

2963 Masday
Russell B. Butler, or

2963

STATUS OF APPLICATION

Change in place of use
 Date filed 1-17-74
 Date of hearing _____
 Place of hearing _____
 Date of order 4-15-74 Vol. 24, page 230-231
 Date for application of water 10-1-74
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____
5-2-74 Wm Survey R

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
 Trib. of _____ County of Crook
 Use irrigation
 Quantity of water _____ No. of acres 5.0
 Name of ditch Central Oregon Canal
 Date of priority Oct. 31, 1900 and Dec. 2, 1907
 In name of _____
Deschutes River Adjudication, Vol. _____, page _____
 App. No. _____ Per. No. _____ Cert. No. 99052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>1-17-74</u>	<u>25.00</u>	<u>38254</u>
TOTAL		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

Retransfer of lands under R-112
Surveyed 4/19/84 (O'Leary)

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
— Name	<u>WA</u>	—
— Stream	<u>WH</u>	—
— Pt. of Div.	—	—
— Calendar	<u>WH</u>	—
— CHECKED TO RECORDS:	—	—
— Twp. & Rge.	<u>WH</u>	—
— Decree-vault	<u>WH</u>	—
— Decree-safe	<u>WH</u>	—
— Cert. of W/R	—	—
— Per. Folder	—	—
— Chaindex	—	—
— Cross Ref.	—	—
— Power Claim	—	—
— Abstracts	—	—
— Transfer	<u>WH</u>	—

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BEFORE THE STATE ENGINEER OF OREGON

Crook County

IN THE MATTER OF THE APPLICATION
OF WILLIAM D. AND GENE ELLEN MACLAY
(CENTRAL OREGON IRRIGATION DISTRICT)
FOR THE APPROVAL OF A CHANGE IN PLACE
OF USE OF WATER FROM DESCHUTES RIVER

ORDER APPROVING
TRANSFER NO. 2963

On January 17, 1974, William D. and Gene Ellen MacLay, 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 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, 5.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 15 South, Range 14 East, W.M., being tabulated in the name of J. V. Pressler, with dates of priority of October 31, 1900 and December 2, 1907, as evidenced by certificate of water right recorded at page 29052, Volume 21, State Record of Water Right Certificates. These lands are irrigated by means of the Central Oregon Canal. On May 27, 1969, an order was entered by the State Engineer wherein these water rights became appurtenant to 5.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 15 South, Range 15 East, W.M. Satisfactory proof has been submitted to the State Engineer that water has been beneficially applied to these lands.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 15 South, Range 15 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 December 5, 1973.

The Oregon Department of Veterans Affairs, Farm and Home Loan Division, Bend, Branch, mortgage holders of the lands involved herein, has submitted written approval of the proposed 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 5.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 15 South, Range 15 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 5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 15 South, Range 15 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1974.

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 15th day of April, 1974.

/s/ CHRIS L. WHEELER
State Engineer