

NOTICE OF TRANSFER UNDER SB 494 / ORS 540.580

SWALLEY IRRIGATION DISTRICT
FORMALLY: DESCHUTES RECLAMATION & IRRIGATION COMPANY
P.O. BOX 5126, BEND OR 97708
541-388-0658 (fax 541-389-0433)

RECEIVED

JAN 02 2002

WATER RESOURCES DEPT.
SALEM, OREGON

1. WATER RIGHT

1958 DESCHUTES CONSOLIDATED DECREE
DESCHUTES RIVER
CERTIFICATE # 74145
PRIORITY DATE: SEPTEMBER 1, 1899
DESCHUTES COUNTY

WATER RIGHT UNDER NAME OF (HB3111): Bruce & Carole Brothers

2. APPLICANT

NAME Bruce & Carole Brothers
ADDRESS PO Box 871, Bend OR 97709
ENCUMBRANCES NO

3. TYPE OF CHANGE: PLACE OF USE

TYPE OF USE - IRRIGATION

4. LOCATION OF USE

AUTHORIZED POINT OF DIVERSION
N. 985' & W. 617' From the East 1/4 Corner, SE/NE of Section 29, T.17S, R.12E. W.M.
(diversion for Swalley Irrigation District's canal system)

LOCATION OF AUTHORIZED PLACE OF USE: (OFF LANDS)

Township	Range	Section	1/4, 1/4 of Section	Tax Lot #	# of acres irrigated
16 S	12 E	29	SW ^N / _{SE}	00301	1.10

5. RECIPIENT

NAME Donita (Bishop) Elbert
ADDRESS 5420 SW Harvest Ave, Redmond OR 97756

6. LOCATION OF PROPOSED USE

LOCATION OF PROPOSED PLACE OF USE (ON LANDS)

Township	Range	Section	1/4, 1/4 of Section	Tax Lot #	# of acres irrigated
15 S	12 E	36	SE NE	00405	1.10

7. EXHIBITS

A. A map prepared by Swalley Irrigation District or Certified Water Right Examiner or qualified Surveyor showing the location of the present and proposed irrigated lands.

Swalley Irrigation District hereby certifies that the applicant and recipient are the deed holders of subject properties; that our files are complete with a copy of the recorded documents; that the applicant's land has been irrigated within the last five years, and that applicant and recipient hereby authorize the transfer proposed herein.

NOTICE IS HEREBY GIVEN that this proposed change is subject to the approval of the Water Resources Department and that the Water Resources Department may reject the transfer or may require mitigation to avoid injury to other water right holders.

SWALLEY IRRIGATION DISTRICT, APPLICANT AND RECIPIENT, HEREBY SWEAR THAT THE ABOVE NOTICE FOR TRANSFER OF WATER RIGHT AND THE STATEMENTS MADE ARE TRUE AND CORRECT.

SWALLEY IRRIGATION DISTRICT
 FORMALLY: DESCHUTES RECLAMATION & IRRIGATION COMPANY
 PO BOX 5126
 BEND OR 97708-5126
 541-388-0658 (fax 541-389-0433)

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JAN 02 2002
 WATER RESOURCES DEPT.
 SALEM, OREGON

2001 540.580 DISTRICT PETITION

1. WATER RIGHT

1958 Deschutes Consolidated Decree- Deschutes River
 Certificate # 74145
 Priority date: September 1, 1899

2. TYPE OF CHANGE: PLACE OF USE ONLY

3. AUTHORIZED POINT OF DIVERSION: N 985' & W 617' from the East ¼ corner, SE/NE of Section 29, T17S, R12E, W.M. (diversion for Swalley's canal system)

