

Richard D. Kerr
 P.O. Box 788 (COL)
 Bend, Ore 97701

2407

STATUS OF APPLICATION

Change in Place of Use
 Date filed June 19, 1970
 Date of hearing _____
 Place of hearing _____
 Date of order Jan 27 1972 Vol. 21, page 392
 Date for application of water EXT 10-1-84
 Proof mailed OCT 15 1985
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
 Trib. of - County of Deschutes
 Use Irrigation
 Quantity of water - No. of acres 80
 Name of ditch Central Oregon Canal
 Date of priority 10-31-00 + 12-2-07
 In name of Dean Hollingshead
Deschutes Riv. Adjudication, Vol. 16, page 58
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by slw

FEEES PAID

Date	Amount	Receipt No.
<u>6/19/70</u>	<u>20.00</u>	<u>19460</u>
TOTAL . . .		
	\$1 Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

Surveyed 3/8/85 - (Edmunds)

REMARKS

Transfer of K 43 transferred land to area from which this transfer is made.
FINIS original FP map in K-55

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/>	_____	_____
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BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF RICHARD D. KERR, PRESIDENT OF)
MT. VIEW ESTATES, INC. (CENTRAL)
OREGON IRRIGATION DISTRICT) FOR)
THE APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM DESCHUTES)
RIVER)

ORDER APPROVING
TRANSFER NO. 2407

On June 19, 1970, Richard D. Kerr, President of Mt. View Estates, 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, 8.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, and 3.3 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, Township 17 South, Range 12 East, W.M., with dates of priority of October 31, 1900, and December 2, 1907, being tabulated in the name of Dean Hollingshead which was transferred to the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 17 South, Range 12 East, without loss of priority by order of the State Engineer, entered June 1, 1965.

A representative of the State Engineer surveyed 10.0 acres as irrigated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Township 17 South, Range 12 East, W.M.

Richard D. Kerr, owner of the lands irrigated under the order approved June 1, 1965 proposes to transfer the water right appurtenant to 8.0 acres in NW¼ NW¼, Section 27, Township 17 South, Range 12 East, W.M., without loss of priority to 8.0 acres in NE¼ NW¼, Section 19, Township 17 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 May 6, 1970.

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 8.0 acres in NW¼ NW¼, Section 27, Township 17 South, Range 12 East, W.M., with dates of priority of October 31, 1900 and December 2, 1907, be severed therefrom and simultaneously and without loss of priority transferred to 8.0 acres in NE¼ NW¼, Section 19, Township 17 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, 1972.

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 Cen-

tral Oregon Irrigation District at the time certificate is issued
to the District confirming other transfers within the District.

Dated at Salem, Oregon, this 27th day of January, 1972.

/s/ CHRIS L. WHEELER
State Engineer



OLD COUNCIL TREE
DAVIDSONIA
100% COTTON FIBER