

2482 R. Wayne + Della Hamby
 Rt. 1, Box 353
 Bend, Ore. 97201

2482

STATUS OF APPLICATION

Change in Place of Use
 Date filed February 8, 1971
 Date of hearing _____
 Place of hearing _____
 Date of order 6-11-71 Vol. 21, page 134
 Date for application of water 10-1-72
 Proofs mailed 21 Oct 87
 Proof received OCT 21 1987 to 2 Oct 87 + DeGarmo
 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 3⁰
 Name of ditch Central Oregon Canal
 Date of priority 10-31-00 + 12-2-07
 In name of Ha-Vi Farms, Inc.
Deschutes Riv. Adjudication, Vol. 16, page 48
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by slw

FEES PAID

Date	Amount	Receipt No.
<u>2-8-71</u>	<u>20.00</u>	<u>22571</u>
TOTAL . . .		
	\$1 Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Back to survey on DeGarmo portion 2 Dec 87

REMARKS

*Surveyed 6/11/84 (DeGarmo)
 Set up Resurvey 8/87*

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		<u>slw</u>	
<input checked="" type="checkbox"/>	Stream		<u>slw</u>	
<input checked="" type="checkbox"/>	Pt. of Div.		<u>slw</u>	
<input checked="" type="checkbox"/>	Calendar		<u>slw</u>	
<input type="checkbox"/>	CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Two Page		<u>slw</u>	
<input checked="" type="checkbox"/>	Decree Draft		<u>slw</u>	
<input checked="" type="checkbox"/>	Decree-safe		<u>slw</u>	
<input checked="" type="checkbox"/>	Cert. of W/R		<u>slw</u>	
<input type="checkbox"/>	Per. Folder			
<input type="checkbox"/>	Chaindex			
<input type="checkbox"/>	Cross Ref.			
<input type="checkbox"/>	Power Claim			
<input type="checkbox"/>	Abstracts			

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF R. WAYNE AND DELLA M. HAMBY)
(CENTRAL OREGON IRRIGATION DIS-)
TRICT) FOR THE APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)
FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 2482

On February 8, 1971, R. Wayne and Della M. Hamby 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, 3.0 acres in NE¼ NE¼, Section 23, 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 Ha-Vi Inc. Farms 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 applicants herein, mortgagors of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 3.0 acres in SW¼ SW¼, Section 30, 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 February 4, 1970.

Central Oregon Production Credit Association, mortgagee of the lands involved, has submitted written approval of the change in place of use of water.

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 3.0 acres in NE¼ NE¼, Section 23, 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 3.0 acres in SW¼ SW¼, Section 30, 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 Central Oregon Irrigation District at the time certificate is issued to the District confirming other transfers within the District.

Dated at Salem, Oregon, this 11th day of June, 1971.

/s/ CHRIS L. WHEELER
State Engineer

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OCT 28 1987

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON
COUNTY OF DESCHUTES
PROOF OF APPROPRIATION OF WATER

Name: MRS. JOEY OATMAN

Address: 62440 Erickson Road, Bend Oregon 97701

c/o Central Oregon Irrigation District, Bob Anderson, Ass't. Manager

Address: P.O. Box 548, Redmond Oregon 97756

Source of Supply: Deschutes River and Crane Prairie Reservoir

Tributary of: Columbia River

Transfer: 2482

Priority Date: Oct. 31, 1900, Dec. 2, 1907, and Feb. 28, 1913

Use: irrigation of 2.0 acres

Location and Point of Diversion: Central Oregon Canal

The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

2.0 acres Lot 4 (SW 1/4 SW 1/4)
Section 30
Township 17 South, Range 13 East, WM

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change in place of use approved by the order of the State Engineer entered June 11, 1971; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 24 day
of October, 1987.

