

Bend City of

ites

STATUS OF APPLICATION

B-92/T-142

DESCRIPTION OF WATER RIGHT

T-148

FEES PAID

Change in use, place of use and pt. of div
Date filed January 25, 1956
Date returned for further data
Date application completed
Notice for publication mailed
Date notice published
Date of hearing
Place of hearing
Date of order 2/5/57 Vol. 9, page 61
Date of application of water 10/6/60
Proof mailed
Proof received
Certificate issued Feb. 3, 1964 Vol. 23, page 31411 WAC

Name of stream Tumalo Creek
Trib. of _____ County of Douglas
Use _____
Quantity of water _____ No. of acres 174.5
Name of ditch _____
Date of priority _____
In name of _____
Adjudication, Vol. _____, Page _____
App. No. _____ Per No. _____ Cert. No. 49 89 104
Certificate cancelled _____
Notation made on record by WPL

Date	Amount	Receipt No.
<u>1/30/55 (56)</u>	<u>25.00</u>	<u>5991</u>
<u>(Pub)</u>	<u>30.00</u>	<u>"</u>
Total		
<u>12-12-60</u>	\$1 Cert. Fee	<u>279.70</u>

FEES REFUNDED

Date	Amount	Check No.
<u>5/14/56</u>	<u>21.46</u>	<u>6361</u>
	<u>3.54</u>	<u>6362</u>
	<u>25.00</u>	
<u>9/22/60</u>	<u>5.00</u>	<u>8332</u>

Balance Pub. of notice fees.

REMARKS

See B-103 for agreement
9/29/60 Expiration Notice
11/23/60 Proof of Application mailed to City of Bend
12/2/60 Proof received - lands irrigated
OK for certificate

