

2724

229 H.W. + Mildred A. Beardsley
Redmond, Ore.

STATUS OF APPLICATION

Change in Place of Use
Date filed Oct. 11, 1972
Date of hearing _____
Place of hearing _____
Date of order 1-22-73 Vol. 22, page 409
Date for application of water October 1, 1973
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____
Survey 11/74

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
Trib. of _____ County of Deschutes
Use Irrigation
Quantity of water _____ No. of acres 80
Name of ditch Pilot Butte Canal
Date of priority Oct 31, 1900 + Dec 2, 1907
In name of Fred Klann
Deschutes River Adjudication, Vol. 16, page 98
App. No. _____ Per. No. _____ Cert. No. 29052
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-11-72</u>	<u>20.00</u>	<u>31063</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Surveyed 5/21/84 (Wiehr)

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
		<input checked="" type="checkbox"/> Name	<u>st</u>
<input checked="" type="checkbox"/> Stream	<u>st</u>	_____	
<input type="checkbox"/> Pt. of Div.	_____	_____	
<input checked="" type="checkbox"/> Calendar	<u>st</u>	_____	
CHECKED TO RECORDS:			
<input checked="" type="checkbox"/> Twp. & Sec.	<u>st</u>	_____	
<input checked="" type="checkbox"/> Decree-vest	<u>st</u>	_____	
<input checked="" type="checkbox"/> Decree-adj	<u>st</u>	_____	
<input checked="" type="checkbox"/> Cert. of W/R	<u>st</u>	_____	
<input type="checkbox"/> Per. Order	_____	_____	
<input type="checkbox"/> Chainindex	_____	_____	
<input type="checkbox"/> Cross Ref.	_____	_____	
<input type="checkbox"/> Power Claim	_____	_____	
<input type="checkbox"/> Abstracts	_____	_____	

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BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
A. W. BEARDSLEY AND MILDRED A. BEARDSLEY)
(CENTRAL OREGON IRRIGATION DISTRICT) FOR)
THE APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 2724

On October 11, 1972, A. W. Beardsley and Mildred A. Beardsley, 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 SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 5.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, Township 15 South, Range 12 East, W.M., with dates of priority of October 31, 1900 and December 2, 1907, being tabulated in the name of Fred Klann 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 applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 8.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, 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.


DID COUNCIL TREE

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 October 6, 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 3.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 5.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, Township 15 South, Range 12 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 8.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, 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 22nd day of January, 1973.

CHRIS L. WHEELER
State Engineer

