

Richard L. Labayrie
 Rt. 3 Box 260
 Bend, Ore. 97501

2542

STATUS OF APPLICATION

Change in Place of Use
 Date filed July 19, 1971
 Date of hearing _____
 Place of hearing _____
 Date of order Jan 27, 1972 Vol. 21, page 398
 Date for application of water 10-1-72 *Ext to 10-1-73*
 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 51⁰
 Name of ditch Central Oregon Canal
 Date of priority 10-31-00 & 12-2-07
 In name of Hg-Vi Inc., Bertil Nelson, Robert L. Cutter
Deschutes Riv Adjudication, Vol. 16, page 48
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by slw

FEES PAID

Date	Amount	Receipt No.
<u>7-19-71</u>	<u>2315-</u>	<u>24796</u>
TOTAL . . .		
	<u>\$1 Cert. Fee</u>	

FEES REFUNDED

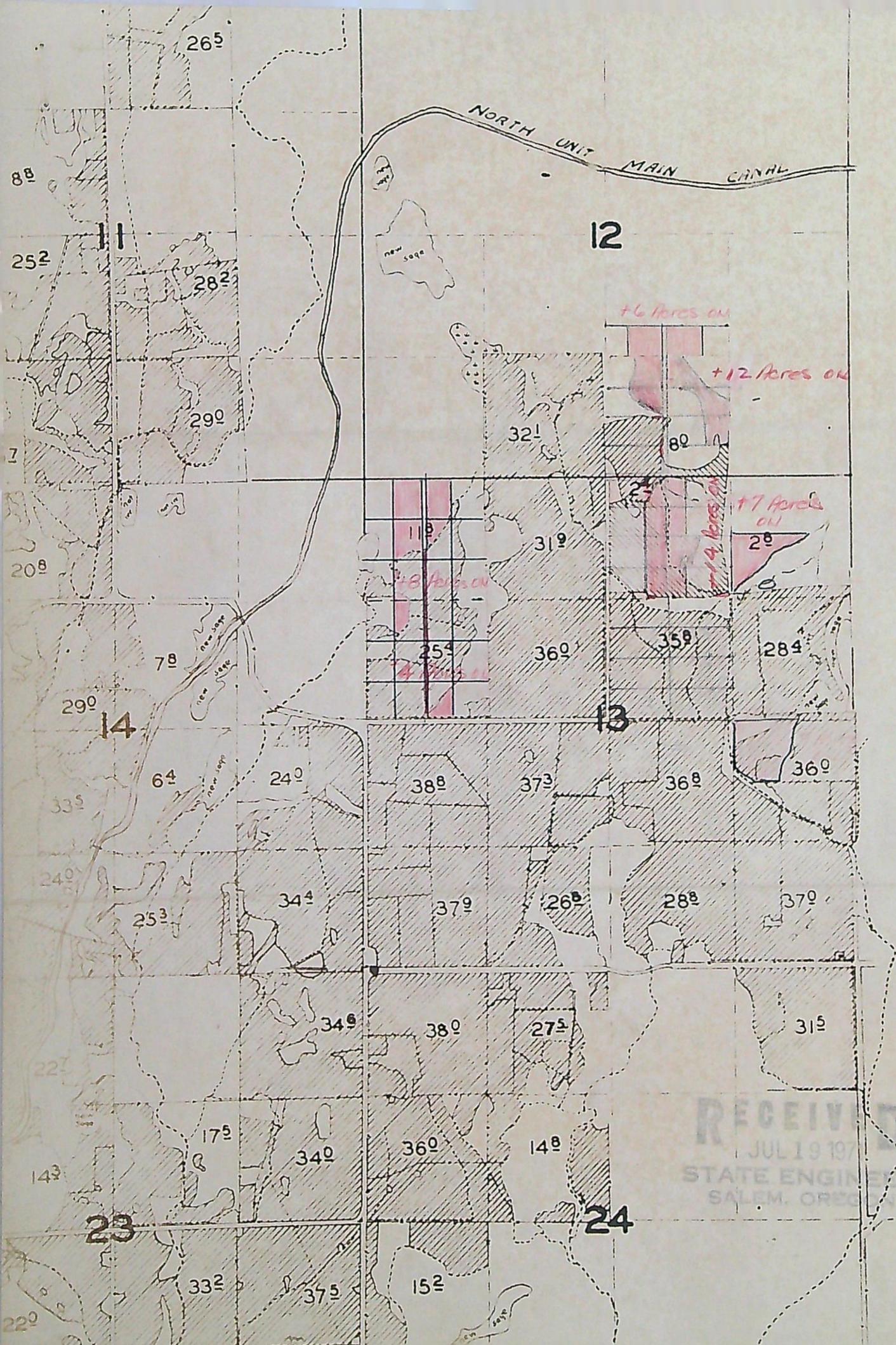
Date	Amount	Check No.

