

301
 Jim H. Harrison
 Redmond, Ore.

3463

STATUS OF APPLICATION

Change in place of use
 Date filed 8-24-76
 Date of hearing _____
 Place of hearing _____
 Date of order 10-8-76 Vol. 28, page 22
 Date for application of water 10-1-77
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

to survey 1/78

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 12
 Name of ditch Pilot Butte Canal
 Date of priority Oct. 31, 1900 & Dec. 2, 1907
 In name of Central Oregon Irrig. District
Tab. - Wm. H. Harris & Bob Denton
Deschutes Riv. Adjudication, Vol. 16, page 129 & 141
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>8-24-76</u>	<u>30.00</u>	<u>55681</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

ORIGINAL OF F.P. IN TRANS C-170
PROOF HAS BEEN COMPLETED FIELD FORM IN FILE
HOLD FOR OTHER C.O.I.D. TRANSFERS.
— finis —

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

208

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF DAN H. HEIERMAN (CENTRAL OREGON
IRRIGATION DISTRICT) FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE OF WATER
FROM DESCHUTES RIVER

ORDER APPROVING
TRANSFER NO. 3463

On August 24, 1976, Dan H. Heierman 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, 1.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 16 South, Range 12 East, W.M., and 0.5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, Township 15 South, Range 13 East, W.M., 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 Pilot Butte Canal.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 1.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 16 South, Range 12 East, W.M.

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, 1976.

No objection 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 described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1977.

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 8th day of October, 1976.

/s/ JAMES E. SEXSON
Director

Info: Don Heierman Sr.

Pumps GE 15Hp @ 3530
Cornell CDD 2 1/2 x 2

Heads: 50 RB's max

Lift: ± 10'

Crops Pasture

Ties PTS 11-1980-A Tied to 2 B's & on I.P.

Remarks: This and Heierman's part of T* C-170 are farmed as one field.

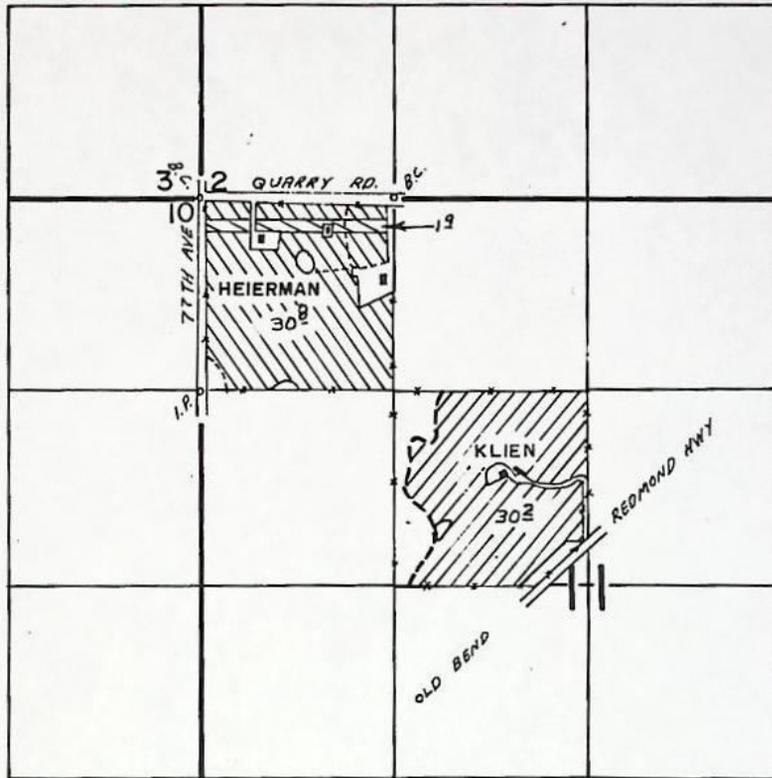
Mr. Heierman claims to water the entire "it". The areas around two houses and the barn are not irrigated. Also there is an old brush pile along the south edge which is cut out. Also the SW corner west of the old ditch is a rock pile and brush pile and not irrigated.