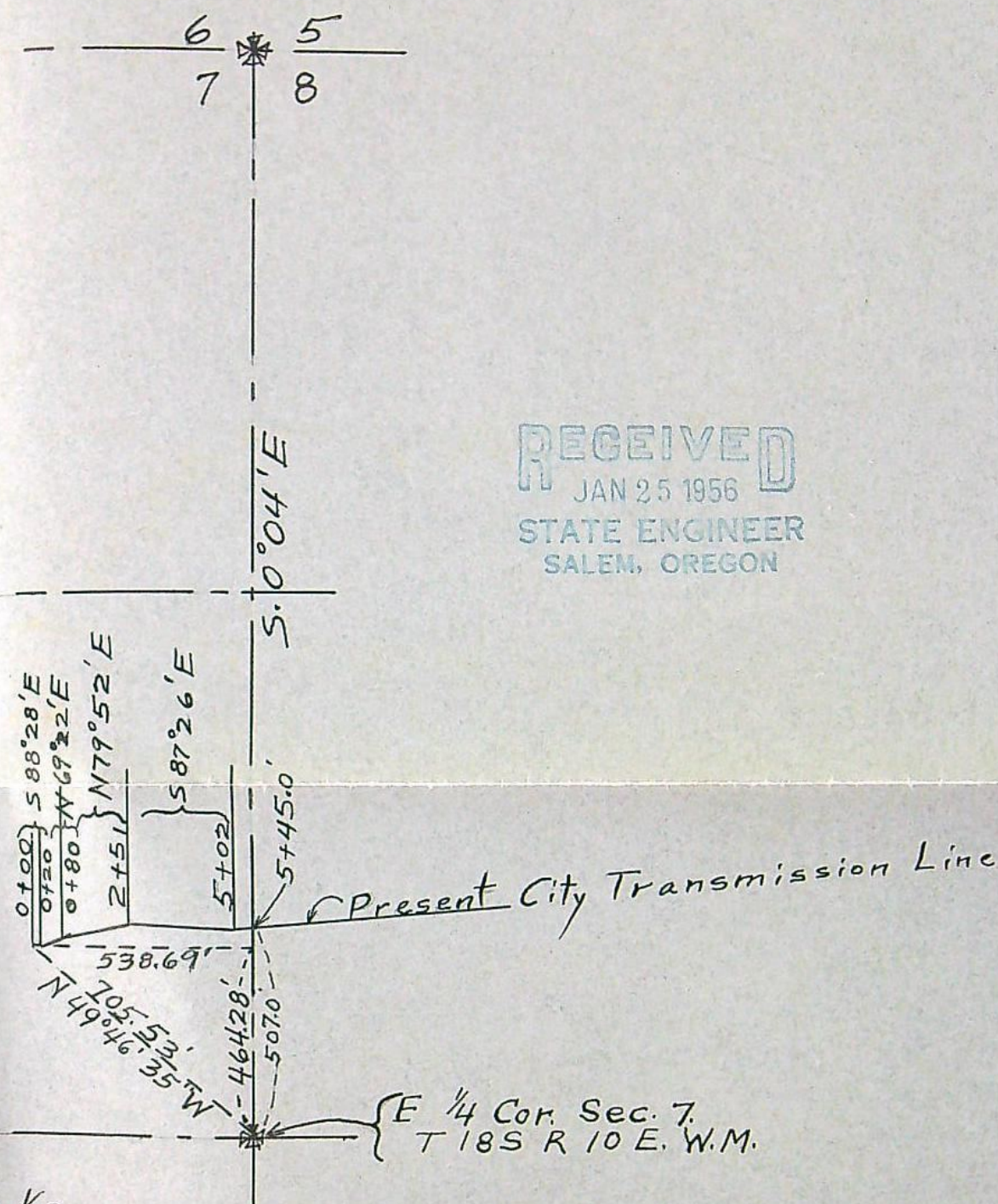
Page 277

cert. 49 89 104

TO BE ENTERED WHERE CHECKED

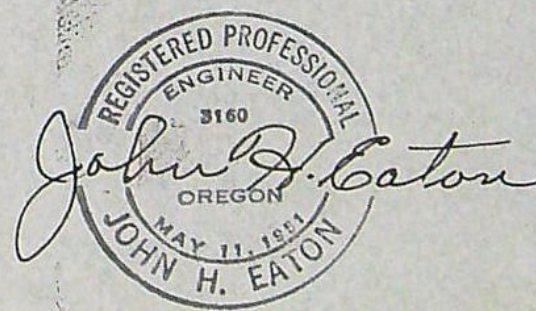
INDEX CARDS:	Entered	New Cert Checked
Name	___	___
Stream	___	___
Pt. of Div.	___	___
Calendar	___	___
CHECKED TO RECORDS:		
Twp. & Rge.	___	<u>WAC</u>
Decree-vault	___	<u>WAC</u>
Decree-note	___	<u>WAC</u>
Cert. of W/R	___	<u>WAC</u>
Per. Folder	___	___
Chaindex	___	___
Cross Ref.	___	___
Power Claim	___	___
Abstracts	___	___

1974
TRANSFER TO ARCHIVES AFTER



Scale: 1" = 400 ft.
Jan. 29, 1956

Drawn by: John H. Eaton
City Engineer



RECEIVED
JAN 25 1956
STATE ENGINEER
SALEM, OREGON

B-92

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
 OF THE CITY OF BEND, OREGON, FOR)
 THE APPROVAL OF A CHANGE IN USE,)
 PLACE OF USE AND POINT OF DIVERSION)
 OF WATER FROM TUMALO CREEK AND A)
 CHANGE IN PLACE OF USE OF WATER FROM)
 DESCHUTES RIVER.)

O R D E R

APPROVING APPLICATION

On January 25, 1956, the City of Bend, Oregon, filed an application for the approval of a change in use, place of use and point of diversion of water from Tumalo Creek and a change in place of use of water from Deschutes River pursuant to the provisions of ORS 540.510 to 540.530.

In the Tumalo Creek adjudication proceedings a water right was recognized for the irrigation of 174.5 acres from Tumalo Creek as follows, to-wit:

<u>Sub-division</u>	<u>Sec-tion</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Acres Water Right</u>	<u>Date of Priority</u>
SE $\frac{1}{4}$ SE $\frac{1}{4}$	1	16 S	11 E	30.0 ^{-V}	Sept. 1900
				1.6 ^{inch}	June 1, 1907
SW $\frac{1}{4}$ SE $\frac{1}{4}$	35	16 S	11 E	28.0 ^{-V}	Sept. 1900
NW $\frac{1}{4}$ SW $\frac{1}{4}$	6	16 S	12 E	26.0 ^{inch}	Sept. 1900
SW $\frac{1}{4}$ SW $\frac{1}{4}$	6	16 S	12 E	30.0 ^{-V}	Sept. 1900
NE $\frac{1}{4}$ NE $\frac{1}{4}$	2	17 S	11 E	22.9 ^{21.49 inch}	Sept. 1900
NW $\frac{1}{4}$ NE $\frac{1}{4}$	2	17 S	11 E	36.0 ^{-12 23 inch}	Sept. 1900

The right to the use of water from Tumalo Creek for the irrigation of the above described lands is limited to a rate of flow of one-seventieth of one cubic foot per second per acre and the quantity of water diverted during the irrigation season from April 15 to October 15 of each year is limited to not to exceed 1.8 acre feet per acre. These lands are irrigated through either the Columbia Southern Canal or the Tumalo Feed Canal, the point of diversion of the Columbia Southern Canal being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, Township 18 South, Range 10 East, W. M., and the point of diversion of the Tumalo Feed Canal being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 17 South, Range 11 East, W. M.

In the Deschutes River adjudication proceedings, the Deschutes County Municipal Improvement District was adjudicated a right to the use of 9.5 cubic feet per second of the waters of Deschutes River with a date of priority of 1905, which right was made appurtenant to all lands within the district.

Permit No. 19628, issued to the Deschutes County Municipal Improvement District, is for a supplemental supply of water from Crater Creek, Little Crater Creek and three springs for the irrigation of, among other lands, those above described.