Surveyed Canal portion 11-18-83

REMARKS

Extended to 10-1-73 for Larry E. Hughes. Apparently several ownerships involved

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked	Correction Order Entered
<input checked="" type="checkbox"/>	Name	_____	_____	
<input checked="" type="checkbox"/>	Stream	_____	_____	
<input checked="" type="checkbox"/>	Pt. of Div.	_____	_____	
<input checked="" type="checkbox"/>	Calendar	_____	_____	
<input checked="" type="checkbox"/>	Twp. & Rge.	<u>at</u>	<u>WAE</u>	<u>✓</u>
<input checked="" type="checkbox"/>	Decree-vest	<u>at</u>	<u>WAE</u>	<u>✓</u>
<input checked="" type="checkbox"/>	Decree	<u>at</u>	<u>WAE</u>	<u>✓</u>
<input checked="" type="checkbox"/>	Cert. of R	<u>at</u>	<u>WAE</u>	<u>✓</u>
<input type="checkbox"/>	Per. Foli	_____	_____	
<input type="checkbox"/>	Chaindex	_____	_____	
<input type="checkbox"/>	Cross Ref.	_____	_____	
<input type="checkbox"/>	Power Chain	_____	_____	
<input type="checkbox"/>	Abstracts	_____	_____	



RECEIVED
 JUL 19 1917
 STATE ENGINEER
 SALEM, OREGON



RECEIVED
 JAN 25 1972
 STATE ENGINEER
 SALEM, OREGON

RECEIVED
 JUL 19 1971
 STATE ENGINEER
 SALEM, OREGON

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

CORRECTION OF ORDER ENTERED)
APPROVING APPLICATION OF)
RICHARD L. WAYMAN)

On January 27, 1972 an order was entered by the State Engineer approving an application by Richard L. Wayman for a change in place of use of water rights evidenced by certificate of water right recorded at page 29052, Volume 21, State Record of Water Right Certificates. This order approved the change in place of use of water to, among other lands, 6.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 17 South, Range 12 East, W.M. The order was in error in that the application requested a change to 6.0 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 17 South, Range 12 East.

NOW, THEREFORE, it hereby is ORDERED that the paragraph of the order which reads:

"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 4.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12 South, and 20.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 6.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$, 10.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 9.0 acres in north half NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, 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 7.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 14.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 8.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, 6.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 12.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 17 South, Range 12 East, W.M." is rescinded and in lieu thereof the following paragraph be substituted.

DIVISION OF LAND
100% COTTON FIBER

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 4.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, and 20.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 10.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 9.0 acres in North half NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, 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 7.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 14.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 8.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, 6.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 12.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 17 South, Range 12 East, W.M.

Dated at Salem, Oregon, this 9th day of March, 1972.

/s/ CHRIS L. WHEELER
State Engineer



OLD GROUND TREE

UNIONBORN

100% COTTON FIBER

BEFORE THE STATE ENGINEER OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION)
OF RICHARD L. WAYMAN (CENTRAL)
OREGON IRRIGATION DISTRICT) FOR)
THE APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM DESCHUTES)

ORDER APPROVING
TRANSFER NO. 2542

On July 19, 1971, Richard L. Wayman 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 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, 4.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, 20.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, being tabulated in the name of Ha-Vi Inc. Farms, 2.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 10.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, being tabulated in the name of Bertil Nelson and 9.0 acres in North half NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, being tabulated in the name of Robert L. Cutter, Township 17 South, Range 12 East, W.M., 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.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of

priority, to 6.0 acres in NW¼ SE¼, 12.0 acres in SW¼ SE¼ of Section 12, 7.0 acres in NE¼ NE¼, 14.0 acres in NW¼ NE¼, 8.0 acres in NW¼ NW¼, 4.0 acres in SW¼ NW¼ of Section 13, Township 17 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 April 7, 1971.

