

2739

2739 Keith L. + Clara Smith  
COI Bend, Ore.

STATUS OF APPLICATION

Change in Place of Use  
Date filed Nov. 24, 1972  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order Dec. 21, 1972 Vol. 22, page 360  
Date for application of water October 1, 1973 ✓  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River  
Trib. of \_\_\_\_\_ County of Deschutes  
Use Irrigation  
Quantity of water \_\_\_\_\_ No. of acres 180  
Name of ditch Central Ore. Canal  
Date of priority Oct. 31, 1900 + Dec. 2, 1907  
In name of COI - Pete Hohnstien  
Deschutes River Adjudication, Vol. 16, page 65  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 29052  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

DVA Notification

FEEES PAID

Date	Amount	Receipt No.
<u>11-24-72</u>	<u>20.00</u>	<u>31538</u>
TOTAL . . .		
	* Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

\_\_\_\_\_  
\_\_\_\_\_  
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Survey

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

634

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION )  
OF KEITH L. & CLARETA SMITH )  
(CENTRAL OREGON IRRIGATION DISTRICT) )  
FOR THE APPROVAL OF A CHANGE IN )  
PLACE OF USE OF WATER FROM DESCHUTES )  
RIVER )  
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ORDER APPROVING  
TRANSFER NO. 2739

On November 24, 1972, Keith L. and Clareta V. Smith 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 Waters of 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 the Deschutes River for the irrigation of, among other lands, 9.0 acres in Lot 3 (NW¼ SW¼) and 9.0 acres in Lot 4, (SW¼ SW¼), Section 19, Township 17 South, Range 15 East, W.M., with dates of priority of October 31, 1900 and December 2, 1907, being tabulated in the name of Pete Hohnstien as evidenced by certificate of water right recorded at page 29052, Volume 21, State Record of Water Right Certificates.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 18.0 acres in Lot 2 (SW¼ NW¼), Section 19, 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 November 1, 1972.

The Farmers Home Administration, the mortgagee of the land involved has submitted written approval of the 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 9.0 acres in Lot 3 (NW¼ SW¼) and 9.0 acres in Lot 4 (SW¼ SW¼), Section 19, Township 17 South, Range 15 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 18.0 acres in Lot 2 (SW¼ NW¼), Section 19, 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, 1973.

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 21st day of December, 1972.

/s/ CHRIS L. WHEELER  
State Engineer