An agreement between the City of Bend and the Deschutes County Municipal Improvement District dated November 3, 1950 as modified by two subsequent agreements dated November 4, 1950 and April 4, 1954, provides that only the right to the use of the water of Tumalo Creek for the irrigation of the 174.5 acres heretofore described, is to be transferred to the City of Bend for municipal purposes at this time, and all other rights to the use of water from all sources other than Tumalo Creek are to be transferred to all other lands within the district or canceled. The purpose of this provision is to divest the said 174.5 acres of land of all water rights. The agreement further provides that the City of Bend will perpetually pay to the Deschutes County Municipal Improvement District the annual assessments for operation and maintenance, the payment of outstanding indebtedness including outstanding bonds, and for replacements and capital repairs on the basis of 174.5 acres, each acre to be assessed equally as all other lands within the district are assessed.

The applicant herein, owner of the 174.5 acres of land above described, proposes to change the use from irrigation purposes to that of municipal purposes within the corporate limits of the City of Bend and surrounding territory served by its water supply pipelines and to divert the water at

the City of Bend's intake from Tumalo Creek located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 18 South, Range 10 East, W. M.

Notice by publication as provided by CRS 540.520 was given in the Bend Bulletin, a newspaper printed and having general circulation in Deschutes County, Oregon, for a period of three weeks, being the issues of April 26 and May 3 and 10, 1956. The time for hearing upon such application as stated in the notice, namely: June 21, 1956, was not less than thirty days after the last publication of the notice.

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

NOW, THEREFORE, it hereby is ORDERED that the water right from Tumalo Creek hereinbefore described as appurtenant to 174.5 acres as follows:

<u>Sub-division</u>	<u>Section</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Acres Water Right</u>	<u>Date of Priority</u>
SE $\frac{1}{4}$ SE $\frac{1}{4}$	1	16 S	11 E	30.0	Sept. 1900
				1.6	June 1, 1907
SW $\frac{1}{4}$ SE $\frac{1}{4}$	35	16 S	11 E	28.0	Sept. 1900
NW $\frac{1}{4}$ SW $\frac{1}{4}$	6	16 S	12 E	26.0	Sept. 1900
SW $\frac{1}{4}$ SW $\frac{1}{4}$	6	16 S	12 E	30.0	Sept. 1900
NE $\frac{1}{4}$ NE $\frac{1}{4}$	2	17 S	11 E	22.9	Sept. 1900
NW $\frac{1}{4}$ NE $\frac{1}{4}$	2	17 S	11 E	36.0	Sept. 1900

be severed therefrom and simultaneously and without loss of priority transferred to the City of Bend, Oregon, for municipal use within the corporate limits of the said city and surrounding territory served by its water supply pipelines and to divert the water at the City of Bend's intake from Tumalo Creek, said intake being located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, Township 18 South, Range 10 East, W. M.

It is FURTHER ORDERED that the water so transferred shall be applied to beneficial use by the City of Bend, Oregon, on or before October 1, 1960 or within such extension of time as may be granted by the State Engineer for good cause shown.

It is FURTHER ORDERED that the quantity of water heretofore used for irrigation of the 174.5 acres from Tumalo Creek described in paragraph 2 hereof and by this order transferred to municipal purposes by the City of Bend, Oregon, shall be limited to a maximum diversion of 2.49 cubic feet per second, beginning on April 15 and ending on October 15 of each year, and the total quantity diverted during said period shall not exceed 314.1 acre feet, measured at the meter in the existing pipeline and at the meter to be installed in the parallel pipeline now under construction.

It is FURTHER ORDERED that a meter shall be installed in the parallel pipeline now under construction at a point opposite or near the meter in the existing pipeline, said meter to be approved by the watermaster of Deschutes County, Oregon, before the beginning of construction work and installed under his general supervision.

It is FURTHER ORDERED that that part of the right to the use of 9.5 cubic feet per second of the waters of Deschutes River with a date of priority of 1905, appurtenant to the lands described in paragraph 2 hereof, be severed therefrom and simultaneously and without loss of priority transferred to the remaining lands having water rights within the Deschutes County Municipal Improvement District.

+ It is FURTHER ORDERED that the lands described in paragraph 2 hereof be eliminated from Permit No. 19628.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use for municipal purposes within the corporate limits of the City of Bend and surrounding territory served by its water supply pipelines, a certificate of water right shall be issued to the City of Bend to the extent to which the water has been used beneficially.

It is FURTHER ORDERED that certificate of water right heretofore issued to R. G. Bowser and recorded at Page 49, Volume 1, State Record of Water Right Certificates, and certificate of water right issued to Wm. E. Sandel and recorded at Page 89, Volume 1, State Record of Water Right Certificates, which certificates cover a part of the lands from which the water is being transferred herein, be and the same hereby are canceled.

