

Chas. Boardman Frances
 2906
 Bend, Ore.

2906

STATUS OF APPLICATION

Change in Place of Use
 Date filed Oct. 23, 1973
 Date of hearing _____
 Place of hearing ~~12-12-73~~
 Date of order 12-12-73 Vol. 23, page 417
 Date for application of water 10-1-74
 Proof mailed _____
 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 12.48
 Name of ditch Central Oregon Canal
 Date of priority Oct. 31, 1900 + Dec. 2, 1907
 In name of H. J. Rainey
Deschutes River Adjudication, Vol. 16, page 56
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>10-23-73</u>	<u>25.00</u>	<u>37122</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

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

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF CHARLES AND FRANCES BOARDMAN
(CENTRAL OREGON IRRIGATION DISTRICT)
FOR THE APPROVAL OF A CHANGE IN PLACE
OF USE OF WATER FROM DESCHUTES RIVER

ORDER APPROVING
TRANSFER NO. 2906

On October 23, 1973, Charles and Frances Boardman 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, 7.64 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 0.41 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 1.03 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, Township 18 South, Range 12 East, W.M., being tabulated in the name of H. J. Rainey 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 6.71 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, Township 17 South, Range 12 East, W.M., 2.66 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, and 0.11 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, Township 18 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 August 1, 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.

Equitable Savings and Loan Association, Pacific First Federal Savings and Loan Association, and First National Bank of Oregon as mortgagees and David E. and Peggy A. Franke, Richard and Jolupe Brown, Harold E. and Janet Hanley, James B. and Constance L. Brady, Walter and Sylvia Peterson, Glenn A. and Margaret M. Mount, Michael and Laurie Sterkowicz, John and Geraldine N. Harrop, Jeffrey B. and Kathleen Franklin, Paul and Mary Jo Earwicker, Tom and Ruth Kirkpatrick, Kenneth O. and Nancy E. Walter, Max M. and Elizabeth McKinney, Orville S. and Ima Jean Storlie, Robert G. and Patricia K. Verduyasse and Eldon C. and Sharon Lee Pearson, as Purchasers 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 7.64 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 0.41 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 1.03 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, Township 18 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 6.71 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, Township 17 South, Range 12 East,

W.M., 2.66 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, and 0.11 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 1, Township 18 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 12th day of December, 1973.

/s/

CHRIS L. WHEELER
State Engineer