

6132 Ronald D. ...  
 (05) Redmond, Ore. 97756

2754

**STATUS OF APPLICATION**

Change in Place of Use  
 Date filed Jan. 23, 1973  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order 4-2-73 Vol. 23, page 62  
 Date for application of water October 1, 1973  
 Proof mailed \_\_\_\_\_  
 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 3<sup>0</sup>  
 Name of ditch Pilot Butte Canal  
 Date of priority Oct. 31, 1900 & Dec. 2, 1907  
 In name of E.R. Smith  
Deschutes River Adjudication, Vol. 16, page 88  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 29052  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

**FEES PAID**

| Date           | Amount       | Receipt No.  |
|----------------|--------------|--------------|
| <u>1-23-73</u> | <u>20.00</u> | <u>32221</u> |
| TOTAL . . .    |              |              |
|                | Cert. Fee    |              |

**FEES REFUNDED**

| Date | Amount | Check No. |
|------|--------|-----------|
|      |        |           |

**REMARKS**

Surveyed 5/17/84 (Fertsch)

*Survey*

| TO BE ENTERED WHERE CHECKED         | INDEX CARDS:        |            |
|-------------------------------------|---------------------|------------|
|                                     | Entered             | Checked    |
| <input checked="" type="checkbox"/> | Name                | <u>et</u>  |
| <input checked="" type="checkbox"/> | Stream              | <u>et</u>  |
| <input checked="" type="checkbox"/> | Pt. of Div.         | <u>et</u>  |
| <input checked="" type="checkbox"/> | Calendar            | <u>et</u>  |
| <input checked="" type="checkbox"/> | CHECKED TO RECORDS: |            |
| <input checked="" type="checkbox"/> | Twp. & Rge.         | <u>wac</u> |
| <input checked="" type="checkbox"/> | Decree-vault        | <u>wac</u> |
| <input checked="" type="checkbox"/> | Decree-safe         | <u>wac</u> |
| <input checked="" type="checkbox"/> | Cert. of W/R        | <u>et</u>  |
| <input type="checkbox"/>            | Per. Folder         |            |
| <input type="checkbox"/>            | Chaindex            |            |
| <input type="checkbox"/>            | Cross Ref.          |            |
| <input type="checkbox"/>            | Power Claim         |            |
| <input type="checkbox"/>            | Abstracts           |            |

648

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION )  
OF RONALD D. BOZARTH AND DARLENE )  
BOZARTH (CENTRAL OREGON IRRIGATION )  
DISTRICT) FOR THE APPROVAL OF A )  
CHANGE IN PLACE OF USE OF WATER FROM )  
DESCHUTES RIVER )  
-----

ORDER APPROVING  
TRANSFER NO. 2754

On January 23, 1973, Ronald D. and Darlene Bozarth 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 NW¼ NW¼, Section 24, Township 14 South, Range 13 East, W.M., with dates of priority of October 31, 1900 and December 2, 1907, being tabulated in the name of E. R. Smith as evidenced by certificate of water right recorded at page 29052, Volume 21, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 3.0 acres in NW¼ NW¼, Section 24, 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 September 6, 1972.

The Federal Land Bank Association of Redmond, mortgagee of the land 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 East 2/3 NW¼ NW¼, Section 24, Township 14 South, Range 13 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 West ½ NW¼ NW¼, Section 24, 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, 1973.

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, a certificate of water right will be issued to the Central Oregon Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon, this 2nd day of April, 1973.

/s/ CHRIS L. WHEELER  
State Engineer