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 4.0 acres in SW¼ SE¼, Section 12 South, and 20.0 acres in SW¼ NE¼, 6.0 acres SE¼ NE¼, 2.0 acres NW¼ NW¼, 10.0 acres SW¼ NW¼ and 9.0 acres in north half NE¼ SE¼, Section 13, 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 7.0 acres in NE¼ NE¼, 14.0 acres in NW¼ NE¼, 8.0 acres in NW¼ NW¼ and 4.0 acres in SW¼ NW¼ of Section 13, 6.0 acres in NW¼ ^{SE} SW¼ and 12.0 acres in SW¼ SE¼ of Section 12, Township 17 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, 1972.

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, certificate of water right shall be issued to Central Oregon Irrigation District at the time certificate is issued to the District confirming other transfers within the District.

Dated at Salem, Oregon, this 27th day of January, 1972.

/s/ CHRIS L. WHEELER
State Engineer

COY CARLON WREN
BANKERS
1001 E. COMMERCIAL ST. SEASIDE



REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN:

POD
POU
USE
Add'1 POD

V21
P.398

RECEIVED

NOV 15 1984

WATER RESOURCES DEPT.
SALEM, OREGON

County Deschutes

Transfer NO. 2542

Old Certificate NO. 29052

1. Name RICHARD Wayman (C.O.I.D.)
Address Rt 3, Box 260 BEND OR 97501
2. Source of Supply DESCHUTES River, Trib of _____
3. Use IRRIGATION
4. Amount of Water _____ Priority Date 10-31-00 $\frac{1}{3}$ 12-2-07
5. Proposed Point of Diversion _____

6. Completion Date 10-1-72 ext. to 10-1-73
7. Place of Use: Will Branch - Kim Scott

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
FROM: 17S	12E	12	SW-SE	4⁰
			SW-NE	20⁰
			SE-NE	6⁰
			NW-NW	2⁰
			SW-NW	10⁰
			NE-SE	9⁰
To: 17S	12E	12	SW-SE	12 ⁰
			NW-SE	6 ⁰
		13	NE NE	7 ⁰
			NW-NE	14 ⁰
			NW-NW	8 ⁰
	SW-NW	4 ⁰		

Greene - Genby Loop Bend

Weeks - 90 Maklon Couch 2101 NE 8th Bend

Tornbom 63826 Seimens Dr. Bend

McCoy 63540 Cricketwood Bend

Morhouse - No Address

Hughes 63515 Hughes Rd. Bend

Burch - ~~No Address~~ 63420 Hughs Rd.

Evans - 63565 Hughes Rd Bend

Buarch 63730 Cricketwood Rd. Bend

Ferris - 103 Heinz, Wm. - NA

104 } G. M. Powell 223 East Camden, Glendora Calif
113 } 91740

Peterson - 63591 Genby Loop Bend

Parsons - 63550 Hughes Rd. Bend

Owen - 63590 Cricketwood Bend

Zitterburg - 64584 Hughes Rd Bend

Freeman - 63540 Cricketwood Bend

~~Pacy - 4-26-84; mailing in extension.~~

Cook portion

Info: George Cook

Irrigator ⁵⁸ 50 Ac on East side of road. Also has 5 acres
on West side. (2 Ac right)

See Tr. 2960 for more info

Tel: 179-1906

4-26-84

Gene Ober
WRE

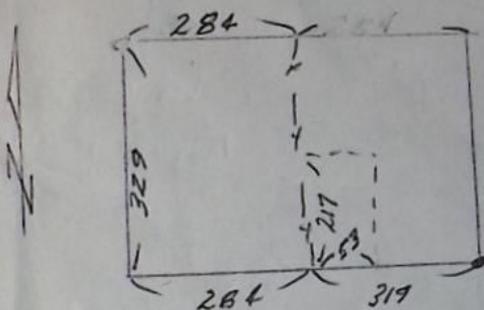
RECEIVED

NOV 1 1983
WATER RESOURCES DEPT
SALEM, OREGON

Info: Green

They have 2 acres of water
gravity system

use: pasture & garden



21499
10/11/83

Info: Lease (Branch) 6 acres water

Info: Mrs. Meday. 2 acres water. Sprinklers in front & flood pasture
in back

Pump: 1 1/2 hp, 2 1/4"

Sprinklers: 6 RB20, 5/32"

use: pasture & hay

Tie: pins in out by Hughes Rd.

