

3280 Charles + Cecilia L. Smith  
 Bend, OR 97701

3280

**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 376  
 Date for application of water 10-1-76  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued \_\_\_\_\_ vol. \_\_\_\_\_, page \_\_\_\_\_

**DESCRIPTION OF WATER RIGHT**

Name of stream Deschutes  
 Trib. of \_\_\_\_\_ County of Deschutes  
 Use irrigation  
 Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_  
 Name of ditch COC  
 Date of priority Oct 31, 1900 & Dec 2, 1907  
 In name of Central Oregon Irrigation District  
Deschutes River Adjudication, Vol. 16, page 49  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 29052  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

**FEEES PAID**

Date	Amount	Receipt No.
7-3-75	25.00	48354
1-22-76	5.00	51162
TOTAL . . .		
	Cert. Fee	

**FEEES REFUNDED**

Date	Amount	Check No.

**REMARKS**

PC Sent 5/23/90

to survey 1/78

Surveyed 9-4-84 (Singhose)

HB3111

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

405

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF )  
CHARLES J. AND CECELIA C. LENHARDT )  
(CENTRAL OREGON IRRIGATION DISTRICT) )  
FOR THE APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER FROM )  
DESCHUTES RIVER )

ORDER APPROVING  
TRANSFER NO. 3280

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On July 3, 1975, Charles J. and Cecelia C. Lenhardt 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, 1.5 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 22, Township 17 South, Range 12 East, W.M., being tabulated in the name of H.R. Plumb, 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 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.

The applicants herein, contract purchaser of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 1.5 acres in NW $\frac{1}{4}$  SE $\frac{1}{2}$ , 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.

Federal Land Bank Association of Redmond, mortgagor of the land involved has submitted written approval of the change in place of use of water.

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 1.5 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 22, 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 1.5 acres in NW $\frac{1}{4}$  SE $\frac{1}{2}$ , 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.

/s/ JAMES E. SEXSON  
Director

Gibraltar Onion Skin

MILLERS FALLS

ALL COTTON



Info: Wayne Singhose

Crop: Alfalfa

Hds 35 RB 30's on wheel line w/ low-pressure hds  
at 5.5 gpm

Pump: 60 hp 8x6  
30 hp 6x4

Remarks: Tr. 2119, 3279, 3385 + 3465 also in other  
90 w/ supp from G-10319

Tic: 179-211L

9-4-84

Gene Olson  
WRE

DESCHUTE

CROOK

19

20

27<sup>2</sup>

27<sup>2</sup>

30

29

20<sup>2</sup>

33<sup>2</sup>

27<sup>2</sup>

38<sup>2</sup>

**RECEIVED**

JUL 3 1975

WATER RESOURCES DEPT.  
SALEM, OREGON

T-3280

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 1.5 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 0.046 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 1.5 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 3280. 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-3280.JW





**RECEIVED**

JUL 3 1975

WATER RESOURCES DEPT.  
SALEM, OREGON

dry rye  
60 ft  
new soap  
7-3280

RECEIVED

JAN 10 1978

NOTICE OF COMPLETE APPLICATION  
OF WATER TO BENEFICIAL USE

WATER RESOURCES DEPT

PHOENIX, ARIZONA

Transfer No. 3280

I, WAYNE P. SINGHOSE hereby certify that  
on MAY 31, 1976, the water has been applied to the  
lands to which the water right was transferred by an order of the <sup>Water Resources Director</sup> ~~State~~  
~~Engineer~~ dated 2/9/76, approving an application for a  
change in place of use of water from NE 1/4 - SW 1/4 SEC. 22, T. 17S, R. 12E, 20M

1/5/78  
Date

Wayne P. Singhose  
Signature

RECEIVED

JUL 3 1975

WATER RESOURCES DEPT.  
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Charles J. Lenhardt and Cecelia C. Lenhardt  
(Name of applicant)

of Bend, County of Deschutes  
(Postoffice)

State of Oregon, do hereby make application for change

in place 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 Canal

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	22										1.5						

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? No, contract purchaser  
(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 & 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, H. R. Plumb, page 49 of the decree  
(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															1.5	

(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? .....