T165 R12E
53 | 52
510 | 511
RLS 654

W 1/4 S2
511
RLS 654

4-4-80
Larry R. Quinn
Field Engineer

T.16S. R.12E. W.M.




 KLEIN PORTION C-170
 HEIERMAN PORTION C-170
 3463

FINAL PROOF SURVEY
 UNDER

TRANSFER NO. C-170
 3463

Application No. Permit No.
 IN NAME OF

....DAN..H..HEIERMAN, SR. & ORVAL KLEIN...

Surveyed APR. 4, 8. 1980., by L.H. NUNN.....

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3463

I, Dan Heierman hereby certify that
on _____, 19____, the water has been applied to the lands to
which the water right was transferred by an order of the State Engineer
dates 10/8/76, approving an application for a change in place
of use of water from Dan Heierman

Date

Dan Heierman
Signature

The ENTIRE 40 ACRES (less Roads 1.8 ACRES) IS
UNDER SPRINKLE IRRIGATION.

RECEIVED

APR 6 1978

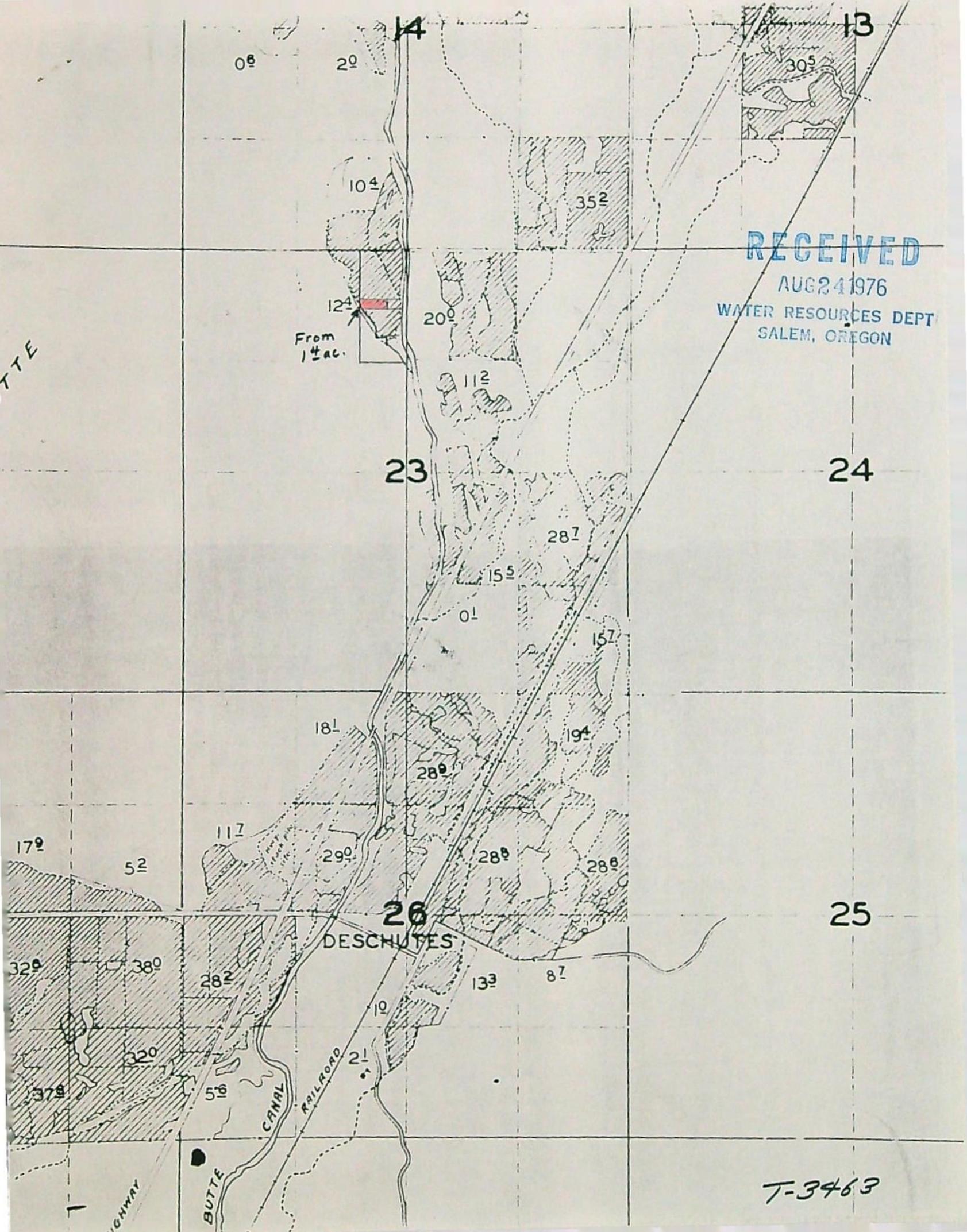
WATER RESOURCES DEPT.
SALEM, OREGON

TTE

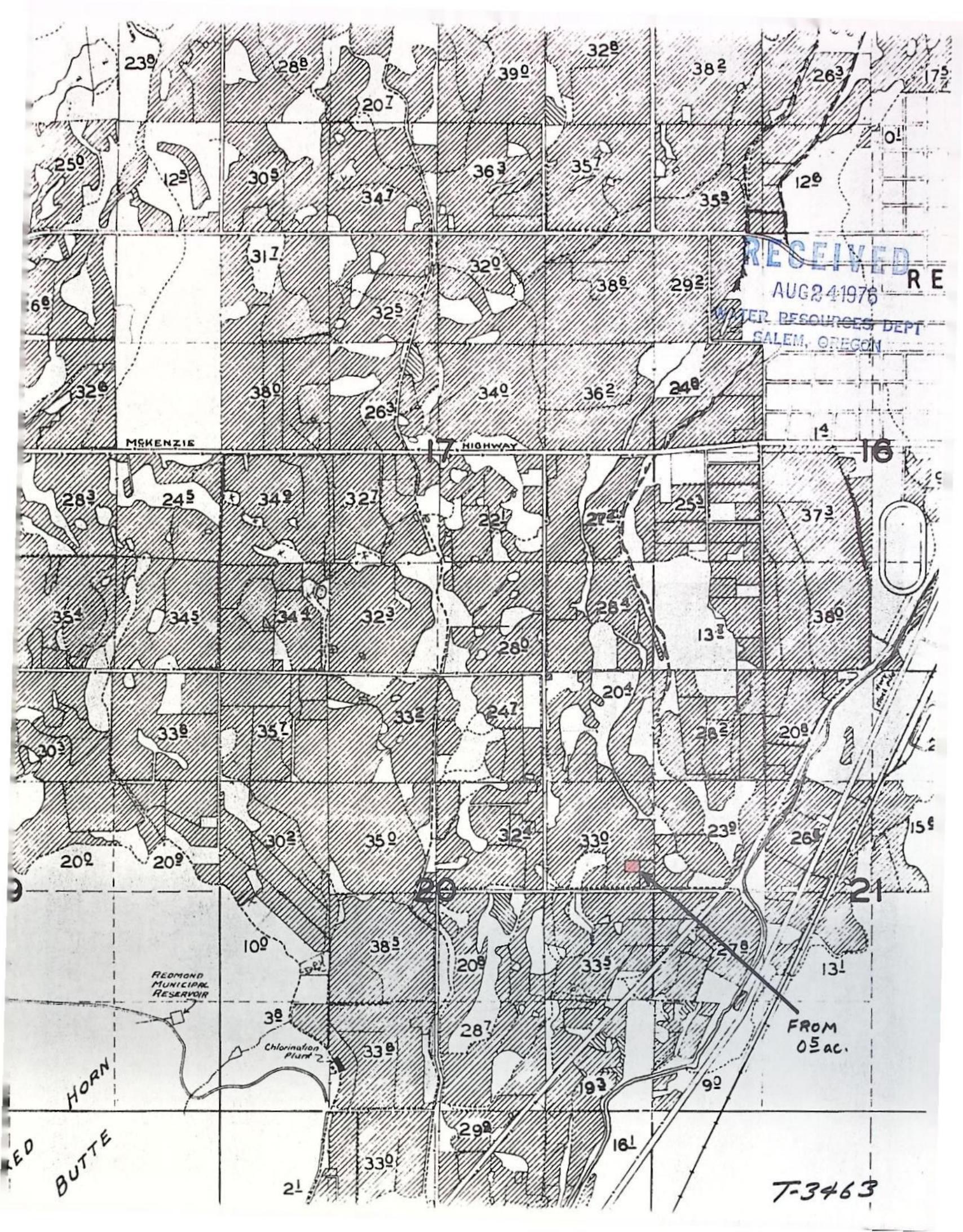
RECEIVED

AUG 24 1976

WATER RESOURCES DEPT
SALEM, OREGON



T-3463



RECEIVED
AUG 24 1976
WATER RESOURCES DEPT
SALEM, OREGON

McKENZIE

17 HIGHWAY

REDMOND MUNICIPAL RESERVOIR

Chlorination Plant 2

FROM 05 ac.

HORN
BUTTE

T-3463

RECEIVED

JAN 19 1978

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

WATER RESOURCES DEPT
SALEM, OREGON