David L. Parilla 11-30-83

P. 75, 11-1983-A

Info: MR. EVANS - 2 lots 9211 → Dec. 20, 1983

Pump: 3 hp 1 1/2 x 2

Sprinklers: 10 5/32" RB

Use: Pasture, lawn

Tie: 11-1984-A prop. pins on north side

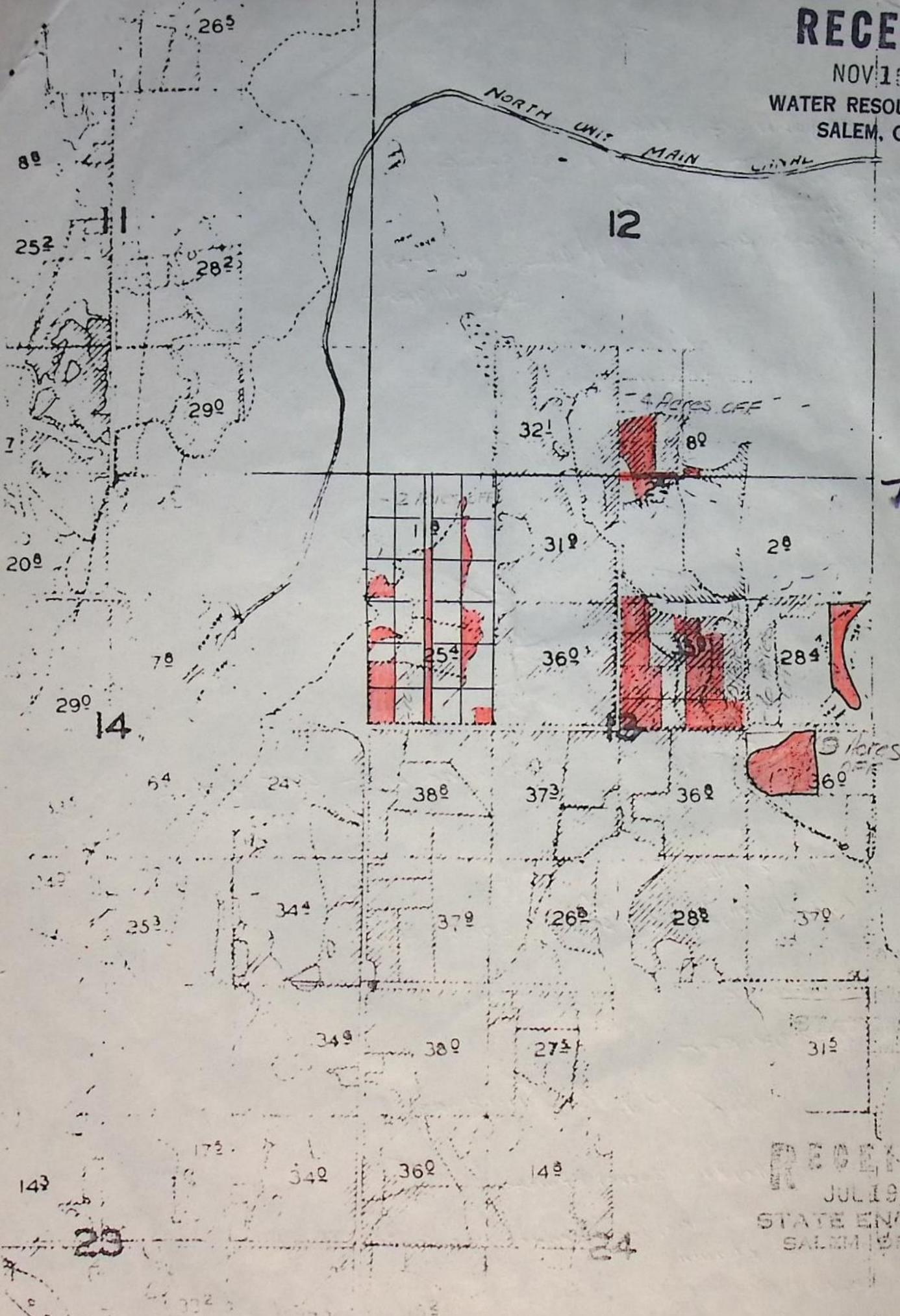
Radio Olson, E.T.

