

2509
 Pearl Parkey
 (105) Terrebonne, Ore. 97760

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT

FEEES PAID

Change in Place of Use
 Date filed April 14, 1971
 Date of hearing _____
 Place of hearing _____
 Date of order 5-5-71 Vol. 21, page 62
 Date for application of water 10-1-72
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

Name of stream Deschutes River
 Trib. of — County of Deschutes
 Use Irrigation
 Quantity of water — No. of acres 54
 Name of ditch Pilot Butte Canal
 Date of priority 10-31-00 & 12-2-07
 In name of Sam Parkey
Deschutes Riv. Adjudication, Vol. 16, page 90
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by slw

Date	Amount	Receipt No.
<u>4-14-71</u>	<u>20.00</u>	<u>23268</u>
TOTAL . . .		
	\$1 Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

Surveyed 6/5/34 (Wren)

TO BE ENTERED WHEN CHECKED	INDEX CARDS:	Entered	Checked
		Name	<u>slw</u>
Stream	<u>slw</u>		
Pt. of Div.	<u>slw</u>		
Calendar	<u>slw</u>		
CHECKED TO RECORDS:			
Twp. & Rge.	<u>slw</u>		
Decree-vault	<u>slw</u>		
Decree-safe	<u>slw</u>		
Cert. of W/R	<u>slw</u>		
Per. Folder			
Chaindex			
Cross Ref.			
Power Claim			
Abstracts			

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF SAM AND PEARL V. PARKEY (CEN-)
TRAL OREGON IRRIGATION DISTRICT))
FOR THE APPROVAL OF A CHANGE IN)
PLACE OF USE OF WATER FROM DES-)
CHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 2509

On April 14, 1971, Sam and Pearl V. Parkey filed an appli-
cation 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, 5.4 acres in N½ SE¼ NW¼, Sec-
tion 28, Township 14 South, Range 13 East, W.M., with dates of priority
of October 31, 1900, and December 2, 1907, being tabulated in the name
of Sam Parkey 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 applicants herein, owners of the lands above described,
propose to transfer the water right therefrom, without loss of priority,
to 5.4 acres in SW¼ SE¼ NW¼, Section 14 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 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 5.4 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 14 South, Range 13 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 5.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 28, Township 14 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, 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 5th day of May, 1971.

/s/ CHRIS L. WHEELER
State Engineer

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Sam Parkey & Pearl V. Parkey, husband & wife
(Name of applicant)

of Terrebonne, County of Deschutes
(Postoffice)

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 Pilot Butte 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 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
14	13	28							N ¹ / ₂									
									5.4									

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? 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

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 Daschutes River
(Yes or No)

12. Is the water right recorded in your name? Yes - page 90 of decree (Tab.)
(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 $\frac{1}{4}$
14	13	28							SW $\frac{1}{4}$ 5.4									

(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.? Yes
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are More beneficial use

.....

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

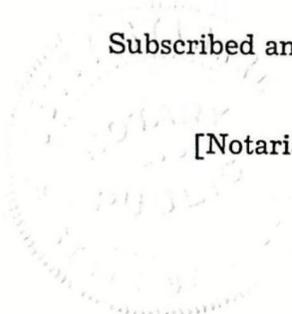
County of Deschutes } ss.

I, Sam Parkey & Pearl V. Parkey, husband & wife, 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 31st day of March, 1971.

Sam Parkey (Name of applicant)

Subscribed and sworn to before me this 31st day of March, 1971.



[Notarial Seal]

Betty Stansand NOTARY PUBLIC FOR OREGON

My commission expires May 28, 1973.

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

19 2509

145-136

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20

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RECEIVED
APR 14 1971
STATE ENGINEER
SALEM OREGON

