

3279 Clyde W. Purcell
 Bend
 Or 97201

3279

STATUS OF APPLICATION

Change in Place of Use
 Date filed 7-3-75
 Date of hearing _____
 Place of hearing _____
 Date of order 2-9-76 Vol. 26, page ~~329~~ 379
 Date for application of water 10-1-76
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 3²
 Name of ditch Central Oregon Canal
 Date of priority October 31, 1900 & December 2, 1907
 In name of Central Oregon Irrigation District
Deschutes River Adjudication, Vol. 16, page 53
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEE PAID

Date	Amount	Receipt No.
<u>7-3-75</u>	<u>25.00</u>	<u>48353</u>
<u>1-22-76</u>	<u>5.00</u>	<u>51161</u>
TOTAL . . .		
	Cert. Fee	

FEE REFUNDED

Date	Amount	Check No.

REMARKS

PC Sent 5/23/90

to survey 1/75

Surveyed 9-4-84 (Singhose)

H63111

	INDEX CARDS:	Entered	Checked
✓	Name	<u>CC</u>	___
✓	Stream	<u>CC</u>	___
✓	Pt. of Div.	<u>WH</u>	___
✓	Calendar	<u>WH</u>	___
	CHECKED TO RECORDS:		
✓	Twp. & Rge.	<u>WH</u>	___
✓	Decree-vault	<u>WH</u>	___
✓	Decree-safe	<u>WH</u>	___
✓	Cert. of W/E	<u>WH</u>	___
___	Per. Folder	___	___
___	Chaindex	___	___
___	Cross Ref.	___	___
___	Power Claim	___	___
___	Abstracts	___	___

104

DESCHUTES

CO

18

17

CROOK

Lot 1

Lot 2

19

20

Lot 3

27°

Lot 4

27°

Lot 1

Lot 2

30

29

Lot 3

20°

33°

To

Lot 4

27°

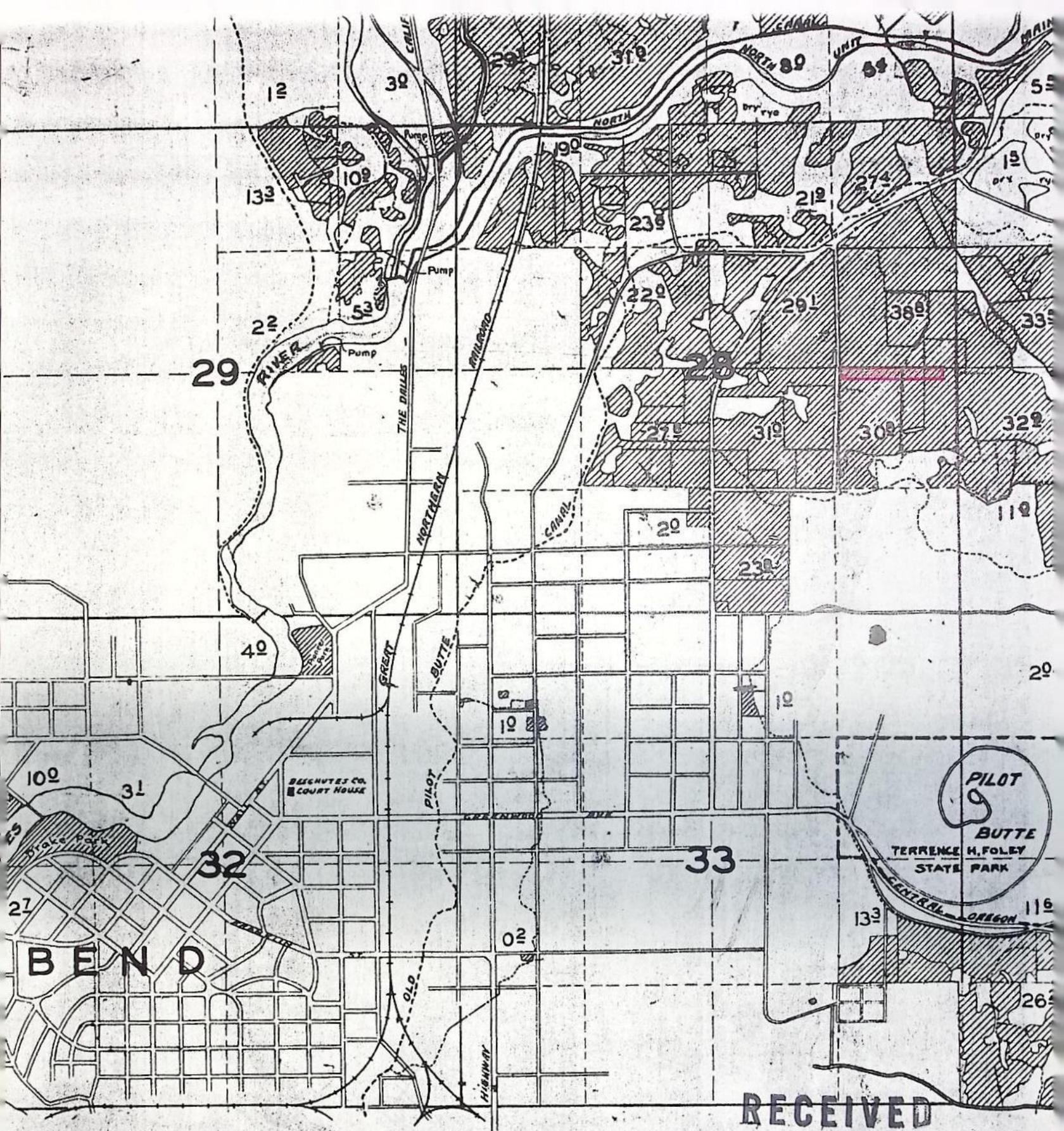
38°

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JUL 3 1975

WATER RESOURCES DEPT.
SALEM, OREGON

T-3279



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JUL 3 1975

WATER RESOURCES DEPT.
SALEM, OREGON

T-3279

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
CLYDE W. PURCELL (CENTRAL OREGON)
IRRIGATION DISTRICT) FOR THE)
APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 3279

On July 3, 1975, Clyde W. Purcell filed an application in the office of the Water Resources Director 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, 3.2 acres in NE¹ SE¹, Section 28, Township 17 South, Range 12 East, W.M., being tabulated in the name of Dean Hollingshead, with the 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 also have a supplemental right under Permit No. 23256 to the use of the water stored in Crane Prairie Reservoir with a date of priority of February 28, 1913. These lands are irrigated by means of the Central Oregon Canal.

