

3298 Edwin Oliver
 201 Jeanne Bonner
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3298

STATUS OF APPLICATION

Change in place of use
 Date filed 8-18-75
 Date of hearing _____
 Place of hearing _____
 Date of order 10-17-75 Vol. 216, page 106-7
 Date for application of water 10-1-76
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

to survey 1/78

Surveyed 9/11/84 - (Peterson)

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 4⁰
 Name of ditch Central Oregon Canal
 Date of priority Oct. 31, 1900 & Dec. 2, 1907
766 in name of Robert C. Collins
 In name of Central Oregon Irrigation District
Deschutes River Adjudication, Vol. 16, page 63
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
8-18-75	25.00	49009
1-22-76	5.00	51164
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>nd</u>	_____
<input checked="" type="checkbox"/> Stream	<u>nd</u>	_____
<input checked="" type="checkbox"/> Div. of Div.	<u>WH</u>	_____
<input checked="" type="checkbox"/> Calendar		_____
CHECKED TO RECORD:		
<input checked="" type="checkbox"/> Twp. & Range	<u>nd</u>	_____
<input checked="" type="checkbox"/> Decree No. 1	<u>nd</u>	_____
<input checked="" type="checkbox"/> Decree No. 2	<u>nd</u>	_____
<input checked="" type="checkbox"/> Cert. of W.R.	<u>nd</u>	_____
<input type="checkbox"/> Per. Order	_____	_____
<input type="checkbox"/> Chaindex	_____	_____
<input type="checkbox"/> Cross Sect.	_____	_____
<input type="checkbox"/> Power Claim	_____	_____
<input type="checkbox"/> Abstracts	_____	_____

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
EDWIN OLIVER (CENTRAL OREGON IRRIGATION)
DISTRICT) FOR THE APPROVAL OF A CHANGE)
IN PLACE OF USE OF WATER FROM DESCHUTES)
RIVER -----)

ORDER APPROVING
TRANSFER NO. 3298

On August 18, 1975, Edwin Oliver 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.

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, 4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 17 South, Range 14 East, W.M., being tabulated in the name of Robert C. Collins, 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 applicant herein, contract purchaser of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, Township 17 South, Range 14 East, W.M.

Robert F. and Mildred Ireland, as owners, have submitted written consent to transfer of the water right from the above described lands.

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 August 6, 1975.

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 NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 17 South, Range 14 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 4.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, Township 17 South, Range 14 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1976.

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 17th day of October, 1975.

JAMES E. SEXSON
Director

RECEIVED

JAN 10 1978

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

WATER RESOURCES DEPT
SALEM, OREGON

Transfer No. 3298

I, Arthur V Peterson, hereby certify that
on SEPT. 30, 1975, 19 , the water has been applied to the
lands to which the water right was transferred by an order of the State
Engineer dated 10-17-1975, approving an application for a
change in place of use of water from NE NE 23-17-12.

Jan. 3, 1978
Date

Arthur V Peterson
Signature

T-3298

RECEIVED

AUG 18 1975

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Edwin Oliver (Name of applicant)

of Terrebonne (Postoffice), County of Deschutes

State of Oregon, do hereby make application for change in 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
17S	14E	23	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? No, contract purchased (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 and 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 the Deschutes River
(Yes or No)

12. Is the water right recorded in your name? No. Robert C. Collins, Page 63 of the Decree
(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 $\frac{1}{4}$		
17 ^S	14 ^E	28		4	(Lot 1 of Unit 5, Bend Cascade View Estates)															

(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 No
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Title	Robert Ireland and Mildred Ireland	
Production Loan	Federal Land Bank	

20. Reasons for the proposed changes are More beneficial use

AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Deschutes } ss.

I, Edwin Oliver, 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 8th day of July, 1975

Edwin V. Oliver (Name of applicant)

