

2769 Ark Foss
 Terrebonne, Or GOI
 97760

2969

STATUS OF APPLICATION

Change in place of use
 Date filed 2-6-74
 Date of hearing _____
 Place of hearing _____
 Date of order 3-29-74 Vol. 24, page 212-214
 Date for application of water 10-1-74 ^{att 10-1-75}
 Proof mailed JUN 12 1987
 Proof received _____
 Certificate issued _____ Vol. _____, page _____
Survey 11/76

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 45.0
 Name of ditch Pilot Butte Canal
 Date of priority _____
 In name of _____
 _____ Adjudication, Vol. _____, page _____
 App. No. _____ Per. No. _____ Cert. No. _____
 Certificate cancelled _____
 Notation made on record by _____
8-13-87 cl

FEEES PAID

Date	Amount	Receipt No.
<u>2-6-74</u>	<u>28.75</u> 8.2500	<u>38550</u>
TOTAL		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

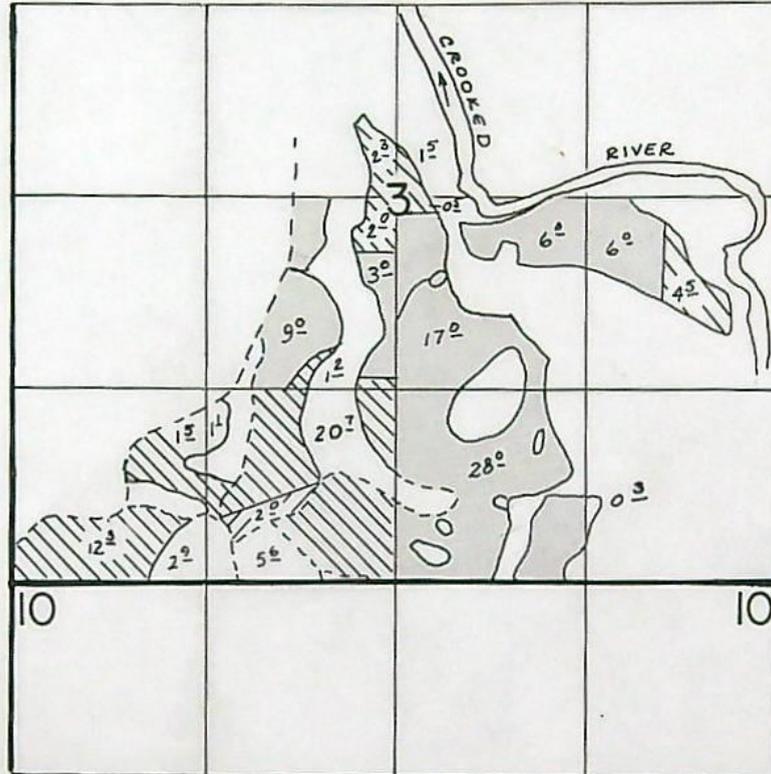
REMARKS

Re-transfer of part of W-84 (sp. D. Vol. 11 p 75) included in this Order.
Form 130 sent JUL 14 1987

— finis —

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

T.14S., R.13E., W.M.



□ CERT. 29052

SCALE: 1" = 1320'

FINAL PROOF SURVEY

UNDER



 Transfers 2969 & 4827

IN NAME OF

ART FOSS

Surveyed OCT. 15, 19.84, by L. OLSON

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF ART FOSS (CENTRAL OREGON IRRIGATION
DISTRICT) FOR THE APPROVAL OF A CHANGE
IN PLACE OF USE OF WATER FROM DESCHUTES
RIVER

ORDER APPROVING
TRANSFER NO. 2969

On February 6, 1974, Art Foss 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, 13.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, 8.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, and 1.76 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 14 South, Range 13 East, W.M., being tabulated in the name of G. V. Wilson and 5.64 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 12.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section (10), Township 14 South, Range 13 East, W.M., being tabulated in the name of George Guthrie, 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. By order of the State Engineer entered March 31, 1961, water rights appurtenant to other lands within the Central Oregon Irrigation District were transferred to 3.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 14 South, Range 13 East, W.M., with dates of priority of October 31, 1900 and December 2, 1907. Satisfactory proof has been submitted to the State Engineer of application of water to beneficial use to these lands. These lands are irrigated by means of the Pilot Butte Canal.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 2.6 acres

W

in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 21.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 17.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 2.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, 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 March 1, 1972.

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 13.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 3.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, 8.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 7.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 12.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, 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 2.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 21.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 17.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 2.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, 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, 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 29th day of March, 1974.

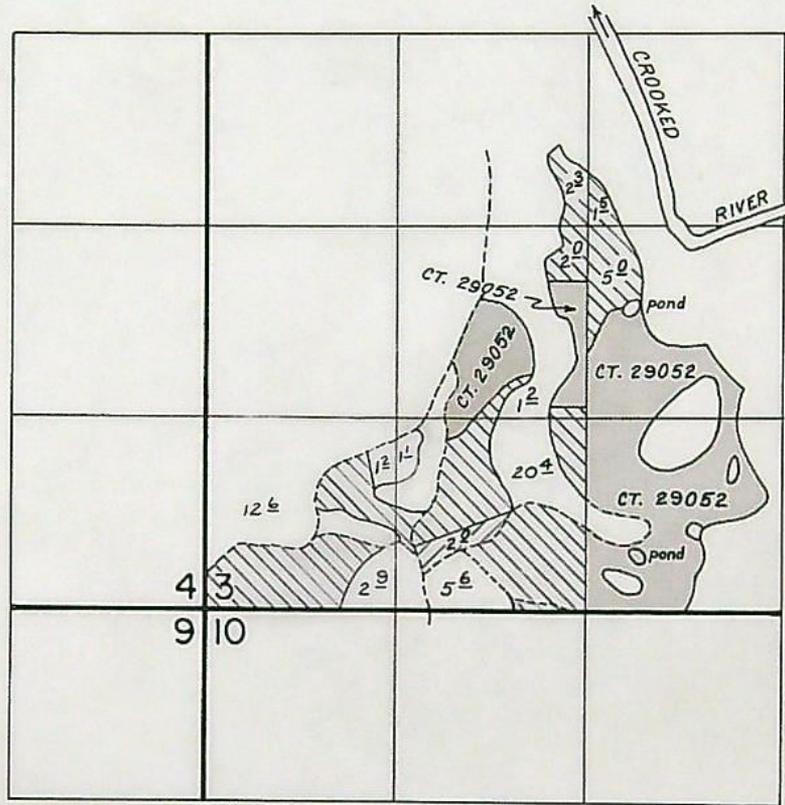
/s/ CHRIS L. WHEELER
State Engineer

ALL COTTON

WILGERS FALLS

GRAND OREGON 2300

T.14S., R.13E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFER NO.   2969 & 4827

IN NAME OF

.....ART FOSS / C.O.I.D.

Surveyed OCT. 15. 19.84, by .LESLIE. OLSON

SUPERSEDED