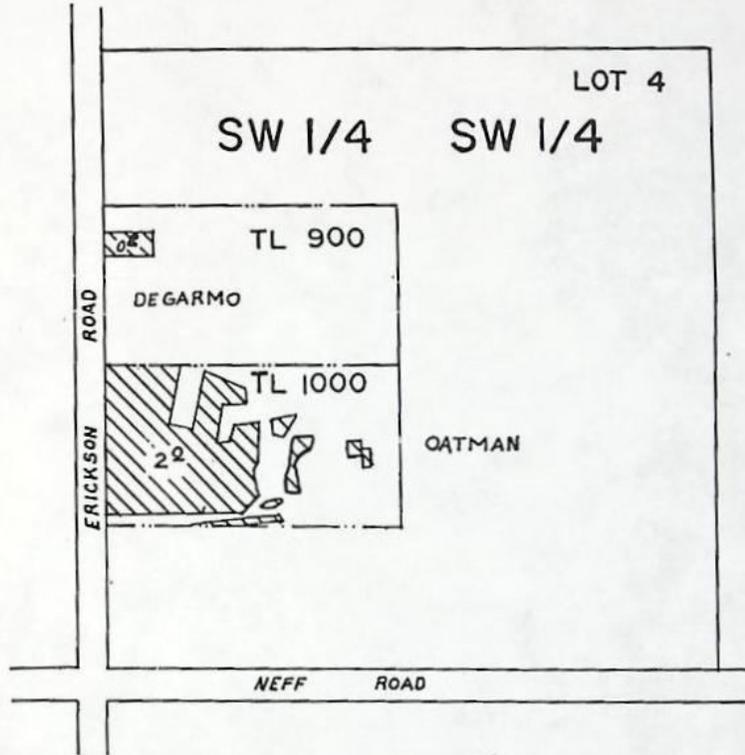
Joey Marie Oatman
Legal owner of the above described lands

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OCT 28 1987

WATER RESOURCES DEPT.
SALEM, OREGON

T.17S., R.13E., W.M.
SEC. 30



SCALE: 1" = 400'

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2482
Application No. Permit No.
IN NAME OF

S. DEGARMO & O. OATMAN.....

Surveyed JUNE 11, 1984, by LESLIE OLSON...
AUG. 13 1987 by M. MATTICK

REVISED 8/87
PTS 11-1985 Z.S.
179-191R TWB

STATE OF OREGON

COUNTY OF Deschutes ~~Crook~~

Proof of Appropriation of Water

By Bob Anderson, Ass't. Manager
Central Oregon Irrigation District

Name: Sam A. De Garmo, Jr.

Address: 62462 Erickson Rd. P.O. Box 548
Bend, Or Redmond, Or 97756

Source of Supply: Deschutes River & Crane Prairie Reservoir

Permit No.: _____ Transfer No.: 2482

Tributary of: Columbia River

Amount of Water: _____

Priority Date: Oct 31, 1900 December 2, 1907 Feb 28, 1913

Use: irrigation of

Location and Point of Diversion: Central Oregon Canal

North Canal

The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

0.2 ac Lot 4 (SW 1/4 SW 1/4)
Sec 30
T. 17 S., R. 13 E., W.M.

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of in place of use approved by the order of the State Engineer entered June 11, 1971; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____ 1981.

