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TERREBONNE

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L.R.F.

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF THOMAS H. AND WILMA JEAN HOPPER)
(CENTRAL OREGON IRRIGATION DISTRICT))
FOR THE APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 2483

On February 9, 1971, Thomas H. and Wilma Jean Hopper 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, 0.68 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 15 South, Range 13 East, W.M. further described as being within Lot 1, Block 3, Rennolds Acres, with dates of priority of October 31, 1900, and December 2, 1907, being tabulated in the name of B. L. Reynolds 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 0.68 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 14 South, Range 13 East, W.M., being 0.07 acre in Lot 10; 0.06 acre in Lot 12; 0.06 acre in Lot 13; Block 4; 0.07 acre each in Lots 26, 27, 28, 29, 30, 31, and 32, Block

15, Terrebonne.

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 January 6, 1971.

U. S. National Bank, Redmond Branch, mortgagee of the lands involved, has submitted written approval of the change in place of use.

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 0.68 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 15 South, Range 13 East, W.M. further described as being within Lot 1, Block 3, Rennolds 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 0.68 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 14 South, Range 13 East, W.M., being 0.07 acre in Lot 10; 0.06 acre in Lot 12; 0.06 acre in Lot 13; Block 4; 0.07 acre each in Lots 26, 27, 28, 29, 30, 31, and 32, Block 15, Terrebonne.

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 18th day of March, 1971.

/s/ CHRIS L. WHEELER
State Engineer

100% COTTON FIBER
DUALSKIN
DTP CONTACT FREE



NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

RECEIVED
NOV 22 1972
STATE ENGINEER
SALEM OREGON

Transfer No. 2483

I, Eulalia Cole hereby certify that
on Sept. 15, 1972, 19 , the water has been applied to the lands to
which the water right was transferred by an order of the State Engineer
dates March 18, 1971, approving an application for a change in place
of use of water from Deschutes River.

Sept. 15, 1972

Date

Eulalia R. Cole

Signature

^{OK}
John D Cole, Rt 1, Box 198, Terrebonne, Oregon

RECEIVED
NOV 22 1972

STATE ENGINEER
SALEM OREGON

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 2483

I, Gilbert D. Falk hereby certify that
on April 22, 1971, the water has been applied to the lands to
which the water right was transferred by an order of the State Engineer
dates March 18, 1971, approving an application for a change in place
of use of water from Deschutes River.

1-27-72

Date

Gilbert D. Falk

Signature

Terrebonne, Oregon

OK
/llh

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Thomas H. Hopper & Wilma Jean Hopper, husband & wife
(Name of applicant)

of Redmond, 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 Pilot Butte 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 $\frac{1}{4}$
15	13	9	.68															
			<u>(Lot 1, Blk 3, Rennolds Acres)</u>															

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Yes
(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 & 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 If so, give number of certificate
(Yes or No)

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

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

12. Is the water right recorded in your name? B L Reynolds - page 109 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 $\frac{1}{4}$	
14	13	16										.19	(Lot 10	.07)				
													Lot 12	.06)	Blk 4			
													Lot 13	.06)				
												.49	(Lots 26 to 32 Inc.		Blk 15 @	.07			

(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
(N. or S.) (E. or W.)
 corner of being within the of Section Tp. R. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
 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	U S Nat'l Bank, Redmond Branch	
		Letter of permission Attached

20. Reasons for the proposed changes are More beneficial use



UNITED STATES NATIONAL BANK OF OREGON

REDMOND BRANCH
404 SIXTH STREET
P. O. Box 516, REDMOND, OREGON 97756
HEAD OFFICE — PORTLAND

January 5, 1971

Manager
Central Oregon Irrigation District
Redmond, Oregon

Dear Sir:

This bank holds a mortgage on certain property owned by Mr. and Mrs. T.H. Hopper at 432 N.W. Larch Street, Redmond, Oregon. Said property reportedly has a C.O.I. adjudicated water right in the amount of .68 of an acre. The Hopper's request that we release any lein we may have on such water right so that they may dispose of the water right.

United States National Bank of Oregon hereby releases any lein we may hold on the .68 of an acre of C.O.I. water.

Yours truly,

A handwritten signature in cursive script that reads "James T. Pancake".

James T. Pancake
Agricultural Representative

RECEIVED
FEB 9 1971
STATE ENGINEER
SALEM, OREGON

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

} ss.

I We, Thomas H. Hopper & Wilma Jean Hopper, 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 5th day of January, 1971

Thomas H. Hopper
(Name of applicant)
Wilma Jean Hopper

Subscribed and sworn to before me this 5th day of January, 1971

[Notarial Seal]

Betty Seavard
NOTARY PUBLIC FOR OREGON

My commission expires May 28, 1973

Remarks Approved by the Board of Directors of the Central Oregon Irrigation
District at regular meeting held Jan. 6, 1971.

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.