4. LOCATION OF AUTHORIZED PLACE OF USE: (PRESENT USER)

No	Name	Legal Description Township South, Range East, W.M.	Tax Lot #	Acres	Use	District Notice #
1	Bruce Brothers	16-12-29-SW/NE	00301	1.10	Irr	N-23a
	Swalley I.D.	17-12-16-NE/SE	02000	0.40	Irr	N-23b
2	Swalley I.D.	17-12-09-SW/SE	00201	0.10	Irr	N-24
	Swalley I.D.	17-12-15-SW/SE	00900	0.25	Irr	N-24
	Swalley I.D.	17-12-15-NW/SW	00200	1.00	Irr	N-24
	Swalley I.D.	16-12-32-SE/NE	00307	0.40	Irr	N-24
3	Ted Nyden	16-12-29-SW/SE	01103	16.00	Irr	N-27
4	Swalley I.D.	17-12-17-SE/SE	00700	0.25	Irr	N-28
	Swalley I.D.	17-12-20-NE/SE	02600	1.00	Irr	N-28
	William Watson	16-12-34-NE/NW	00300	1.17	Irr	N-28
5	Leonard King	16-12-01-SW/SE	00602	0.80	Irr	N-29
	Leonard King	16-12-01-SE/SE	00602	1.00	Irr	N-29
	Sarah Tennies	15-12-36-SE/SW	01503	6.00	Irr	N-29
6	James Prindle	16-12-27-SE/NE	01300	0.50	Irr	N-30
7	Jacquelyn Braly	16-12-29-SW/SW	00800	2.50	Irr	N-31
	Jacquelyn Braly	16-12-30-SE/SE	00800	11.00	Irr	N-31
	Jacquelyn Braly	16-12-31-NE/NE	00800	2.90	Irr	N-31
	Jacquelyn Braly	16-12-32-NW/NW	00800	0.10	Irr	N-31
8	Keven Tomlinson	16-12-15-NE/NE	01600	1.20	Irr	N-32
	Keven Tomlinson	16-12-15-NW/NE	01600	0.20	Irr	N-32
	Keven Tomlinson	16-12-15-SW/NE	01600	3.50	Irr	N-32
	Keven Tomlinson	16-12-15-SE/NE	01600	5.30	Irr	N-32
	Markle Graham	16-12-15-SE/NE	00200	0.79	Irr	N-33
	Markle Graham	16-12-15-SE/NE	00100	0.01	Irr	N-33
9	Stonebrook Assoc.	17-12-22-NE/SE	01600	1.60	Irr	N-34
	Stonebrook Assoc.	17-12-22-NW/SE	01600	3.65	Irr	N-34
	Stonebrook Assoc.	17-12-22-NW/SE	01600	0.20	Pond	N-34
	Swalley I.D.	17-12-09-SE/SW	00400	0.30	Pond	N-34
10	Terri Busby	17-12-06-SE/SE	01102	2.00	Irr	N-35
11	Raleigh Wirth	16-12-32-NW/NW	00503	0.25	Irr	N-38
12	Ronald Federspiel	16-12-29-NE/SW	03700	9.70	Irr	N-39
13	Swalley I.D.	16-13-06-NW/SW	00302	0.70	Irr	N-40
	Richard Ettinger	17-12-09-SW/NW	02300	0.10	Irr	N-40
	Richard Ettinger	17-12-09-SW/NW	00700	0.20	Irr	N-40
14	Jon Page	16-12-20-NE/SE	01103	1.00	Irr	N-41
15	Scott Dahlen	16-12-32-NW/SE	00609	3.00	Irr	N-42
	Scott Dahlen	17-12-16-SW/SE	02500	0.75	Irr	N-42
16	Terry Duffin	17-12-03-NW/SW	00101	3.40	Irr	N-43
	Terry Duffin	17-12-04-NE/SE	00600	2.60	Irr	N-43
17	George Johnson	17-12-04-NW/SE	00503	3.25	Irr	N-44
18	Bees Beeser	16-12-01-SW/NE	00100	2.50	Irr	N-45

