

2609 B.L. Fleck (COI)

Redmond, Ore. 97756

2609

STATUS OF APPLICATION

Change in Place of Use
 Date filed Feb. 28, 1972
 Date of hearing _____
 Place of hearing _____
 Date of order April 18, 1972 Vol. 22, page 10
 Date for application of water 10-1-72
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____
Survey

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R.
 Trib. of _____ County of Deschutes
 Use Irrigation
 Quantity of water _____ No. of acres 20
 Name of ditch Pilot Butte Canal
 Date of priority Oct 31, 1900 + Dec. 2, 1907
 In name of B.L. Fleck
Deschutes R. Adjudication, Vol. 16, page 111
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-28-72</u>	<u>20.00</u>	<u>27399</u>
TOTAL		
	\$1 Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Surveyed 6/25/84 (Davidson & Bessey)

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>OT</u>	_____
<input checked="" type="checkbox"/> Stream	<u>OT</u>	_____
<input type="checkbox"/> Pt. of Div.	_____	_____
<input type="checkbox"/> Calendar	_____	_____
	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>WAC</u>	_____
<input type="checkbox"/> Per. Folder	_____	_____
<input type="checkbox"/> Chainindex	_____	_____
<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 B. L. FLECK (CENTRAL OREGON)
IRRIGATION DISTRICT) FOR THE)
APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM DESCHUTES)
RIVER)

ORDER APPROVING
TRANSFER NO. 2609

On February 28, 1972, B. L. Fleck 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, 2.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, Township 15 South, Range 13 East, W.M., with dates of priority of October 31, 1900 and December 2, 1907, being tabulated in the name of B. L. Fleck 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 1.0 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.0 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, 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 November 3, 1971.

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 2.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, Township 15 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 1.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, and 1.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, 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, 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 18th day of April, 1972.

/s/ CHRIS L. WHEELER
State Engineer