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.

.....  
 .....  
 .....

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.? No  
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Real estate mortgage	FLB of Spokane	\$16,500.00
(the above is being processed).		

20. Reasons for the proposed changes are more beneficial use

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 .....  
 .....

RECEIVED  
 JUN 12 1952  
 DEPT. OF AGRICULTURE  
 SPOKANE, IDAHO

AFFIDAVIT OF APPLICANT

STATE OF OREGON,  
County of Deschutes } ss.

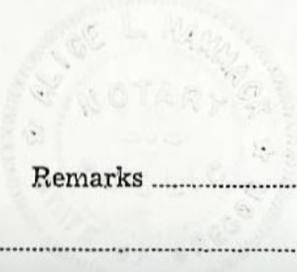
I, Charles J. Jenhardt and Cecelia C. Lenhardt, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge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

In Witness Whereof, I have hereunto set my hand this 27<sup>th</sup> day of May, 1975.  
x [Signature]  
x Cecelia C. Lenhardt  
(Name of applicant)

Subscribed and sworn to before me this 27 day of May, 1975.  
Alice L. Hennrich  
NOTARY PUBLIC FOR OREGON

[Notarial Seal]

My commission expires December 19, 1977



Remarks .....

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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.

FEDERAL LAND BANK ASSOCIATION OF REDMOND

P. O. BOX 577 742 S.W. FOREST. AVE. REDMOND, OREGON 97756

TELEPHONE: 548-2541



NEAL ELLIOTT, MANAGER

May 29, 1975

Central Oregon Irrigation District  
847 S. 6th  
Redmond, OR 97756

Re: Charles Lenhardt

Gentlemen:

We hereby grant permission for the transfer of  $1\frac{1}{2}$  acres of water from NE $\frac{1}{2}$ SW $\frac{1}{2}$  of Sec. 22, Twp 17 S., Rng. 12 EWM, as our mortgage relies on a minimum of 3 acres of water and anything in excess may be transferred.

Sincerely yours,

A handwritten signature in cursive script that reads "Neal Elliott".

Neal Elliott  
Manager

NE/ah  
cc. Charles Lenhardt

RECEIVED  
JUL 3 1975  
WATER RESOURCES DEPT.  
SALEM, OREGON



SERVING DESCHUTES, HARNEY, GRANT, CROOK, & JEFFERSON COUNTIES  
AND SOUTH PART OF WHEELER COUNTY

T-3280

June 27, 1975

Mr. Bob Anderson  
C.O.I.  
P. O. Box 548  
Redmond, OR 97756

Dear Mr. Anderson:

Here is the legal description of our property, which you requested:

A parcel of land situate in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$ ) of Section Twenty-two(22), Township Seventeen(17) South, Range Twelve(12) East of the Willamette Meridian, more particularly described as follows: Beginning at a point on the East line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 22, Township 17 South, Range 12 East, which point is 446 feet North of the Southeast corner of the said NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 22, Township 17 South, Range 12 East; thence North along said East line a distance of 664 feet to the Southerly right of way line of the North Unit Canal; thence South 84° 34' West along said right of way line a distance of 38.6 feet; thence South 40° 20' West along said right of way line a distance of 212.3 feet; thence along 16° 38' curve right (the long chord of which bears South 65° 22' West 285.7 feet - central angle 50° 04') a distance of 301 feet; thence along a 49° 02' curve left (the long chord of which bears South 74° 02' 30" West 67.84 feet - central angle 32° 43') a distance of 66.92 feet; thence South 57° 41' West a distance of 35 feet; thence South a distance of 336.7 feet; thence East a distance of 528 feet to the point of beginning, all in Deschutes County, Oregon.

Mr. & Mrs. Charles Lenhardt  
3425 N.E. Yeomans Rd.  
Bend, OR 97701  
389-1351

T-3280