

C.O.I.D. et al
 2904 (City of Redmond)

2904

STATUS OF APPLICATION

Change in Vsc
 Date filed October 5, 1973
 Date of hearing Jan. 2, 1974 at 9:30 a.m.
 Place of hearing Bend - Courthouse
 Date of order 1-4-74 Vol. 24, page 54-59
 Date for application of water 10-1-76
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
 Trib. of _____ County of Deschutes
 Use From Irrigation To Mun
 Quantity of water _____ No. of acres 13.44
 Name of ditch Pilot Butte Canal
 Date of priority Oct. 31, 1900 & Dec. 2, 1907
 In name of C.O.I.D.
Deschutes River Adjudication, Vol. 16, page Various pages
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
10-5-73	30.00	36900
10-5-73	40.00 P.O.N.	36901
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.
12-4-73	\$4.67 P.O.N.	5532

REMARKS

13.06 ac irr to Mun [Use T-2717 for Model]

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
	_____ Name	_____	<u>WH</u>
_____ Stream	_____	<u>WH</u>	_____
_____ Pt. of Div.	_____	_____	_____
_____ Calendar	_____	<u>WH</u>	_____
_____ CHECKED TO REC	_____ S:	_____	_____
_____ Twp. & Rge	_____	<u>WAC</u>	_____
_____ Decree-visit	_____	<u>WAC</u>	_____
_____ Decree-sa	_____	<u>WAC</u>	_____
_____ Cert. of W. A.	_____	_____	_____
_____ Per. Folder	_____	_____	_____
_____ Chaindex	_____	_____	_____
_____ Cross Ref.	_____	_____	_____
_____ Power Claim	_____	_____	_____
_____ Abstracts	_____	_____	_____

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

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

ORDER APPROVING
TRANSFER NO. 2904

On October 5, 1973, the Central Oregon Irrigation District filed applications in the office of the State Engineer in the names of Laddie Jordan, Fred G. and Faye E. Hall, James S. Kasserman, Ken Howard, Ruth Benson, Vern and Diane Benson, Emory E. and Eunice B. Meadows, Richard L. and Gail Coon, David W. and Lasinda G. Clark, Stanley and Colleen Storey, Josephine H. Belz, Veachel Childress, T. R. Wilson, Sr., T. R. Wilson, Jr., and George L. Anderson and Harold and Venice Cousins for the approval of changes in use of water from Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

In the Deschutes River Adjudication proceedings, a water right was established in the name of Central Oregon Irrigation District, with dates of priority of October 31, 1900 and December 2, 1907 for the irrigation of, among other lands, the following lands listed along with the applicants' names:

<u>PRESENT PLACE OF USE</u>	<u>TABULATED IN DECREE IN NAME OF:</u>	<u>APPLICATION FILED IN NAME OF:</u>
0.2 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4	Clyde Dahl	Laddie Jordan
1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8	August H. Upoff	Fred C. and Faye E. Hall
0.3 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9	Central Oregon Irrigation District	James S. Kasserman
7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, within Tract 17, Fair Acres Addn., Sec. 9	Vern Lantz	Ken Howard
0.18 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, within North $\frac{1}{2}$ Lot 1, Blk 1, Windrow Acres, Section 20	Leo Beimler	Ruth Benson

<u>PRESENT PLACE OF USE</u>	<u>TABULATED IN DECREE IN NAME OF:</u>	<u>APPLICATION FILED IN NAME OF:</u>
0.19 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, within S $\frac{1}{2}$ Lot 1, Blk 1, Windrow Acres, Section 20	Leo Beimler	Vern and Diane Benson
0.5 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, within Lot 2, Blk 1, Windrow Acres, Section 20	Leo Beimler	Emory E. and Eunice B. Meadows
0.24 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, within E $\frac{1}{2}$ Lot 4, Blk 1, Windrow Acres, Section 20	Leo Beimler	Richard L. and Gail Coon
0.04 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 0.20 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, within W $\frac{1}{2}$ Lot 6, Blk 1, Windrow Acres, Section 20	Leo Beimler	David W. and Lasinda G. Clark
0.25 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, 0.18 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, within part of Lot 5, Blk 2, Windrow Acres, Section 20	Leo Beimler	Stanley and Colleen Storey
1.30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, within Lot 9 and Lot 10, Windrow Acres, Blk 2, Section 29	Leo Beimler	Josephine H. Bels
0.5 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, within Lot 13, Blk 3, Windrow Acres, Section 29	Leo Beimler	Veachel Childress
.985 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$, within Lot 7, Blk 3 and part of Lot 8, Blk 3, Windrow Acres, Section 29	Leo Beimler	T. R. Wilson, Sr. T. R. Wilson, Jr. George L. Anderson
.375 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$, within part of Lot 8, Blk 3, Windrow Acres, Section 29	Leo Beimler	Harold and Venice Cousins
All in Township 15 South, Range 13 East, W.M.		