Transfer No. 3463

I, DAN. H. HEIERMAN hereby certify that
on 4/15, 1977, the water has been applied to
the lands to which the water right was transferred by an order of the
Water Resources Director dated 8/20/76, approving an
application for a change in place of use of water from Deschutes River
TRANSFER # 3463 TO NW 1/4 NW 1/4 Sec 11 T16S R12E W3M

12/27/77
Date

Dan H. Heierman
Signature

ok

T # 3463

RECEIVED
AUG 24 1976
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Dan H. Heierman (Name of applicant)

of Redmond (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 Pilot Butte Canal
4. The point of diversion is located ft. (N. or S.) and ft. (E. or W.)

corner of being within the (Section or subdivision)

of Section Tp. (No. N. or S.) R. (No. E. or W.) W. M., in the County of

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
16	12	23					1.4											
15	13	20				.5												
			<i>(1.4 Tab under Am H. Morris)</i>															
			<i>0.5 Tab under Bob Denton</i>															

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed. *Sec 25: 125' Dec. 1/16 P 181*

*Sec 20: 335 Dec. 1/16 P 129
0.5 (in) 2-0-13 13 97 - C-148
1.5 (in) " - V 13 # 381 - k-39
0.5 (in) 7-2572*

(Attach separate sheet if necessary)

*143 out
38 in 3-6-79*

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 and Dec. 2, 1907

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

of permit

*Fees File 20-
Rec 10-
30-*

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 Deschutes River
(Yes or No) Transfer No. G-79 NE NW Sec. 23-16-12

12. Is the water right recorded in your name? No. William Harris, page 141 NE NW 23-16-12
See remarks for Sec. NE Sec. 20-15-13

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 $\frac{1}{4}$
16	12	11					1.9											

29² ac (in) C-170

(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, Dan H. Heierman, 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 5th day of April, 1976

Dan H. Heierman
(Name of applicant)

Subscribed and sworn to before me this 5th day of April, 1976

[Notarial Seal]

Quinn L. Evers
NOTARY PUBLIC FOR OREGON

My commission expires September 7, 1979

Remarks Approved by Board of Directors of Central Oregon Irrigation District at regular meeting held April 7, 1976

Ownership record from Item 12: Water rights located within the SE 1/4 NE 1/4 of Section 20-15-13 were tabulated in the name of Bob Denton on page 129 of the decree. The following transfers effect the water rights, No's. C-148, K-39 and 2572.

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.