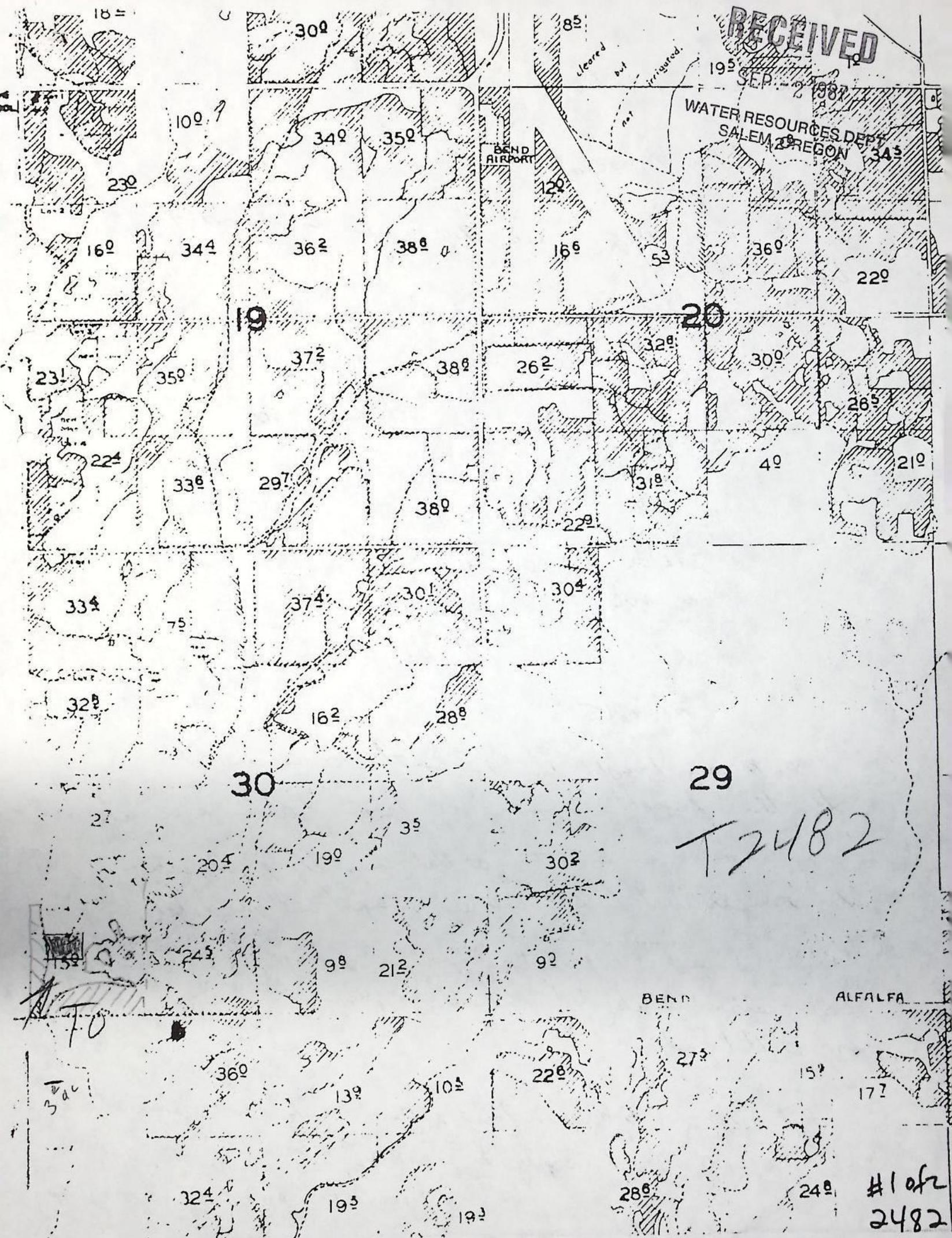
Legal owner of the above described lands

1996E
p92
2641A

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195 SEP 2 1987

WATER RESOURCES DEPT
SALEM OREGON



T2482

#1 of 2
2482

Oatman Portion:

Info ^{Mrs.} ~~Mrs.~~ Oatman.

In Feb 1965 Ormer Murray subdivided
then 40

He decided 2 ac each

to 800, 900, 1000, 11, 12, & 1300
and lot 1400

Lot 800	2 ac.
900	3
1000	2
1100	2
1200 & 1300	2
1400	2
	<hr/>
	13 ac

In 1965

Mr. Murray bought the 40 with 10 ac. on it
he then bought 3 more ac from ~~Mr.~~ Calvin Goodrich

Mrs O. moved in in 1978. at that time the ~~sw~~ w portion
had been irrigated for pasture - pumped out of ditch.

sw
Mrs O. pumped out of cistern for everything except
sw pasture which had a small gas pump out of a small
pond at that end.

5/32

Had 4 rows of 5 hds on front pasture could run 2 lines at a time

Had 1 1/2 hp pump, sold it in July to pay Bills

More Notes on back of next pg.

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

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SEP - 2 1987

IN THE MATTER OF THE APPLICATION)
OF R. WAYNE AND DELLA M. HAMBY)
(CENTRAL OREGON IRRIGATION DIS-)
TRICT) FOR THE APPROVAL OF A)
CHANGE IN PLACE OF USE OF WATER)
FROM DESCHUTES RIVER)

WATER RESOURCES DEPT.
SALEM, OREGON
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Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said

Inspection

The W. portion is pasture, poor cond. now.
Was grazed in 85, ~~There~~ There is lawn
on E end of West portion.

a strip of pasture is along the S prop line in
middle of lot. There is an island of landscaping
just N of this. The Eastern most mapped
portion is a greenhouse and garden area.