It is FURTHER ORDERED that certificate of water right heretofore issued to Columbia Southern Irrigation Company and recorded at Page 104, Volume 1, State Record of Water Right Certificates, which certificate covers, among other lands, a part of the lands from which the water is being transferred herein, be and the same hereby is canceled, and that a new certificate of water right be issued to the Deschutes County Municipal Improvement District successor in interest to the Columbia Southern Irrigation Company, covering the balance of lands not involved in this proceeding.

Dated at Salem, Oregon this 5th day of February 1957.

(Sgd.) LEWIS A. STANLEY
State Engineer

PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

RECEIVED
DEC 2 1960
STATE ENGINEER
SALEM, OREGON

Transfer No. B-92

County Deschutes

1. Name City of Bend 2. Address Bend, Oregon

3. Source of Supply Tumalo Creek Tributary of _____

4. Amount of Water 314.1 A.F. 5. Priority date 1900 & 1907
From April 15 to Oct. 15

6. Use From irrigation to municipal

7. Location of Point of Diversion 464.28 feet north and 538.69 feet west from
the E $\frac{1}{2}$ corner of Sec. 7, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 7, T. 18 S., R. 10 E., W. M.

8. The description of the land given below corresponds to that found in your transfer covering land to be irrigated, or if for other purposes, the place of use. In the blank column on the right, headed "No. Acres Actually Irrigated", fill in the number of acres you have irrigated in each of the tracts described.

Town- ship	Range	Sec- tion	Forty-acre Tract	No. Acres Des- cribed in Transfer	No. Acres Actually Irrigated
			Corporate limits of City of Bend for		municipal use
			Also area adjoining City limits.		

9. Does the accompanying map, filed with your application, show correctly the point of diversion, area of land irrigated, or place of use? _____

10. If not, wherein is such map in error? _____

11. If for power, mining, municipal, manufacturing or any other purpose than irrigation, give extent and method of such use. _____

DESCRIPTION OF WORKS

12. Size of canal: Width on top (at waterline) _____ ft; width on bottom _____ ft.;
depth of water _____ ft; grade, _____ ft. fall per 1,000 ft. Actual capacity _____
_____ sec. ft. Give general description _____

13. Specific data required on pump and pipe or sprinkler systems:

PUMP: Make _____ Type _____ No. _____

Intake size _____ Discharge size _____

Suction head _____ Discharge head _____

Rating: G.P.M. _____ R.P.M. _____ Pressure _____

POWER PLANT: Type _____ Make _____

H.P. Rating _____ R.P.M. _____

POWER CONNECTION: Direct connected unit _____

If belt driven: Size of Drive Pulley _____ Driven Pulley _____

DISTRIBUTION SYSTEM: Main line: Size _____ Length _____ Kind of Pipe _____

Lateral lines: Size _____ Length _____ Kind of Pipe _____

SPRINKLER HEADS: Make _____ Size of Nozzles _____

Number of heads used _____ Discharge capacity of each _____ G.P.M.

Operating pressure _____ lbs.

REMARKS 2 parallel pipe lines capacity of both lines 17.17 sec. ft.

Copy of flow record for July and August enclosed.

I, W. P. Drost

say that I have read the foregoing proof of application of water to beneficial use;
that I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of

December, 19 60.

W P Drost

CITY OF BEND WATER DEPARTMENT FLOW RECORD

Yr.	1960	Awbrey Butte	Overturf Butte	Total	Awbrey Butte	Overturf Butte	West Hills	Total	Awbrey Butte	Overturf Butte
Mo.	August	Reservoir	Reservoir	Intake	Reservoir	Reservoir	Pump	Usage	Maximum	Maximum
Date	Time	Inlet G.P.D.	Inlet G.P.D.	G.P.D.	Outlet G.P.D.	Outlet G.P.D.	G.P.D.	G.P.D.	Flow Rate	Flow Rate
1.	8:45	532,000	346,000	878,000						
2	8:45	3,293,000	643,000	3,736,000						
3	8:50	7,829,000	415,000	8,244,000						
4	8:50	6,148,000	706,000	6,854,000						
5	8:40	6,723,000	625,000	7,348,000						
6	8:45	6,759,000	624,000	7,379,000						
7	8:50	6,880,000	625,000	7,505,000						
8	9:00	6,398,000	674,000	7,072,000						
9	8:45	6,093,000	928,000	7,021,000						
10	8:55	8,187,000	1,126,000	8,315,000						
11	8:50	7,630,000	1,093,000	8,723,000						
12	8:55	7,519,000	965,000	8,484,000						
13	9:00	7,232,000	1,002,000	8,234,000						
14	8:45	5,787,000	736,000	6,523,000						
15	9:05	5,733,000	719,000	6,452,000						
16	8:45	4,860,000	814,000	5,674,000						
17	8:45	5,958,000	778,000	6,736,000						
18	8:50	6,605,000	804,000	7,409,000						
19	8:50	7,162,000	722,000	7,884,000						
20	9:00	7,131,000	644,000	7,775,000						
21	9:30	6,072,000	551,000	6,623,000						
22	8:50	3,481,000	750,000	4,231,000						
23	8:40	3,359,000	870,000	4,166,000						
24	8:45	3,805,000	563,000	4,368,000						
25	9:00	5,819,000	131,000	5,950,000						
26	8:40	5,588,000	125,000	5,713,000						
27	8:40	4,872,000	157,000	5,029,000						
28	8:40	4,894,000	94,000	4,988,000						
29	8:55	5,878,000	148,000	6,026,000						
30	8:45	6,730,000	170,000	6,900,000						
31	8:35	6,866,000	113,000	6,979,000						

