

3120 City of Redmond
 Redmond,
 Oregon

3120

STATUS OF APPLICATION

Change in use and place of use
 Date filed 8-20-74
 Date of hearing April 13, 1976
 Place of hearing Bend, Oregon
 Date of order 10-5-76 Vol. 27, page 484
 Date for application of water 10-1-77
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
 Trib. of _____ County of Deschutes
 Use From irrigation To Mun
 Quantity of water _____ No. of acres 4.23
 Name of ditch Pilot Butte Canal
 Date of priority Oct 31, 1900, & Dec. 2, 1907
 In name of _____
Deschutes R. Adjudication, Vol. 16, page 131 133
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
8-20-74	30.00	42565
8-20-74	45.00 p.p.w.	42566
TOTAL . . .		
	Cert. Fee	
paid Redmond Spokesman	\$ 42.38	

FEES REFUNDED

Date	Amount	Check No.
5/5/76	\$ 2.62 (+50¢*)	#529
	* See T# 3355	

To survey 2/29

Surveyed 9/13/84

REMARKS

4.23 ac irr to Mun

	INDEX CARDS:	
	Entered	Checked
<u>WH</u> Name	✓	
<u>WH</u> Stream	✓	
<u>WH</u> Pt. of Div.	✓	
<u>WH</u> Calendar	✓	
✓ Twp. & Rge.	✓	
✓ Decree-vault	✓	
✓ Decree-info	✓	
✓ Cert. of W/R	✓	
✓ Pct. Folder	✓	
✓ Chaindex	✓	
✓ Cross Ref.	✓	
✓ Power Claim	✓	
✓ Abstracts	✓	

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BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF APPLICATIONS)
 SUBMITTED BY CENTRAL OREGON)
 IRRIGATION DISTRICT FOR THE)
 APPROVAL OF A CHANGE IN USE OF)
 WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 3120

On August 20, 1974, the Central Oregon Irrigation District filed an application for transfer of water right in the office of the Water Resources Director in the names of Clayton and Vona Smith, Galen Moyer, Harvey F. and Fern Rohde, Floyd P. and Gertrude E. DeWitt, Jerald and Evelyn L. Steele, Harry K. and Shirley Behymer, Jr., Dale and Veta May Crafton, Jesse S. and Hazel M. Miller, and Michael and Sharon Sellard for the approval of changes in use of water from Deschutes River.

In the Deschutes River Adjudication proceedings, a water right was established in the name of Central Oregon Irrigation District, with dates of priority of October 31, 1900, and December 2, 1907, for the irrigation of, among other lands, the following lands listed along with the applicants' names:

<u>PRESENT PLACE OF USE</u>	<u>TABULATED IN DECREE IN NAME OF:</u>	<u>APPLICATION FILED IN NAME OF:</u>
0.46 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, within Lots 3 and 4 of Block 2, Windrow Acres, Section 20	Leo Beimler	Clayton and Vona Smith
0.3 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, within Lot 6, Block 2 of Windrow Acres, Section 20	Leo Beimler	Galen Moyer
0.5 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, within Block 1, Brown's First Addition, Sec- tion 20	Leo Beimler	Harvey F. and Fern Rohde

<u>PRESENT PLACE OF USE</u>	<u>TABULATED IN DECREE IN NAME OF:</u>	<u>APPLICATION FILED IN NAME OF:</u>
0.35 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, within part of Lot 1, Planerville, Section 21	Planerville Addition	Floyd P. and Gertrude E. DeWitt
0.24 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, within part of Lot 1, Planerville, Section 21	Planerville Addition	Jerald and Evelyn L. Steele
0.93 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, within Lot 9, Planer- ville, Section 21	Planerville Addition	Harry K. and Shirley Dehymer, Jr.
0.97 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, within Tract 16 of Planerville, Section 21	Planerville Addition	Dale and Veta May Grafton
0.37 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, within Lot 18, Planer- ville, Section 21	Planerville Addition	Jesse S. and Hazel M. Miller
0.11 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29	Leo Beimler	Michael and Sharon Sellard

All in Township 15 South, Range 13 East, W.M.

The above named applicants propose to transfer the rights for irrigation of the lands listed opposite their names, without loss of priority, to municipal use for the City of Redmond within Sections 4, 9, 10, 15, 16, 17, 19, 20, 21, 22, 23, 26, 27, 29, 30, Township 15 South, Range 13 East, W.M., and Sections 24 and 25, Township 15 South, Range 12 East, W.M.

The amount of water used for irrigation is limited to the following:

<u>CUBIC FEET PER SECOND PER ACRE AT DIVERSION</u>					
<u>April 1</u> <u>to</u> <u>May 1</u>	<u>May 1</u> <u>to</u> <u>May 15</u>	<u>May 15</u> <u>to</u> <u>Sept. 15</u>	<u>Sept. 15</u> <u>to</u> <u>Oct. 1</u>	<u>Oct. 1</u> <u>to</u> <u>Nov. 1</u>	<u>Total Acre Feet</u> <u>per Acre at Diver-</u> <u>sion during Season</u>
<u>1 c.f.s.</u> <u>to</u> <u>80 acres</u>	<u>1 c.f.s.</u> <u>to</u> <u>60 acres</u>	<u>1 c.f.s.</u> <u>to</u> <u>32.4 acres</u>	<u>1 c.f.s.</u> <u>to</u> <u>60 acres</u>	<u>1 c.f.s.</u> <u>to</u> <u>80 acres</u>	<u>9.91 acre feet</u>

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in use of water, if any there were, namely: at the county courthouse in Bend, Oregon, on April 13, 1976, at 9:30 a.m. The notice was published in the Redmond Spokesman, a newspaper printed and having general circulation in Deschutes County, Oregon, for a period of three weeks in the issues of February 18, 25 and March 3, 1976.