The above named applicants propose to transfer the rights for irrigation of the lands listed opposite their names, without loss of priority,

to municipal use of the City of Redmond within Sections 4, 9, 10, 15, 16, 17, 19, 20, 21, 22, 23, 26, 27, 29, 30, Township 15 South, Range 13 East, W.M., and Sections 24 and 25, Township 15 South, Range 12 East, W.M.

The amount of water used for irrigation is limited to the following:

CUBIC FEET PER SECOND PER ACRE AT DIVERSION					
April 1 to May 1	May 1 to May 15	May 15 to Sept. 15	Sept. 15 to Oct. 1	Oct. 1 to Nov. 1	Total Acre Feet per Acre at Diver- sion During Season
1 c.f.s. to 80 acres	1 c.f.s. to 60 acres	1 c.f.s. to 32.4 acres	1 c.f.s. to 60 acres	1 c.f.s. to 80 acres	9.91 acre feet

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in use of water, if any there were, namely: at the county courthouse in Bend, Oregon, on January 2, 1974 at 9:30 a.m. The notice was published in the Redmond Spokesman, a newspaper printed and having general circulation in Deschutes County, Oregon for a period of three weeks in the issues of November 7, 14 and 21, 1973. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

LaVon E. Clothier, construct seller of lands from which Laddie Jordan proposes to transfer water, has submitted written approval of the change in use.

Duaine J. Birkhofer and Beatrice Gayle Birkhofer, contract sellers of lands from which Fred G. Hall and Faye B. Hall (who are contract sellers to Raymond Mathew Malott and Claudia Anne Malott) propose to transfer water, have submitted written approval of the change in use.

Equitable Savings, a unit of G.A.C. Corporation, mortgagee of land from which Ruth Benson proposes to transfer water, has submitted written approval of the change in use.

Equitable Savings, a unit of G.A.C. Corporation, mortgagee of land from which Vern and Diane Benson propose to transfer water, has submitted written approval of the change in use.

Equitable Savings, a unit of G.A.C. Corporation, mortgagee of land from which Emory E. and Eunice B. Meadows propose to transfer water, has submitted written approval of the change in use.

U. S. Department of Agriculture, Farmers Home Administration, mortgagee of land from which Richard L. and Gail Coon propose to transfer water, has submitted written approval of the change in use.

U. S. Department of Agriculture, Farmers Home Administration, mortgagee of land from which David W. and Lssinda G. Clark propose to transfer water, has submitted written approval of the change in use.

First National Bank of Oregon, mortgagee of land from which Stanley and Colleen Storey propose to transfer water, has submitted written approval of the change in use.

Equitable Savings, a unit of G.A.C. Corporation, mortgagee of land from which Josephine H. Belz proposes to transfer water, has submitted written approval of the change in use.

Equitable Savings, a unit of G.A.C. Corporation, mortgagee of land from which Veachel Childress proposes to transfer water, has submitted written approval of the change in use.

U. S. Department of Agriculture, Farmers Home Administration, mortgagee of land from which Harold and Venice Cousins propose to transfer water, has submitted written approval of the change in use.

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 changes on August 1, 1973.

No objections having been filed and it appearing that the proposed changes in use may be made without injury to existing rights, the applications should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed changes in use of water are approved and the water rights hereinbefore described as appurtenant to the following lands listed.

0.2 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 4

1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 8

0.3 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 9

7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$,
within Tract 17, Fair
Acres Addition,
Section 9

0.18 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$,
within N $\frac{1}{2}$ Lot 1, Blk 1,
Windrow Acres,
Section 20

0.19 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$,
within S $\frac{1}{2}$ Lot 1, Blk 1,
Windrow Acres,
Section 20

0.5 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$,
within Lot 2, Blk 1,
Windrow Acres,
Section 20

0.24 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$,
within E $\frac{1}{2}$ of Lot 4,
Blk 1, Windrow Acres,
Section 20

0.04 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$
and 0.20 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$,
within W $\frac{1}{2}$ Lot 6, Block 1,
Windrow Acres, Section 20

0.25 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 29, 0.18 acre
in SE $\frac{1}{4}$ SE $\frac{1}{4}$, within part
of Lot 5, Block 2,
Windrow Acres, Section 20

1.30 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$,
within Lot 9 and Lot 10,
Windrow Acres, Block 2,
Section 29

0.5 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$,
within Lot 13, Block 3,
Windrow Acres, Section 29

.985 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$,
within Lot 7, Block 3 and
part of Lot 8, Block 3,
Windrow Acres, Section 29

.375 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$,
within part of Lot 8,
Block 3, Windrow Acres,
Section 29

all in Township 15 South, Range 13 East, W.M., with dates of priority of October 31, 1900 and December 2, 1907, for irrigation purposes, be severed therefrom and simultaneously and without loss of priority transferred to municipal use of the City of Redmond within Sections 4, 9, 10, 15, 16, 17, 19, 20, 21, 22, 23, 26, 27, 29, 30, Township 15 South, Range 13 East, W.M., and Sections 24 and 25, Township 15 South, Range 12 East, W.M.