REMARKS:

Daily Adv. 64.13,516.3

CITY OF BEND WATER DEPARTMENT FLOW RECORD

Yr.	1960	Awbrey Butte Reservoir Inlet G.P.D.	Overturf Butte Reservoir Inlet G.P.D.	Total Intake G.P.D.	Awbrey Butte Reservoir Outlet G.P.D.	Overturf Butte Reservoir Outlet G.P.D.	West Hills Pump G.P.D.	Total Usage G.P.D.	Awbrey Butte Maximum Flow Rate	Overturf Butte Maximum Flow Rate
Mo.	July									
Date	Time									
1.	8:40	6,894,000	702,000							
2.	8:30	7,296,000	474,000	7,596,000						
3.	7:30	6,433,000	582,000	7,770,000						
4.	7:45	6,428,000	518,000	7,015,000						
5.	8:40	7,412,000	351,000	6,766,000						
6.	8:40	7,801,000	701,000	7,763,000						
7.	8:40	7,303,000	1,071,000	8,502,000						
8.	8:40	7,739,000	819,000	8,374,000						
9.	9:15	7,810,000	799,000	8,558,000						
10.	9:10	6,235,000	825,000	8,609,000						
11.	8:40	6,253,000	556,000	7,060,000						
12.	8:40	7,425,000	876,000	6,809,000						
13.	8:40	7,440,000	830,000	8,301,000						
14.	8:40	7,056,000	698,000	8,270,000						
15.	8:45	6,936,000	1,041,000	7,754,000						
16.	8:55	7,130,000	729,000	7,977,000						
17.	8:35	7,647,000	490,000	7,859,000						
18.	8:55	7,301,000	518,000	8,164,000						
19.	8:40	8,080,000	1,191,000	7,819,000						
20.	8:40	7,834,000	1,066,000	9,271,000						
21.	8:40	7,403,000	1,036,000	8,900,000						
22.	8:35	7,382,000	1,125,000	8,439,000						
23.	9:00	7,642,000	1,049,000	8,507,000						
24.	9:05	6,673,000	726,000	8,691,000						
25.	9:45	6,491,000	569,000	7,399,000						
26.	8:40	6,573,000	752,000	7,060,000						
27.	8:40	6,830,000	837,000	7,325,000						
28.	8:40	6,584,000	834,000	7,667,000						
29.	8:55	7,127,000	1,290,000	7,418,000						
30.	8:55	6,441,000	640,000	7,317,000						
31.	8:40	2,180,000	603,000	7,081,000						
				8,783,000						

REMARKS: Daily Adv. 7,897,548.4

OK
W

NOTICE OF FILING
APPLICATION FOR A CHANGE
IN USE, PLACE OF USE
AND POINT OF DIVERSION
OF WATER

Notice is given hereby that the City of Bend has filed an application for the approval of a change in use, place of use and point of diversion of water from Tumalo Creek pursuant to the provisions of ORS 540.510 to 540.530.

In the adjudication proceedings determining the relative rights to the use of the waters of Tumalo Creek and its tributaries a water right was adjudicated for the irrigation of 31.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1 and 23 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 16., S. R. 11 E. W. M. 26 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 30 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6, T. 16. S., R. 12 E., W. M., and 22.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 36 acres in NW NE $\frac{1}{4}$, Sec. 2 T. 17 S. R. 11 E. W. M. of which 1.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, have a date of priority of June 1, 1907 and all the remaining lands have a date of priority of Sept. 1900. These lands are irrigated thru either the Tumalo Feed Canal or the Columbia Southern Canal, the point of diversion of the Tumalo Feed Canal being within SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, T. 17 S., R. 11 E. W. M., and the point of diversion of the Columbia Southern Canal being within NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2, T. 18 S. R. 10 E. W. M.

The applicant herein, owner of the land above described proposes to change the use from irrigation purposes to that of municipal purposes within the corporate limits of the City of Bend and surrounding territory served by its water supply pipeline and to divert the water at the City of Bend's intake from Tumalo Creek located in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 18 S., R. 10 E. W. M.

All persons interested are notified hereby that a hearing will be held in the county court house at Bend, Ore., on June 21, 1956 beginning at 10:00 a.m. All objections to the proposed changes, if any there are will be heard at said time and place. Any objections should be prepared in writing, one copy to be served on the City of Bend, Bend, Ore., and one copy mailed to the State Engineer Salem Ore. together with a \$2 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed the application may be approved by the State Engineer without a hearing.

