

2853 Richard D. Kerr, Pres.  
 177 New Estates, Las.  
 Bend, Ore. (COT)

2853

**STATUS OF APPLICATION**

Change in Place of use  
 Date filed July 13, 1973  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order 12-13-73 Vol. 23, page 426-7  
 Date for application of water 10-1-74  
 Proof mailed not necessary  
 Proof received \_\_\_\_\_  
 Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_  
Survey R

**DESCRIPTION OF WATER RIGHT**

Name of stream Deschutes River  
 Trib. of \_\_\_\_\_ County of Deschutes  
 Use Irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 20  
 Name of ditch C.O.C.  
 Date of priority Oct 31, 1900 + Dec 2, 1907  
 In name of Dean Hollingshead (Trsf - K-43)  
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>35513</u>
<b>TOTAL . . .</b>		
	<b>Cert. Fee</b>	

**FEES REFUNDED**

Date	Amount	Check No.

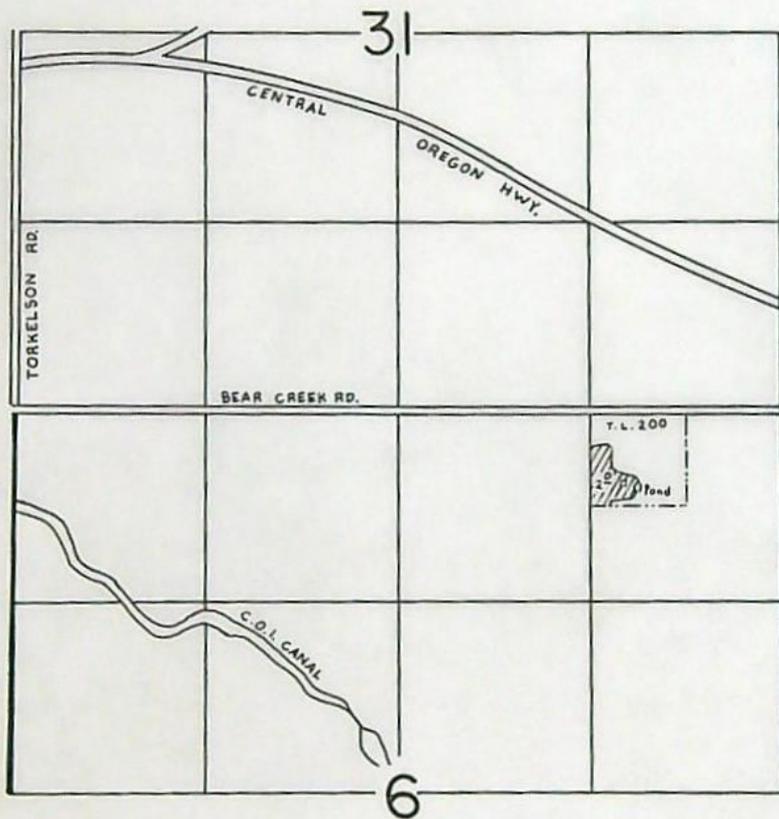
Surveyed 5/9/36 (Bruner)

**REMARKS**

Re-Transfer of part of "K-43" — finis —  
(T1144)

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"/> Twp. & Rge.	<u>WAE</u>	_____
<input checked="" type="checkbox"/> Decree-vault	_____	_____
<input checked="" type="checkbox"/> Decree-safe	_____	_____
<input checked="" 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.18S., R.13E., W.M.



SCALE: 1" = 1320'

**FINAL PROOF SURVEY**  
UNDER

TRANSFER NO. 2853

IN NAME OF

**GARY BRUNER**

Surveyed MAY 9..... 1986., by LESLIE OLSON....

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION  
OF RICHARD D. KERR (CENTRAL OREGON  
IRRIGATION DISTRICT) FOR THE APPROVAL  
OF A CHANGE IN PLACE OF USE OF WATER  
FROM DESCHUTES RIVER

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ORDER APPROVING  
TRANSFER NO. 2853

On July 13, 1973, Richard D. Kerr, president of Mt. View Estates, Inc., 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, 8.2 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 27, and 3.3 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 28, Township 17 South, Range 12 East, W.M., being tabulated in the name of Dean Hollingshead with dates of priority of October 31, 1900 and December 2, 1907, which was transferred to the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 27, Township 17 South, Range 12 East, W.M., without loss of priority by Order of the State Engineer entered June 1, 1965. These lands are irrigated by means of the Central Oregon Canal.

A representative of the State Engineer surveyed 10.0 acres as irrigated in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 27, Township 17 South, Range 12 East, W.M.

The applicant herein, owner of the lands irrigated under the order approved June 1, 1965, proposes to transfer the water right appurtenant to 2.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 27, Township 17 South, Range 12 East, W.M.,

without loss of priority to 2.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 6, Township 18 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.

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 NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 27, 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 2.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 6, Township 18 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 13th day of December, 1973.

/s/ CHRIS L. WHEELER  
State Engineer