5. LOCATION OF PROPOSED PLACE OF USE: (PROPOSED USER)

No	Name	Legal Description Township South, Range East, W.M.	Tax Lot #	Acres	Use	District Notice #
1	Donita Elbert	15-12-36-SE/NE	00405	1.50	Irr	N-23a&b
2	Daniel Lundgren	16-12-32-SE/NE	00307	1.75	Irr	N-24
3	Ted Nyden	16-12-29-SW/SE	01103	16.00	Irr	N-27
4	William Watson	16-12-34-NW/NE	00200	2.42	Irr	N-28
5	Sarah Tennes	15-12-36-SE/SW	01503	7.80	Irr	N-29
6	James Prindle	16-12-27-SW/NE	02100	0.30	Irr	N-30
	Prindle & S. Maxwell	16-12-27-SW/NE	02200	0.20	Irr	N-30
7	Jacquelyn Braly	16-12-29-SW/SW	P#5	1.77	Irr	N-31
	Jacquelyn Braly	16-12-29-SW/SW	P#4	1.55	Irr	N-31
	Jacquelyn Braly	16-12-29-SW/SW	P#3	0.26	Irr	N-31
	Jacquelyn Braly	16-12-30-SE/SE	P#5	1.23	Irr	N-31
	Jacquelyn Braly	16-12-30-SE/SE	P#4	1.45	Irr	N-31
	Jacquelyn Braly	16-12-30-SE/SE	P#3	2.44	Irr	N-31
	Jacquelyn Braly	16-12-30-SE/SE	P#2	1.89	Irr	N-31
	Jacquelyn Braly	16-12-30-SE/SE	P#1	1.28	Irr	N-31
	Jacquelyn Braly	16-12-31-NE/NE	P#1	3.22	Irr	N-31
	Jacquelyn Braly	16-12-31-NE/NE	P#2	1.11	Irr	N-31
	Jacquelyn Braly	16-12-31-NE/NE	P#3	0.20	Irr	N-31
	Jacquelyn Braly	16-12-32-NW/NW	P#3	0.10	Irr	N-31
8	Keven Tomlinson	16-12-15-NE/NE	01600	1.70	Irr	N-32
	Keven Tomlinson	16-12-15-NW/NE	01600	0.30	Irr	N-32
	Keven Tomlinson	16-12-15-SW/NE	01600	1.60	Irr	N-32
	Keven Tomlinson	16-12-15-SE/NE	01600	4.60	Irr	N-32
	Markle Graham	16-12-15-NE/NE	00100	0.60	Irr	N-32
	Markle Graham	16-12-15-SE/NE	00100	1.40	Irr	N-32
	Markle Graham	16-12-15-NE/NE	00100	0.80	Irr	N-33
10	Stonebrook Assoc.	17-12-22-NE/SE	DA03000	0.34	Irr	N-34
	Stonebrook Assoc	17-12-22-NE/SE	DB02800	0.13	Irr	N-34
	Stonebrook Assoc	17-12-22-NE/SE	DB02700	0.16	Irr	N-34
	Stonebrook Assoc	17-12-22-NE/SE	DA03200	0.62	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DB03314	0.30	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DB03325	0.18	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DB04500	0.34	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DB05900	0.40	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DB03000	0.29	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DA03100	0.09	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DB02900	0.30	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DB02800	0.30	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE		0.15	Pond	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DB03100	0.79	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DA03000	0.06	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DB03200	0.75	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE		0.20	Pond	N-34
	Stonebrook Assoc	17-12-22-NW/SE	DB02700	0.20	Irr	N-34
	Stonebrook Assoc	17-12-22-NW/SE		0.15	Pond	N-34
10	Terri Busby	17-12-06-SE/SE	01102	2.00	Irr	N-35
11	Raleigh Wirth	16-12-32-NW/NW	00503	0.25	Irr	N-38
12	Ronald Federspiel	16-12-29-NE/SW	03700	9.70	Irr	N-39
13	Richard Ettinger	17-12-09-SW/NW	02300	1.00	Irr	N-40
14	Edward Aimone	17-12-08-NW/NW	06100	1.00	Irr	N-41
15	Scott Dahlen	16-12-32-NW/SE	00609	3.75	Irr	N-42
16	Terry Duffin	17-12-03-NW/SW	00101	1.00	Irr	N-43
	Terry Duffin	17-12-04-NE/SE	00600	5.00	Irr	N-43
17	George Johnson	17-12-04-NW/SE	00503	3.25	Irr	N-44
18	Ross Rogers	16-12-01-SW/NE	00100	2.30	Irr	N-45
	Ross Rogers	16-12-01-NW/SE	00100	2.40	Irr	N-45
	Ross Rogers	16-12-01-NW/SE	00106	4.60	Irr	N-45

5 ITEMS ATTACHED:

1. MAPS REPRESENTING "OFF" LANDS AND PROPOSED "ON" LANDS.

2. DISTRICT BOUNDARIES

Description & map already on file with OWRD's office in Salem and Bend.

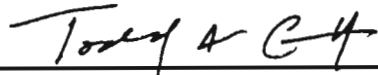
6. STATEMENTS FROM ALL APPLICANTS AND RECIPIENTS:

A notarized statement from all landowners affected in this petition is on file in the District's office authorizing the changes.

7. FEES:

\$ 470.00 is attached to this petition for filing and recording fees. (123.52 acres by 33.45 = 3.70 cfs)

Swalley Irrigation District hereby certifies that the maps and petition are accurate to the best of our knowledge and that the water rights referenced in this application have been confirmed under Certificate # 74145 within the last 5 years.



Todd A. Griffith, Manager

12-26-01

Date