No crop now but it obviously had one.

all the rest that is mapped is landscaping.

TIE: PTS 11-1987A

~~NE & SE~~ NW & SW prop corners

8/13/87

Michael J. Patrick
Field Inspector

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Central Oregon Production Credit Association, mortgagee of the lands involved, has submitted written approval of the change in place of use of water.

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 3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, 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 3.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, 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 Central Oregon Irrigation District at the time certificate is issued to the District confirming other transfers within the District.

Dated at Salem, Oregon, this 11th day of June, 1971.

/s/ CHRIS L. WHEELER
State Engineer

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SEP - 2 1987

WATER RESOURCES DEPT.
SALEM, OREGON

Vol. 21, p. 134

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

/I/ We, R. Wayne Hamby & Della M. Hamby, husband & wife
(Name of applicant)

of Rt 1, Box 353, Bend County of Deschutes
(Postoffice)

State of Oregon, do hereby make application for change

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

1. The source of present water right is Deschutes River
(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 Central Oregon Canal

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

corner of _____ being within the _____
(Section or subdivision)

of Section _____ Tp. _____ R. _____ W. M., in the County of _____
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

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 $\frac{1}{4}$
17	12	23	3															

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed. *check w/ V. 20 P 213*

(Attach separate sheet if necessary)

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

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes

8. What is the date of priority of your water right? Oct. 31, 1900 *and Dec. 2, 1907*

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

of permit _____

10. Do you hold a water right certificate? No (Yes or No) If so, give number of certificate 29052

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

Yes (Yes or No) If so, give title of proceedings Adjudication of Deschutes River

12. Is the water right recorded in your name? Ha-Vi Inc., Farms - page 48 of decree (If not, give name)

13. 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 $\frac{1}{4}$
17	13	30											3					

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located ft. and ft. from the corner of being within the of Section Tp. R. W. M., in the county of The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located?

16. 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.

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

NOTE: Answer questions 18 and 19 if application is for change in use or place of use:

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? No (Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	Production Credit Mortgagee	Letter of permission attached

20. Reasons for the proposed changes are More beneficial use

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes } ss.

I, R. Wayne Hamby, 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 16 day of Jan., 1970

[Signature of R. Wayne Hamby]
(Name of applicant)

Subscribed and sworn to before me this 16 day of January, 1970

[Signature of Notary Public]
NOTARY PUBLIC FOR OREGON

[Notarial Seal]

My commission expires 1-2-74

Remarks Approved by the Board of Directors of the Central Oregon Irrigation

District at regular meeting held February 4, 1970

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.



**CENTRAL OREGON
PRODUCTION CREDIT ASSOCIATION**

AGRICULTURAL LOANS FOR FARMERS AND STOCKMEN

559 SOUTH SEVENTH / PHONE 548-2126

REDMOND, OREGON 97756

January 23, 1970

Mr. Bob Anderson
Central Oregon Irrigation District
Redmond, Oregon 97756

Dear Mr. Anderson:

Be advised, as mortgage holder of record on the property of R. Wayne Hamby, described as:

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MAY 18 1971
STATE ENGINEER
SALEM, OREGON

Northeast Quarter of the Northeast Quarter, Section
23, Township 17 South, Range 12, EWM

we have no objection to the transfer of three acres of water
therefrom.