1-10-84

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NOV 15 1984

WATER RESOURCES DEPT.
SALEM, OREGON



TAMS

RECEIVED
JUL 19 1971
STATE ENGINEER
SALEM OREGON

Info: Mrs Freeman. They bought the property with 2 acres

of water in 1979. Map shows 5 acres

Use: Lawn, garden & pasture

Source: Pond from Co.I. ditch & part gravity

Sprinklers: 10, rainbird 30, $\frac{3}{16}$ " $1\frac{1}{2}$ " x 40'

pump: 1 1/2 h.p.

Tie: N.W. & S.W. fence cor.

D.L. Panther 11-23-83

P.T.S. 11-1983-A

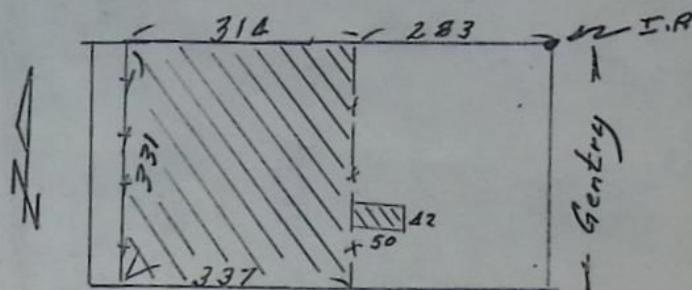
Info: Mrs Heinz

Source: Co.I. ditch

: Flood Irrigation

Use: pasture & garden

Tie: N.E. prop. lin.



D.L. Panther 11-16-83

Info: Jerry Burch. Irrigation from pond with Co.I. ditch
to source

pump: 5 h.p. 2" x 1 1/2"

L. Ft. 10 (Rainbird 30H, $\frac{3}{32}$ " x 3" x ~~10~~²⁰) 7 20 (3" x 20')

Sprinklers: 7

uses pasture

Tie: N.E. prop. cor.

D.L. Panther 11-18-83

Info: Parson's: They have 3 acres of water

gravity feed from neighbors pond to the south

use: pasture & lawn

Ties: N.W. & S.W. fence cor.

D.L. Panther 11-23-83

P.T.S. 11-1983-A

Powell - called
9/10 - applying
for transfer

October 23, 1984

Gerald N. Powell
223 E. Camden
Glendora, CA 91740

Dear Mr. Powell:

REFERENCE: File T-2542

Your application for an extension of time in which to complete the change in place of use of water from the Deschutes River for irrigation of a certain 4.0 acres of land as authorized by the order approving Transfer Application 2542, has been reviewed. This will also acknowledge your payment of fees in the amount of \$100 for which our Receipt 44361 is enclosed.

An extension of time depends upon the extent of diligence exercised on the work necessary to complete the project authorized, and the submittal of timely applications for extension of time if needed.

There is no way, under Oregon law, to hold a water right except through continued beneficial use of water under the provisions of the subject water right. The provisions of the order approving Transfer 2542 required that the project be completed by October 1, 1973.

Since you apparently had not been made aware that the time limit for full application of water under Transfer 2542 had expired on October 1, 1973; and since you have been working toward irrigation of the 4.0 acres involved in the transfer, the time is being further extended to October 1, 1985.

After expiration of the time, as extended, a survey to determine the extent of the lands irrigated will be scheduled.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wpc
enclosure
cc: Robert F. Main, Jr., Watermaster
Central Oregon Irrigation District
Leslie Olson, Water Rights Examiner

RECEIVED
OCT 19 1984

**WATER RESOURCES DEPT.
SALEM, OREGON**

October 8, 1984

Water Resources Department
Mill Creek Office Park
555 13th Street, NE
Salem, Oregon 97310

Dear Sir:

In the summer of 1971 my wife and I bought ten acres of land described in the attached sheet. Both of us having been raised in Oregon, it was our desire to return there upon our retirement.

When the land was purchased no one told us of any requirement regarding the use of our allotted 4 acre ft. of water. I have searched our escrow papers and have not found any mention of this.

During the years we have spent considerable monies improving this property, all with the intent of readying it for our retirement years. This has included fencing the ten acres, putting a 20,000 gal. cistern on it, laying water lines to the cistern from the canal, digging and claying a 90 ft. x 30 ft. x 5 ft. pond, laying water lines 4 ft. deep from the cistern to the area where we intend to build, and putting in a septic tank and drain field.

This spring, much to our dismay, we received notice from the Water Resources Department, Bend, Oregon, that they had surveyed our property and as a result of that survey had determined we had not used our 4 acre ft. of water. That being the case, it was their intentions to take our water rights away.