FILED

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 3.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, Township 17 South, Range 15 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 2, 1975.

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 3.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 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 3.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, Township 17 South, Range 15 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1976.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director 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 9th day of February, 1976.

Gibraltar Union Skin
MILLERS FALLS
ALLIANTON

/s/ JAMES E. SEXSON
Director

Op: Wayne Singlose

Hds: 35 EB 30' on wheel line w/ low-pressure
nozzles @ 5.5 gpm

Pump: 60 hp 8x6
30 hp 6x4

Op: Alfalfa

Remarks: Tr. 2719, 3280, 3385 & 3465 also in
this 40' w/ supp fr. per G-10319

TG: 179-2116

9-4-84
Bertie Olson
WRE

STATE OF OREGON

COUNTY OF CROOK

THIS PROPOSAL ISSUED TO

CENTRAL OREGON IRRIGATION DISTRICT
P.O. BOX 548
REDMOND, OREGON 97756

(WAYNE SINGHOSE)
62500 COUNTY LINE ROAD
BEND, OR 97702

confirms the right to use the waters of DESCHUTES RIVER, a tributary of COLUMBIA RIVER, for the purpose of IRRIGATING 3.2 ACRES.

The right was confirmed by decrees of the Circuit Court of the State of Oregon for DESCHUTES County. The dates of priority are OCTOBER 31, 1900 AND DECEMBER 2, 1907.

The right is limited to not more than 0.099 CUBIC FOOT PER SECOND measured at the point of diversion from the river.

The point of diversion is the CENTRAL OREGON CANAL.

The amount of water used for irrigation shall be limited to THE RATE AND DUTY ESTABLISHED BY THE DECREE OF THE CIRCUIT COURT FOR DESCHUTES COUNTY DATED MARCH 24, 1933.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

NW 1/4 SE 1/4 3.2 ACRES
SECTION 30
TOWNSHIP 17 SOUTH, RANGE 15 EAST, W.M.

(These lands are supplemented by Crane Prairie Reservoir storage)

This PROPOSED PARTIAL CERTIFICATE is to confirm a change in PLACE OF USE authorized by an order of the Water Resources Director entered FEBRUARY 9, 1976, approving transfer application 3279. This right will be part of a certificate to be issued to Central Oregon Irrigation District at a later date which will supersede certificate 29052, State Record of Water Right Certificates.

This proposed partial certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decrees.

NOTE! THIS PROPOSED PARTIAL CERTIFICATE WILL BECOME EVIDENCE OF A VESTED WATER RIGHT 60 DAYS FROM THE NOTICE DATE IF THE OWNER OR OCCUPANT OF THE LAND RECEIVING THE TRANSFERRED WATER DOES NOT PETITION THE DEPARTMENT TO RECONSIDER THE CONTENTS OF THE PROPOSAL.

T-3279.JW



RECEIVED

JAN 10 1978

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

WATER RESOURCES DEPT
SALEM, OREGON

Transfer No. 3279

I, WAYNE P. SINGHASE hereby certify that
on OCTOBER 31, 1976, the water has been applied to the
lands to which the water right was transferred by an order of the ^{Water Resources Director} ~~State~~
~~Engineer~~ dated 2/9/76, approving an application for a
change in place of use of water from NE 1/4 - SE 1/4 SEC 28, T.17S., R.12E. W.19

1/5/78
Date

Wayne P. Singhase
Signature

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JUL 3 1975

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Clyde W. Purcell
(Name of applicant)

of Bend, County of Deschutes
(Postoffice)

State of Oregon, do hereby make application for change of use

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Deschutes River
(Name of stream)

2. The use to which the water is applied is irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Central Oregon

4. The point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)

corner of being within the
(Section or subdivision)

of Section Tp. R. W. M., in the County of
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
17	12	28													3.2			

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes

8. What is the date of priority of your water right? Oct. 31, 1900 and Dec. 2, 1907

9. Was your water right acquired by State Engineer's Permit? No If so, give number
(Yes or No)

of permit

10. Do you hold a water right certificate? No If so, give number of certificate 29052
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

Yes If so, give title of proceedings Adjudication of the Deschutes River
(Yes or No)

12. Is the water right recorded in your name? No. Dean Hollingshead Page 53
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
17	15	30														3.2		

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
 corner of being within the of Section Tp. R. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
 in the county of The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located? Yes

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

None

17. Are there any diversions between your present point of diversion and the proposed point of diversion?

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? Yes
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
None		

20. Reasons for the proposed changes are More beneficial use

RECEIVED
 10/3 1982

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

} ss.

I, Clyde W. Purcell, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 16th day of April, 1975.

[Signature of Clyde W. Purcell]
(Name of applicant)

Subscribed and sworn to before me this 16th day of April, 1975.

[Notarial Seal]

[Signature of Notary Public]
NOTARY PUBLIC FOR OREGON

My commission expires July 12, 1976

Remarks

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.