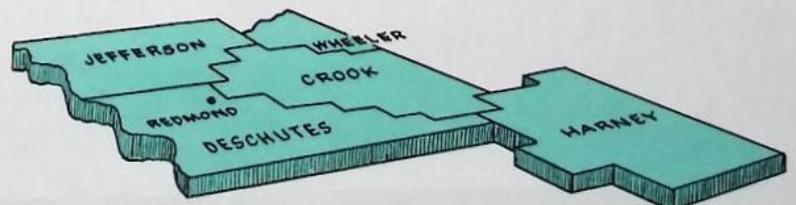
Very truly yours,

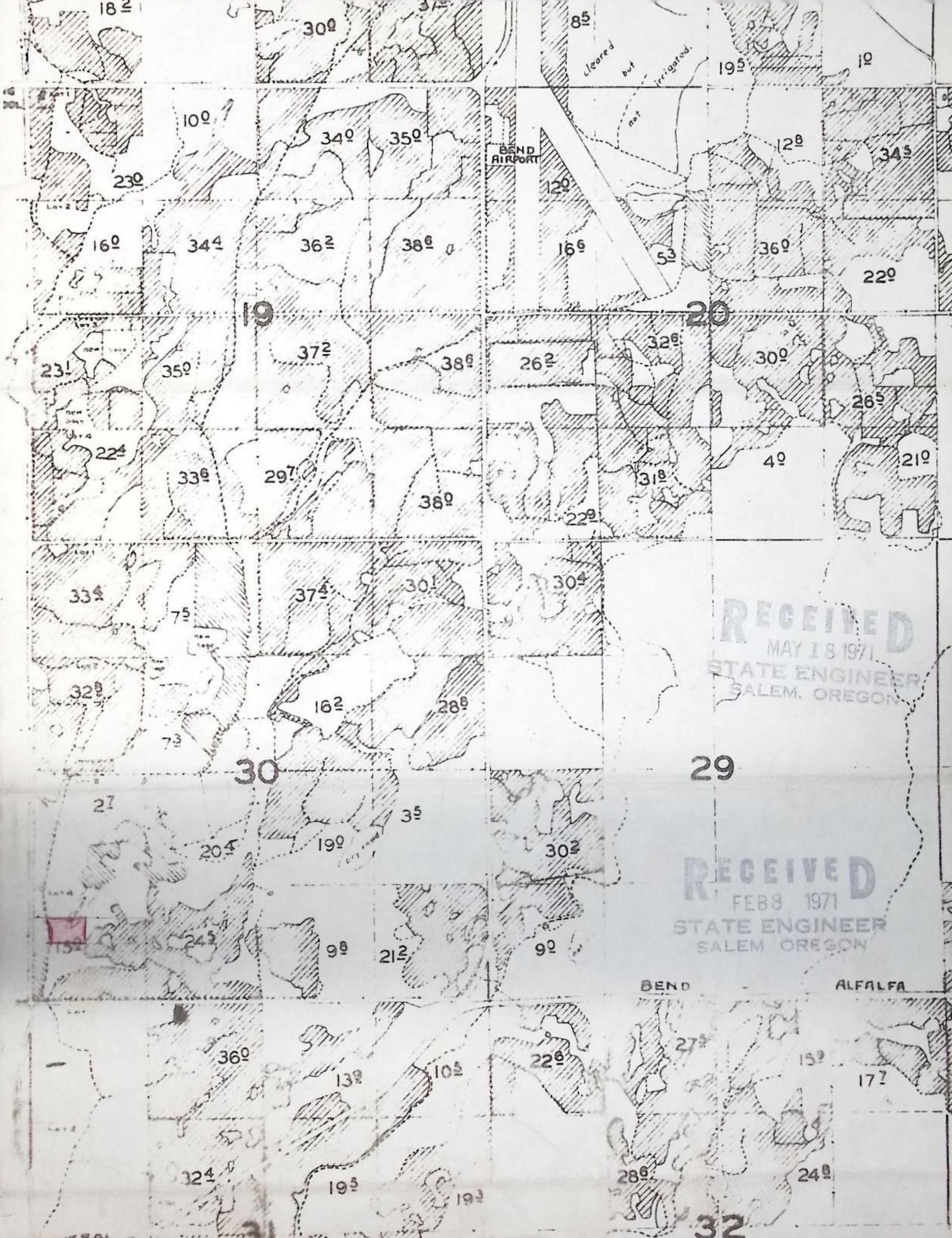
Central Oregon Production Credit Assn.

William D. Hitson, Manager

WDH/lj

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FEB 8 1971
STATE ENGINEER
SALEM, OREGON





RECEIVED
MAY 18 1971
STATE ENGINEER
SALEM, OREGON

RECEIVED
FEB 8 1971
STATE ENGINEER
SALEM OREGON

BEND

ALFALFA

CENTRAL

T-2482



14

13

23

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 MAY 18 1971
 STATE ENGINEER
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 FEB 23 1971
 STATE ENGINEER
 SALEM OREGON