First, I had never heard of the Water Resources Department. We have paid a yearly bill for water to the Central Oregon Irrigation District to maintain our allotment. We did this knowing that without water, the land is virtually useless.

I contacted Ms. Leslie Olson of the Water Resources Department in Bend. Although she was polite and professional, she left little doubt that it was the Departments intentions to strip me of my water allotment. My only alternatives were two. Use the water by fall if possible, and if not, submit a request for one year extension.

I contacted the F.F.A. at Bend High School. This organization was interested until they found out it would not be feasible to flood irrigate. I next ran an ad for one month in the Bend paper. A Douglas Daley leased my property as a result of this ad. He indicated it was just what he was looking for. I assured him I would purchase irrigation equipment and his only requirement was use the water per the Water Resources Department's satisfaction. His lease was \$1.00 per month. A copy of that lease was sent to Leslie Olson for her files. After one month, not hearing from Mr. Daley I began trying to contact him without results.

In July, I flew to Bend only to find out Mr. Daley had apparently disappeared. Feeling frustration and desperation I contacted Thompson Pump and Irrigation Inc. of Bend and contracted with them to install \$4,261.00 of equipment that would allow irrigation. I contacted Dennis McCoy, 63985 Deschutes Rd., 389-4361 who custom farms to plant and fertilize a permanent pasture. I was hoping to have this established before summers end.

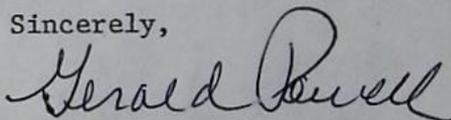
On August 31, I again flew to Bend to find out that due to changes in Central Electric Cooperative regulations, the electrical hookup would delay the finish at least two additional weeks. At this time it was apparent that I would not be able to accomplish the Water Resources Department's requirement of using the water by summers end and I am now respectfully requesting one years extension. It would seem apparent that I will be able to comply with the regulations by next spring.

I am a police officer here in Glendora and have been for 19 years. While I know and understand that laws and regulations are to be observed, I also know that compassion and understanding are vital ingredients that are co-mingled with any justice system. Given the situation your Department put me in was neither compassionate or understanding. How far better had I been notified and told I had a more reasonable amount of time to comply. Living 800 miles away creates difficulty in complying to directives that allowed 4-5 months. Public Relations is something that not only local jurisdictions are encouraged to have and use but should be used at every level of Local, State and Federal Government.

Arbitrary enforcement without proper allotment of time lacks of public relations. Violations of laws and regulations usually requires intent to violate. There was not intent on my part. If these laws and regulations are to be enforced, then another, more logical law would have required written statements contained in the purchase of property explaining the required use of water.

Enclosed is my check for \$100.00. I trust, that my showing an endeavor to comply with your regulations will prompt you to grant me the extension I request.

Sincerely,



Gerald N. Powell
223 E. Camden
Glendora, CA 91740
(818) 335-2752

Enclosure

Transfer 254Z
v.21, p.398

APPLICATION FOR EXTENSION OF TIME
FOR TRANSFER OF WATER RIGHT

RECEIVED
OCT 19 1984
WATER RESOURCES DEPT.
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, GERALD N POWELL (Name of Applicant)
of 223 CAMDEN, GLENDORA (Mailing Address) (City)
State of CALIFORNIA, 91740, 818-335-2752 (Zip Code) (Phone Number)

do hereby make application for an extension of time within which to complete a change in:

() point of diversion (X) place of use () use heretofore made

of water under the terms of an order of the Water Resources Director entered on January 27, 1972, approving Transfer 254Z, in the name of Richard L. Wayman (Central Oregon Irrigation District), for 6.0 acres in NW 1/4 SE 1/4, 12.0 acres in SW 1/4 SE 1/4 of Sect. 12, 7.0 acres in NE 1/4 NE 1/4, 14.0 acres in NW 1/4 NE 1/4, 8.0 acres in NW 1/4 NW 1/4, 4.0 acres in SW 1/4 NW 1/4 of Sect. 13 T 17 S, R. 12 E, W.M.

(give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time allowed, which expired on October 1, 1972:

SEE ATTACHED

(if for irrigation, how many acres, total, are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the following:

SEE ATTACHED

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed, because

SEE ATTACHED

and request that the time for completion be extended to October 1, 1985.

