

3129
 201 R. Wayne + Della M. Hunsby
 Bend, Or. 97701

3129

STATUS OF APPLICATION

Change in place of use
 Date filed 9-16-74
 Date of hearing _____
 Place of hearing _____
 Date of order 9-16-75 Vol. 26, page p84-85
~~4-2-75~~ ~~25~~ ~~256~~
 Date for application of water 10-1-75
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____
Sunny 11/76

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 5 5
 Name of ditch Central Oregon Canal
 Date of priority Oct 31, 1900 + Dec 2, 1907
 In name of Ha-Vi Farms
Deschutes R. Adjudication, Vol. 16, page 48
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>9-16-74</u>	<u>25.00</u>	<u>42935</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>rd</u>	_____
<input checked="" type="checkbox"/> Stream	<u>rd</u>	_____
<input type="checkbox"/> Pt. of Div.	_____	_____
<input checked="" type="checkbox"/> Calendar	<u>WZ</u>	_____
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rgn.	<u>rd</u>	_____
<input checked="" type="checkbox"/> Decree-vault	<u>rd</u>	_____
<input checked="" type="checkbox"/> Decree-map	<u>rd</u>	_____
<input checked="" type="checkbox"/> Cert. of w/R	<u>rd</u>	_____
<input type="checkbox"/> Per. folder	_____	_____
<input type="checkbox"/> Chaindex	_____	_____
<input type="checkbox"/> Cross Ref.	_____	_____
<input type="checkbox"/> Power Claim	_____	_____
<input type="checkbox"/> Abstracts	_____	_____

DO NOT BE ENTERED WHERE CHECKED

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BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF R. WAYNE AND DELLA M. HAMBY
(CENTRAL OREGON IRRIGATION DISTRICT)
FOR THE APPROVAL OF A CHANGE IN PLACE
OF USE OF WATER FROM DESCHUTES RIVER

ORDER APPROVING
TRANSFER NO. 3129

On September 16, 1974, R. Wayne and Della M. Hamby 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.

29052
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, 3.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 17 South, Range 12 East, W.M., being tabulated in the name of Ha-Vi, Inc. Farms and 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 purchasers of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 3.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, Township 17 South, Range 13 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 March 6, 1974.

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 3.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, 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 3.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, Township 17 South, Range 13 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1975.

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 16th day of September, 1975.

/s/ James E. Sexson
Director