

2879 V. O'CENT & KATH...
 (COT) Bend, Ore. 97701

2879

STATUS OF APPLICATION

Change in Place of Use
 Date filed August 10, 1973
 Date of hearing _____
 Place of hearing _____
 Date of order 12-14-73 Vol. 23, page 434-5
 Date for application of water 10-1-74
 Proof mailed OCT 7 1988
 Proof received 10-20-88 10-21-88
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
 Trib. of _____ County of Deschutes
 Use Irrigation
 Quantity of water _____ No. of acres 3^e
 Name of ditch Pilot Butte Canal
 Date of priority Oct. 31, 1900 + Dec. 2, 1907
 In name of Russell Metts
Deschutes River Adjudication, Vol. 16, page 129
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>8-10-73</u>	<u>25.00</u>	<u>36048</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

*Surveyed 5/2/85 (Turner, Ireland, & Hornbeck)
 back to survey 3-14-89*

REMARKS

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>	_____
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>WAE</u>	_____
<input checked="" type="checkbox"/> Decree-vault	<u>WAE</u>	_____
<input checked="" type="checkbox"/> Decree-safe	<u>WAE</u>	_____
<input checked="" type="checkbox"/> Cert. of W/R	_____	_____
<input type="checkbox"/> Per. Folder	_____	_____
<input type="checkbox"/> Chaindex	_____	_____
<input type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	_____	_____
<input checked="" type="checkbox"/> Abstracts	_____	_____

740

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF VINCENT E. AND KATHRYN Y. GISLER
(CENTRAL OREGON IRRIGATION DISTRICT)
FOR THE APPROVAL OF A CHANGE IN PLACE
OF USE OF WATER FROM DESCHUTES RIVER

ORDER APPROVING
TRANSFER NO. 2879

On August 10, 1973, Vincent E. and Kathryn Y. Gisler 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, 3.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Township 15 South, Range 13 East, W.M., being within part of Lot 2, Block 1, Metts Sub-division, being tabulated in the name of Russell Metts, 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 Pilot Butte Canal.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 3.0 acres in ^{SE}SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 17 South, Range 12 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 July 3, 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.

Pacific First Federal Savings and Loan Association, mortgagee, and Fred C. and Lila Mae McMahon, title holder, have submitted written approval of the proposed change in place of use.

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 NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Township 15 South, Range 13 East, W.M., being with part of Lot 2, Block 1, Metts Subdivision, with dates of priority of October 31, 1900 and December 2, 1907, be severed therefrom and simultaneously and without loss of priority transferred to 3.0 acres ^{SE}SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 17 South, Range 12 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.

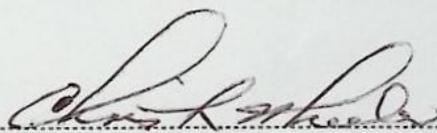
Dated at Salem, Oregon, this 14th day of December, 1973.

/s/ CHRIS L. WHEELER
State Engineer

STATE OF OREGON, }
County of Marion. } ss.

I, Chris L. Wheeler, State Engineer of the State of Oregon, do hereby certify that the foregoing copy of order entered December 14, 1973, and recorded at page 434, Volume 23, Special Order Record of the State Engineer has been compared with the original and that it is a correct transcript therefrom and the whole of such original order as the same appears or record in my office and custody.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of December, 1973.


State Engineer

By _____ Deputy