Subscribed and sworn to before me this 8th day of July, 1975

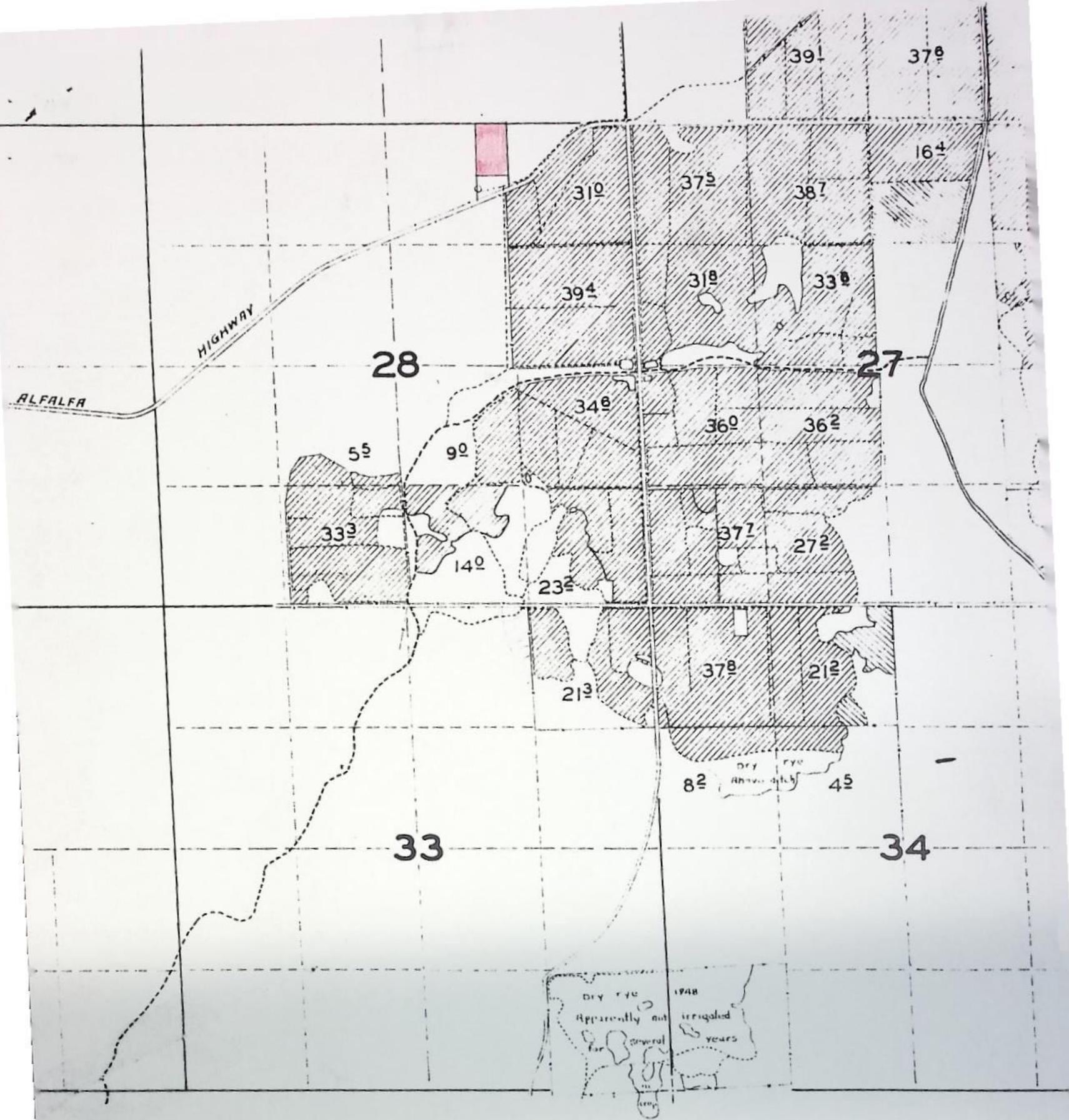
[Notarial Seal]

July 28, 1978 NOTARY PUBLIC FOR OREGON

My commission expires

Remarks approved at the regular meeting of the Board of Directors held August 6, 1975 - CENTRAL OREGON IRRIGATION DISTRICT

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.



Dry rye 1948
 Apparently not irrigated
 for several years

FEDERAL LAND BANK ASSOCIATION OF REDMOND

P. O. BOX 577 742 S.W. FOREST. AVE. REDMOND, OREGON 97756

TELEPHONE: 548-2541



NEAL ELLIOTT, MANAGER

July 14, 1975

Central Oregon Irrigation District
847 S. Sixth
Redmond, OR 97756

Re: Edwin Oliver

Gentlemen:

We hereby grant permission for the transfer of four (4) acres
of water from NE NE of Sec. 23, Twp. 17 S., Rng. 14 EWM.

Sincerely yours,

A handwritten signature in cursive script that reads "Neal Elliott".

Neal Elliott
Manager

NE/ah

RECEIVED

AUG 18 1975

WATER RESOURCES DEPT.
SALEM, OREGON



SERVING DESCHUTES, HARNEY, GRANT, CROOK, & JEFFERSON COUNTIES
AND SOUTH PART OF WHEELER COUNTY

T-3298

I, Robert Ireland, owner of a parcel of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T. 17 S., R. 14 EWM do hereby give my consent to Edwin Oliver to transfer four (4) acres of water right from the above described land.

Robert Ireland
Robert Ireland

State of Oregon)
 : ss
County of Deschutes)

BE IT REMEMBERED, That on this _____ day of _____, 1975 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Robert Ireland known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Carol J Bryant
Carol J Bryant - Notary Public

My commission expires July 28, 1978

RECEIVED

AUG 18 1975

WATER RESOURCES DEPT.
SALEM, OREGON

T-3298

I, Mildred Ireland, owner of a parcel of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T. 17 S., R. 14 EWM do hereby give my consent to Edwin Oliver to transfer four (4) acres of water right from the above described land.

Mildred Ireland
Mildred Ireland

State of Oregon)
 : ss
County of Deschutes)

BE IT REMEMBERED, That on this 18th day of July, 1975 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Mildred Ireland known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Joseph R. Carpent

My commission expires May 20, 1977

RECEIVED
AUG 18 1975
WATER RESOURCES DEPT.
SALEM, OREGON