Gerald N Powell
(signature of applicant)

\$100 -
44381
Oct. 19, 1984

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$100 TO:
WATER RESOURCES DEPARTMENT
Mill Creek Office Park
555 13th Street, NE
Salem, Oregon 97310

RECEIVED
JUL 19 1971

STATE ENGINEER
SALEM OREGON

RECEIVED
JAN 25 1972

STATE ENGINEER
SALEM OREGON

2542

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Richard L. Wayman (Name of applicant)

of Rt 3, Box 260, Bend (Postoffice), County of Deschutes

State of Oregon, do hereby make application for change

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 _____ (Section or subdivision) being within the _____

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 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
17	12	13			20	1.6		2	10									N 1/2 9
17	12	12			*													4

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

36.0 36⁰ 12⁰ 25⁰
H. V. Inc. (Attach separate sheet if necessary) Bertil Nelson

19⁰ 8⁰
Robt L. Culler H. V. Inc.

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 & Dec. 2, 1907

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

of permit _____

Vol. 21
cont. 23052

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

12. Is the water right recorded in your name? Ha-Vi Inc., Farms - page 48 of decree
Bertil Nelson - page 48 of decree
Robert L Cutter - page 48 of decree

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 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
17	12	13	7	14			8	4										
17	12	12													6	12		

(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
✓ Sales contracts	Various	Letters of permission attached

20. Reasons for the proposed changes are More beneficial use

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

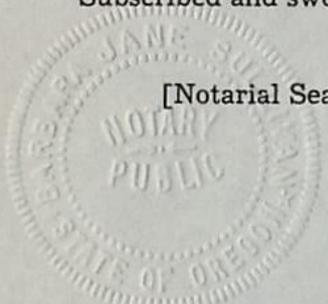
} ss.

I, Richard L. Wayman & Jean C. Wayman, 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 31 day of August, 1970

Richard L. Wayman
Jean C. Wayman
(Name of applicant)

Subscribed and sworn to before me this 31 day of August, 1970



[Notarial Seal]

Barbara Jane Sullivan
NOTARY PUBLIC FOR OREGON

My commission expires 4/29/74

Remarks Approved by the Board of Directors of the Central Oregon Irrigation District at regular meeting held April 7, 1971.

The Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section 12, Township 17 South, Range 12 E., W.M. was included in the Central Oregon Irrigation District on April 7, 1971.

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.

RECEIVED
SEP 28 1972
STATE ENGINEER
SALEM OREGON

File No. 2542

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, LARRY E. HUGHES & BARBARA A. HUGHES,

of Rt 3 Box 812, Bend, Oregon,

(Mailing Address) (City)

County of Deschutes, State of Oregon,

do hereby make application for an extension of time within which to complete

() a change in point of diversion

() a change in place of use

() a change in the use theretofore made

under the terms of an order of the State Engineer dated Jan. 27, 1972,

approving water right transfer application No. _____ in the name of _____

Richard L Wayman * which time expires Oct. 1, 1972.

The following has been accomplished toward completion of the change within the time allowed: 1 1/2 acres of pasture has been cleared and is under water. We have installed our trailer home and landscaped and put in the grass around it--have provided our domestic water supply therefore

(If for irrigation, state total number of acres now irrigated under the change)

To fully complete the change, it will be necessary to accomplish the following: We must finish clearing the sagebrush, plant it in crop(pasture) and apply the water(gravity flow).

(over)

*If you are not the applicant named above, please explain your interest in this matter. _____

Comp
10-1-73

I am unable to complete the change under the terms of the order, within the time allowed, because I did not find out about the deadline until a very few days ago---and I do not have the money now for a "crash", last minute application program---will have time, money & and the weather in the spring to finish clearing and plant.

and request that the time for completion be extended to Sept 1, 1973.

AFFIDAVIT OF APPLICANT

STATE OF OREGON)
County of Deschutes) ss.

I, Barbara A. Hughes, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of September, 1972.

Barbara A. Hughes

Subscribed and sworn to before me this 26 day of Sept 1972.

Clay C. Cooper
Notary Public for Oregon
My commission expires 9/28/74



Cooper

When completed, this application should be submitted to the State Engineer accompanied by payment of the statutory fee in the amount of ~~\$5.00~~. **\$5.00 FEE PAID**

REC. NO. 30927
DATE 9-28-72

T. 17 S., R. 12 E.

NORTH UNIT MAIN CANAL

12

11-34

11-34

13

IN =
OUT =