Dated at Salem, Ore. this 23rd day of April 1956.

LEWIS A. STANLEY,
State Engineer

171-177-133-C

Affidavit of Publication

STATE OF OREGON, COUNTY OF DESCHUTES,—ss.

I, Nell Wescoatt, being first duly sworn, depose and say that I am the Principal Clerk of the Publisher of The Bend Bulletin, a newspaper of general circulation printed and published at Bend in the aforesaid county and state, as defined by ORS 193.010 and ORS 193.020, that.....

Notice of Filing Application for a Change in Use,

Place of Use, and Point of Diversion of Water

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for three successive and consecutive weeks in the following issues: April 26, May 3, 10, 1956

Subscribed and sworn to before me this 10th day

of May, 1956

Mary Damon
Notary Public for Oregon
(My Commission Expires 10/24/58)

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, City of Bend (Name of applicant)

of Bend (Postoffice), County of Deschutes

State of Oregon, do hereby make application for change in use, place of use and

point of diversion (In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Tumalo Creek (Name of stream)

2. The use to which the water is applied is Irrigation (Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is (1) Bend Feed Canal
(2) Columbia Southern Canal

4. The point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____ (N. or S.) (E. or W.)

corner of _____ (Section or subdivision) being within the (1) SW 1/4 NE 1/4
(2) NW 1/4 SE 1/4

of Section (1) 23 17S 11E
(2) 2 Tp. 18S R. 10E W. M., in the County of Deschutes
(No. N. or S.) (No. E. or W.)

5. Give the number of acres irrigated in each smallest legal subdivision (40-acre tract). Only show the acreage which is being transferred. If the water is used for power, mining or other use, show place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
16	11	1																
16	11	35																
16	12	6																
17	11	2																

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed. 174.5 ac.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Yes (If not owner, explain your interest)

7. What is the priority date of your water right? Sept. 1900 for 172.9 ac. and June 1, 1907 for 1.6 ac.

8. Was your water right acquired by State Engineer's Permit? No (Yes or No) If so, give number

of permit The 1.6 acres having a date of priority of June 1, 1907 is in the SE 1/4 SE 1/4, Sec. 1.

9. Do you hold a water right certificate? No If so, give number of certificate
(Yes or No)

10. Was your water right determined by State Engineer's order of Determination or Decree of Court?

Yes If so, give title of proceedings in re: Tumalo Creek Adjudication proceedings
(Yes or No)

11. Is the water right recorded in your name? No
(If not, give name)

12. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
			To corporate limits of City of Bend for Municipal use															

(Attach separate sheet if necessary)

NOTE: Do not answer questions 13, 14 and 15, if the application is not for change in point of diversion.

13. The proposed point of diversion is located 464.28 ft. N and 538.69 ft. W from the E $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of Sec. 7 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7 Tp. 18S R. 10E W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Deschutes. The name of the ditch to be used is City of Bend pipe line

14. Are you the owner of the land on which the proposed point of diversion is to be located? No

15. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

United States of America. City of Bend has Special Use Permit from Forest Service
dated 5-24-26

16. Are there any diversions between your present point of diversion and the proposed point of diversion?

NOTE: Do not answer questions 17 and 18 if application is for change in point of diversion only.

17. 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)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

19. Reasons for the proposed changes are To acquire adequate water supply for City of Bend

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

SS.

County, Oregon

I, Walter T. Thompson, City Manager of the City of Bend, Deschutes, 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 20th day of April, 1956.

W. T. Thompson
(Name of applicant)

Subscribed and sworn to before me this 20th day of April, 1956.

[Notarial Seal]

Jerry B. English
NOTARY PUBLIC FOR OREGON
My commission expires July 2, 1959

Remarks This transfer being made pursuant to the provisions of contracts between the City of Bend, Oregon and The Deschutes County Municipal District, dated Nov. 4, 1950, Nov. 3, 1953, and April 4, 1956.

That part of the right to the use of 9.5 c.f.s. from Deschutes River with a date of priority of 1905 appurtenant to the land described herein from which the City of Bend proposes to transfer the water right from Tumalo Creek is to be transferred to all other remaining land within the district; and

That part of right of the district under Permit 19628 for supplemental irrigation of the land owned by the City of Bend is to be cancelled, said land being described as follows, to-wit: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 16 S., R. 11 E., W. M., NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6, T. 16 S., R. 12 E., W. M., NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 17 S., R. 11 E., W. M.

This application must be accompanied by a map showing the location of the point of diversion, place of use and works utilized under the present water right. The map should also show the new point of diversion or place of use, as the case may be.