First Federal Savings and Loan Association of Salem, mortgagee of land from which Galen L. Moyer proposes to transfer water, have submitted written approval of the change in use.

Oregon Department of Veterans' Affairs, mortgagee of land from which Harvey F. and Fern Rohde propose to transfer water, have submitted written approval of the change in use.

Western Bank, mortgagee of land from which Jerald and Evelyn L. Steele propose to transfer water, have submitted written approval of the change in use.

Vernon Anderson, mortgagee of land from which Dale and Veta May Crafton propose to transfer water, has submitted written approval of the change in use.

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 changes on August 7, 1974.

No objection having been filed and it appearing that the proposed changes in use may be made without injury to existing rights, the applications should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in use of water described herein are approved.

It is FURTHER ORDERED that complete application of water to the proposed use shall be completed on or before October 1, 1977.

It is FURTHER ORDERED that the quantity of water diverted for municipal purposes shall not exceed the following, to wit:

CUBIC FEET PER SECOND AT DIVERSION					
April 1 to May 1	May 1 to May 15	May 15 to Sept. 15	Sept. 15 to Oct. 1	Oct. 1 to Nov. 1	Total Acre Feet at Diversion during Season
0.053	0.071	0.131	0.071	0.053	41.92

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 5th day of October, 1976.

/s/ JAMES E. SEXSON
Director

RECEIVED

APR 19 1976

AFFIDAVIT OF PUBLICATION WATER RESOURCES DEPT. SALEM, OREGON

STATE OF OREGON }
County of Deschutes, } ss.

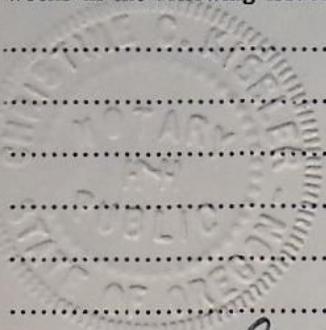
I, Carl Vertrees, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of The Redmond Spokesman, printer or his foreman of The Redmond Spokesman, a newspaper of general circulation, as defined by ORS 193.010, printed and published at Redmond, Oregon, in the aforesaid county and state; and that the Application for Water Use Change,

Notice of Filing a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the following issues.

February 18, 1976

February 25, 1976

March 3, 1976



Carl Vertrees

Subscribed and sworn to before me this 3rd day of

March 19 76

Christine C. Kissler

Notary Public for Oregon.

My Commission expires February 6, 1979

NOTICE OF FILING APPLICATIONS FOR CHANGE IN USE OF WATER

Notice is given hereby that the Central Oregon Irrigation District has filed applications in the names of Clayton and Vona Smith, Galen Moyer, Harvey F. and Fern Rohde, Floyd P. and Gertrude E. DeWitt, Jerald and Evelyn L. Steele, Harry K. Jr., and Shirley Behymer, Dale and Veta May Craffon, Jesse S. and Hazel M. Miller, Michael and Sharon Sellard, B.J. and Alma Sue Hall, May Belle and F.D. Duncan, George and Sonja L. Moor, Richard and Diana Gruber, Gerri and Bruce Hofstetter, Arnold Amen, and Ronald D. and Leona M. Harlin, for the approval of changes in use of water from Deschutes River.

In the Deschutes River Adjudication proceedings, a water right was established in the name of Central Oregon Irrigation District for the irrigation of, among other lands, 0.5 acres in NW 1/4 NE 1/4 of Section 24, Township 15 South, Range 12 East, 0.35 acre in SW 1/4 SE 1/4, 1.92 acres in SE 1/4 SE 1/4, Section 20, 3.57 acres in SE 1/4 NW 1/4, Section 21, 0.11 acre in NE 1/4 NE 1/4, 0.25 acre in NW 1/4 NE 1/4, Section 29, Township 15 South, Range 13 East, W.M., with dates of priority of October 31, 1900, and December 2, 1907.

The applicants herein propose to change the use of water from irrigation of the above lands, without loss of priority, to municipal use by the City of Redmond within Sections 4, 9, 10, 15, 16, 17, 19, 20, 21, 22, 23, 26, 27, 29, 30, Township 15 South, Range 13 East, W.M., and Sections 24 and 25, Township 15 South, Range 12 East, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Bend, Oregon, on April 13, 1976, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Central Oregon Irrigation District, P.O. Box 548, Redmond, Oregon, and one copy filed with the Water Resources Director, Salem, Oregon, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the Water Resources Director without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Director upon request.

Dated at Salem, Oregon, this 6th day of February, 1976.

JAMES E. SEXSON Director

Published: February 18, 25 and March 3, 1976.