

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
DOLORES G. CUTTER (CENTRAL OREGON)
IRRIGATION DISTRICT) FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER 5472

On April 19, 1984 an application was filed in the office of the Water Resources Director by Dolores G. Cutter for approval of a change in place of use of water from Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Deschutes County, Oregon, entered September 30, 1958, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Deschutes River and Its Tributaries, a water right was allowed in the name of Central Oregon Irrigation District for the use of the waters of Deschutes River for irrigation of, among other lands, a certain 9.3 acres in SE 1/4 NE 1/4, Section 19, Township 17 South, Range 13 East, WM, being tabulated in the name of George Smith in Volume 16, page 56, with dates of priority of October 31, 1900 and December 2, 1907, as evidenced by the certificate of water right recorded at page 29052, Volume 21, State Record of Water Right Certificates. These lands also have a supplemental right under Permit 23256 to the use of water stored in Crane Prairie Reservoir with a date of priority of February 28, 1913. These lands are irrigated by means of the Central Oregon Canal.

The applicant herein, owner of the lands described above, proposes to transfer the water right therefrom to a certain other 9.3 acres in said SE 1/4 NE 1/4 (James Eckstein).

The lands involved herein are within the boundaries of the Central Oregon 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.

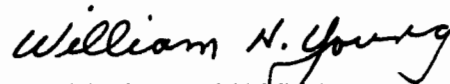
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use is approved, without loss of priority.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1985.

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, the change of water right shall be considered perfected, and at a later date, a certificate of water right shall be issued to Central Oregon Irrigation District confirming this and other changes within the District, and superseding Certificate 29052.

Dated at Salem, Oregon this 11th day of June, 1984.


WILLIAM H. YOUNG, III
Director

NOTE: 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.

2942C