1947

Application for Transfer of Water Right

Name of
applicant

Date filed

Date returned for further data

Date application completed

Date notice published

Date of hearing

Place of hearing

Date of final order
of State Engineer

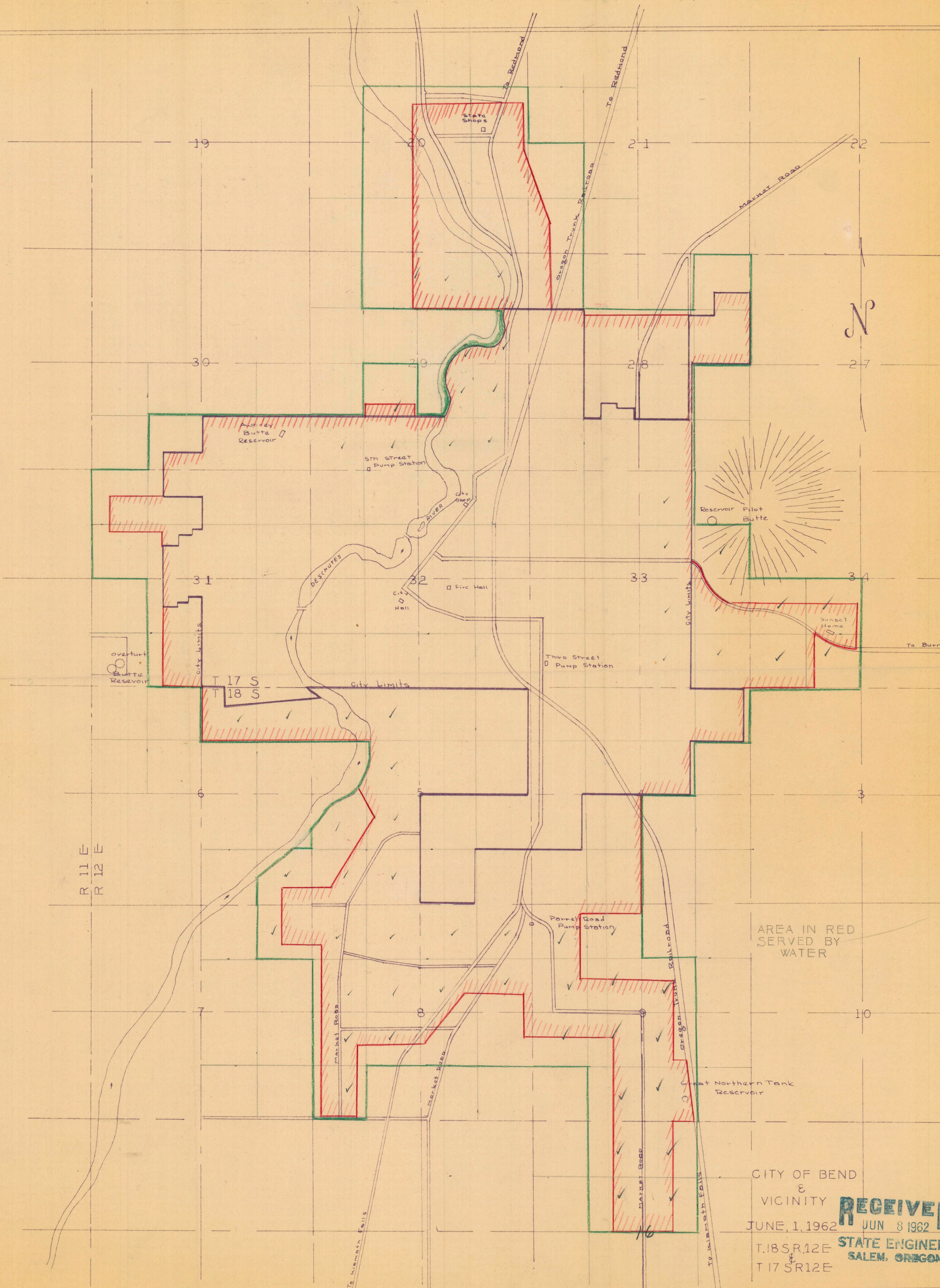
Date of issuance of certificate
confirming change

Recorded in State Record of Water Right Certificates,

volume, page

Fees paid

Receipt No.



