

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF NORTHWEST RANCH BROKERS, INC.)
(CENTRAL OREGON IRRIGATION DIS-)
TRICT) FOR THE APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)
FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 2441

On June 19, 1970, Northwest Ranch Brokers, Inc. filed an application in the office of the State Engineer for the 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 the Deschutes River and its Tributaries, a water right was established in the name of Central Oregon Irrigation District for the use of the waters of Deschutes River for the irrigation of, among other lands, 6.05 acres in SE¼ SE¼, Section 20, Township 15 South, Range 13 East, W.M. further described as 0.50 acre in Lot 1, 0.50 acre in Lot 2, 0.50 acre in Lot 3, 0.50 acre in Lot 4, 0.50 acre in Lot 5, 0.50 acre in Lot 6, 0.41 acre in Lot 7, Block 1, 0.50 acre in Lot 1, 0.50 acre in Lot 2, 0.50 acre in Lot 3, 0.50 acre in Lot 4, 0.48 acre in Lot 5, 0.16 acre in Lot 6, Block 2, within Windrow Acres, 4.26 acres in NE¼ NE¼, Section 29, Township 15 South, Range 13 East, W.M. further described as 0.09 acre in Lot 7, 0.12 acre in Lot 8, Block 1, 0.42 acre in Lot 5, 0.34 acre in Lot 6, 0.30 acre in Lot 7, 0.04 acre in Lot 8, 0.50 acre in Lot 9, 0.50 acre in Lot 10, Block 2, 0.45 acre in Lot 11, 0.50 acre in Lot 12, 0.50 acre in Lot 13, 0.50 acre in Lot 14, Block 3, within Windrow Acres, 5.69 acres in NW¼ NE¼, Section 29, Township 15 South, Range 13 East, W.M. further described as 0.39 acre in Lot 8, Block 1, 0.05 acre in Lot 8, Block 2, 0.50 acre in Lot 1, 0.50

acre in Lot 2, 0.50 acre in Lot 3, 0.60 acre in Lot 4, 0.50 acre in Lot 5, 0.50 acre in Lot 6, 0.49 acre in Lot 7, 0.51 acre in Lot 8, 0.50 acre in Lot 9, 0.60 acre in Lot 10, 0.05 acre in Lot 11, Block 3, within Windrow Acres, with dates of priority of October 31, 1900, and December 2, 1907, being tabulated in the name of Leo Beimler as evidenced by 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 No. 23256 to the use of the water stored in Crane Prairie Reservoir with a date of priority of February 28, 1913.

The applicant herein, contract purchaser and vendor of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 4.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 9.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, and 3.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 14 South, Range 13 East, W.M.

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 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 held April 1, 1970.

The contract sellers and owners and contract purchasers of the tracts described have given written approval of the transfer of water right.

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 6.05 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 15 South, Range 13 East, W.M. further described as 0.50 acre in Lot 1, 0.50 acre in Lot 2, 0.50 acre in Lot 3, 0.50 acre in Lot 4, 0.50 acre in Lot 5, 0.50 acre in Lot 6, 0.41 acre in Lot 7, Block 1, 0.50 acre in Lot 1, 0.50 acre in Lot 2, 0.50 acre in Lot 3, 0.50 acre in Lot 4, 0.48 acre in Lot 5, 0.16 acre in Lot 6, Block 2, within Windrow Acres, 4.26 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, Township 15 South, Range 13 East, W.M. further described as 0.09 acre in Lot 7, 0.12 acre in Lot 8, Block 1, 0.42 acre in Lot 5, 0.34 acre in Lot 6, 0.30 acre in Lot 7, 0.04 acre in Lot 8, 0.50 acre in Lot 9, 0.50 acre in Lot 10, Block 2, 0.45 acre in Lot 11, 0.50 acre in Lot 12, 0.50 acre in Lot 13, 0.50 acre in Lot 14, Block 3, within Windrow Acres, 5.69 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, Township 15 South, Range 13 East, W.M. further described as 0.39 acre in Lot 8, Block 1, 0.05 acre in Lot 8, Block 2, 0.50 acre in Lot 1, 0.50 acre in Lot 2, 0.50 acre in Lot 3, 0.60 acre in Lot 4, 0.50 acre in Lot 5, 0.50 acre in Lot 6, 0.49 acre in Lot 7, 0.51 acre in Lot 8, 0.50 acre in Lot 9, 0.60 acre in Lot 10, 0.05 acre in Lot 11, Block 3, within Windrow Acres, with dates of priority of October 31, 1900, and December 2, 1907, be severed therefrom and simultaneously and without loss of priority transferred to 4.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 9.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, and 3.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 14 South, Range 13 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1971.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water is transferred hereby, certificate of water right shall be issued to Central Oregon Irrigation District at the time certificate is issued to the District confirming other transfers

within the District.

Dated at Salem, Oregon, this 25th day of February, 1971.


CHRIS L. WHEELER
State Engineer