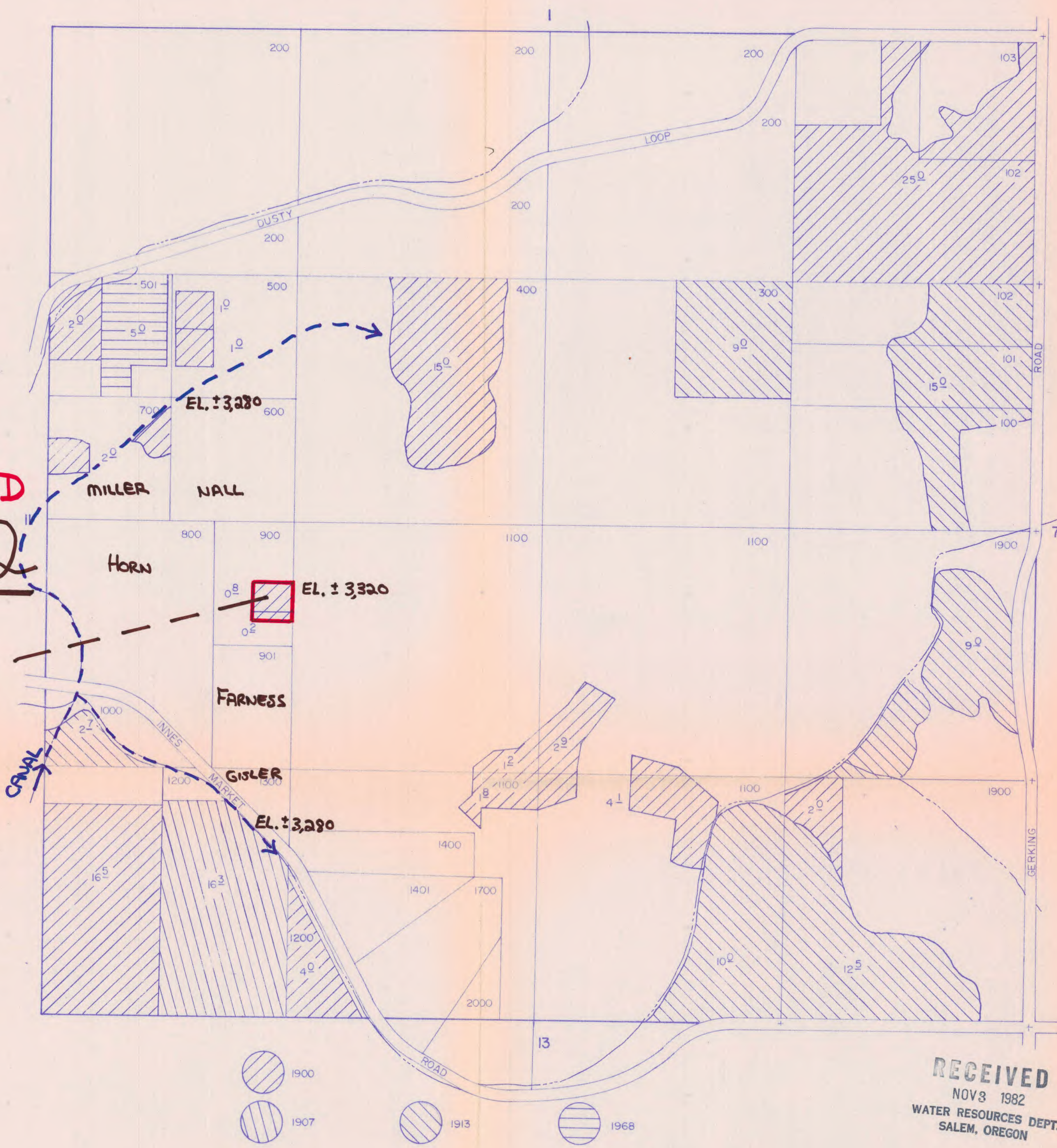
SECTION 12 T.16 S. R.11 E. W.M.

1" = 400'

T-4124
AMENDED

16-11-12

(1.0 OFF)



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NOV 3 1982
WATER RESOURCES DEPT.
SALEM, OREGON

Revised from T-5020
T-4889