R 11 E
R 12 E

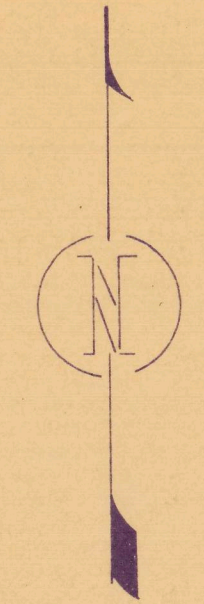
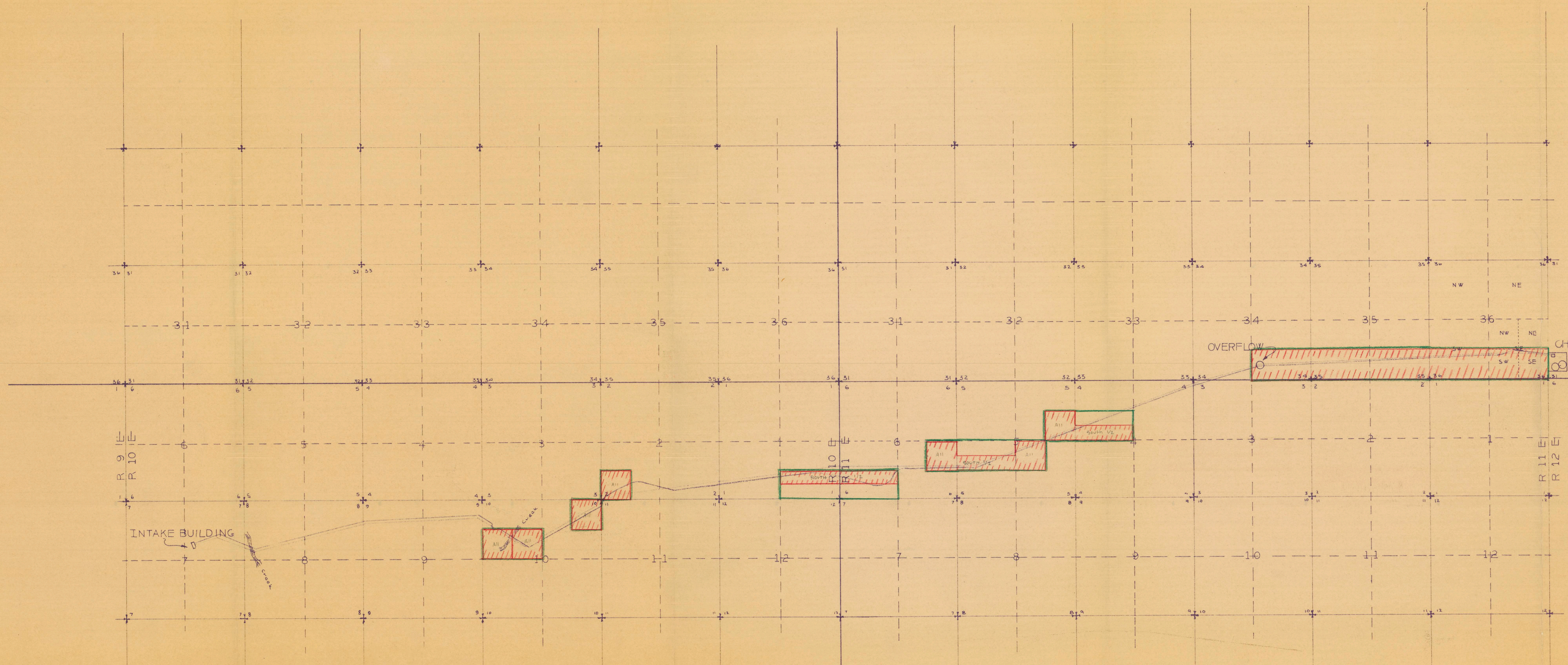
AREA IN RED
SERVED BY
WATER

CITY OF BEND
&
VICINITY

JUNE 1, 1962

T. 18 S. R. 12 E
&
T. 17 S. R. 12 E

RECEIVED
JUN 8 1962
STATE ENGINEER
SALEM, OREGON



OVERFLOW

CHLORINE-HOUSE & OVERTURE BUTTE RESERVOIR

T 17 S
T 18 S

TO CITY LIMITS

AREAS IN RED ARE COMMITTED
TO WATER SERVICE
CITY OF BEND
6-6-62

RECEIVED
JUN 8 1962
STATE ENGINEER
SALEM, OREGON

11 E

Township _____ Range _____

16

1

35

Map 31.6
30.0 Cert. 104 (Sept. 1900)
1.6 Find. V. 15p. 324
34.1 Per. 19628
34.1 City
34.1 Assessed -25

Map 22.0
28.0 Tr. V. 5, p. 220
28.0 Per. 19628
25.4 City
25.4 Assessed +25

Map 36.0 Lot 2
13.0 Cert. 89
23.0 Find. V. 15p. 324
27.1 Per. 19628
27.1 City
27.1 Assessed +89

Map 22.0 Lot 1
21.0 Cert. 89
1.9 Find. V. 15p. 324
32.1 Per. 19628
32.1 City
32.1 Assessed -93

Map 6.0
6.0 Findings V. 15p. 322
12.0 Per. 19628

This tract
out - See Par. 2, page 2 Suppl.
Agreement

17

2

1

16

①

Map. 26.0
26.0 Find. V. 15p. 324
29.3 Per. 19628
29.3 City $\frac{1}{70}$
29.3 Assessed -33

①

Map. 29.0
30.0 Cert. 49
30.0 Per. 19628
29.1 City $\frac{1}{70}$
29.1 Assessed +0.9
+0.9

6

②

Map. 33.0
33.0 Find. V. 15p. 322
36.3 Per. 19628
36.3 Assessed $\frac{1}{70}$
-33

②

Map 22.2
22.2 Find. V. 15p. 322
13.7 P. 19628
13.7 Assessed $\frac{1}{70}$
+85

16