

2852 Marion County
 Deschutes River
 Salem, Ore (COI)

2852

STATUS OF APPLICATION

Change in Place of Use
 Date filed July 13, 1973
 Date of hearing _____
 Place of hearing _____
 Date of order 7-20-73 Vol. 23, page 277
 Date for application of water October 1, 1974
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

Survey R

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
 Trib. of _____ County of Marion
 Use Irrigation
 Quantity of water _____ No. of acres 9⁰
 Name of ditch Central Oregon Canal
 Date of priority Oct. 31, 1900 & Dec. 2, 1907
 In name of Horace Richards
Deschutes River Adjudication, Vol. 16, page 53
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>7-13-73</u>	<u>25.00</u>	<u>35512</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

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

243

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF MARION CADY AND MARGARET CADY)
(CENTRAL OREGON IRRIGATION DISTRICT))
FOR THE APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 2852

On July 13, 1973, Marion Cady and Margaret Cady, 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, 9.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 26, Township 17 South, Range 12 East, W.M., being tabulated in the name of Horace Richards, 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.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 9.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, Township 17 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 June 6, 1973.

The First National Bank of Oregon, mortgage holder of the lands involved, have 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 9.0 acres in SW¼ NE¼, Section 28, Township 17 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 9.0 acres in SW¼ SE¼, Section 27, Township 17 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 20th day of July, 1973.

/s/

CHRIS L. WHEELER
State Engineer