It is FURTHER ORDERED that complete application of water to the proposed use shall be completed on or before October 1, 1976.

It is FURTHER ORDERED that the quantity of water diverted for municipal purposes shall not exceed the following, to wit:

CUBIC FEET PER SECOND AT DIVERSION					
April 1 to May 1	May 1 to May 15	May 15 to Sept. 15	Sept. 15 to Oct. 1	Oct. 1 to Nov. 1	Total Acre Feet at Diversion During Season
0.168	0.224	0.415	0.224	0.168	133.19

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 4th day of January, 1974.

/s/ CHRIS L. WHEELER
State Engineer

RECEIVED

NOV 3 0 1973

STATE ENGINEER
SALEM, OREGON

AFFIDAVIT OF PUBLICATION

STATE OF OREGON }
County of Deschutes, } ss.

I, Robert K. Moody being first
duly sworn, depose and say that I am the ~~owner, editor, publisher,~~
~~manager, advertising manager, principal clerk of The Redmond~~
~~Spokesman printer or his foreman~~ of The Redmond Spokesman, a
newspaper of general circulation, as defined by ORS 193.010, printed
and published at Redmond, Oregon, in the aforesaid county and state;
and that the..... Notice of Filing Application for change

..... in use of water.....
a printed copy of which is hereto annexed, was published in the entire
issue of said newspaper for...³..... successive and consecutive
weeks in the following issues.

November 7, 1973

November 14, 1973

November 21, 1973

Robert K. Moody

Subscribed and sworn to before me this... 21st..... day of

November, 19... 73

Allyson J. Aldous
Notary Public for Oregon.

My Commission expires..... August 24, 1975.

PUBLIC NOTICE

NOTICE OF FILING APPLICATION FOR
CHANGE IN USE OF WATER

Notice is given hereby that the Central Oregon
Irrigation District has filed applications in the
names of Laddie Jordan, Fred G. & Faye E.
Hall, James S. Kasserman, Ken Howard, Ruth
Benson, Vern and Diane Benson, Emory E. and
Eunice B. Meadows, Richard L. and Gail Coon,
David W. and Lasinda G. Clark, Stanley and
Colleen Storey, Josephine H. Belz, Veachel
Childress, T.R. Wilson, Sr., T.R. Wilson, Jr., and
George L. Anderson and Harold and Venice
Cousins for the approval of changes in use of
water from Deschutes River.

In the Deschutes River Adjudication
proceedings, a water right was established in the
name of Central Oregon Irrigation District for
the irrigation of, among other lands, 0.2 acre in
SW¹/₄ SE¹/₄, Section 4, 1.0 acre in NW¹/₄ SW¹/₄,
Section 8, 0.3 acre in NW¹/₄ NE¹/₄, 7.0 acres in
NE¹/₄ SE¹/₄, Section 9, 0.04 acre in SW¹/₄ SE¹/₄,
1.49 acres in SE¹/₄ SE¹/₄, Section 20, 2.05 acres in
NE¹/₄ NE¹/₄, and 1.36 acres in NW¹/₄ NE¹/₄,
Section 29, Township 15 South, Range 13 East,
W.M., with dates of priority of October 31, 1900
and December 2, 1907.

The applicants herein propose to change the
use of water from irrigation of the above lands,
without loss of priority, to municipal use by the
City of Redmond within Sections 4, 9, 10, 15, 16,
17, 19, 20, 21, 22, 23, 26, 27, 29, 30, Township 15
South, Range 13 East, W.M., and Sections 24 and
25, Township 15 South, Range 12 East, W.M.

All persons interested are notified hereby that
a hearing will be held at the county courthouse at
Bend, Oregon on January 2, 1974, at 9:30 a.m. All
objections to the proposed change, if any there
are will be heard at said time and place. Any and
all objections shall be prepared in writing, one
copy to be served on Central Oregon Irrigation
District, P.O. Box 548, Redmond, Oregon, and
one copy filed with the State Engineer, Salem,
Oregon, together with a \$5 filing fee, at least 10
days prior to the date set for hearing. If no ob-
jections are filed, the application may be ap-
proved by the State Engineer without a hearing.
Administrative rules pertaining to the filing of a
protest will be furnished by the State Engineer
upon request.

Dated at Salem, Oregon, this 26th day of Oc-
tober, 1973.

CHRIS L. WHEELER
State Engineer

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