

3464 Tri-Chase Partnership /
 J. Richard & Don E. Chase
 COI Redmond, Or

3464

STATUS OF APPLICATION

Change in place of use
 Date filed 8-24-76
 Date of hearing _____
 Place of hearing _____
 Date of order 9-24-76 Vol. 27, page 460
 Date for application of water 10-1-77
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____
 to sum
 4-78

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 3⁰
 Name of ditch Pilot Butte Canal
 Date of priority Oct 31, 1900 & Dec. 2, 1907
 In name of Central Oregon Irrig. District
Deschutes Riv. Adjudication, Vol. 16, page 92
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8-24-76</u>	<u>30.00</u>	<u>55679</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Surveyed 8/7/86 (Olds)

REMARKS

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 checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WH</u>	Calendar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHECKED TO RECORDS:			
<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"/>	Chaindex	<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"/>

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BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF TRI-CHASE PARTNERSHIP COMPRISED)
OF J. RICHARD AND DON E. CHASE)
(CENTRAL OREGON IRRIGATION DISTRICT))
FOR THE APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 3464

On August 24, 1976, Tri-Chase Partnership comprised of J. Richard and Don E. Chase 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, 3.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 14 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 applicants herein, contract purchasers of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 3.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, 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 May 5, 1976.

Margaret Gregg, holder of the sales contract and title of the lands from which Tri-Chase Partnership proposes to transfer the water right has submitted written permission for the proposed change in place of use.

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 is approved and the water right hereinbefore described as appurtenant to 3.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, 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 3.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, 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, 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 24th day of September, 1976.

/s/ JAMES E. SEXSON
Director

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3464

I, W. J. Old hereby certify that
on Oct 1, 1977, the water has been applied to the lands to
which the water right was transferred by an order of the State Engineer
dates 9/24/76, approving an application for a change in place
of use of water from Deschutes River.

3/2/78
Date

W. J. Old
Signature

RECEIVED

APR 6 1978

**WATER RESOURCES DEPT.
SALEM, OREGON**

RECEIVED

AUG 24 1976

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

Water Resources Director
To the STATE ENGINEER OF OREGON:

I, Tri-Chase Partnership comprised of J. Richard & Don E. Chase
(Name of applicant)

of Redmond County of Deschutes
(Postoffice)

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 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	32																	

32 Tab under Joe Booth

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed. 21st Dec. V 16, P 92

(Attach separate sheet if necessary)

13th Dec V 16, P 147
1st (out) Sp. Cr. V 10, P 100 D-77?
2nd (out) Tr. G-64

6. Are you the legal owner of the above described lands? No Contract Purchaser
(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

Fees File 20-
Rec 10-
30-

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 the Deschutes River
(Yes or No) COID Supplemental, page 145-8

12. Is the water right recorded in your name? No. Joe Booth, page 92
(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	12	14		3														

None

(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
Contract - Title	Margaret Gregg	Letter of permission attached.

20. Reasons for the proposed changes are more beneficial use

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AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

} ss.

x We J. Richard & Don E. Chase - Partnership - Tri-Chase, 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 3rd day of May, 1976

XXXXXXXXXXXX

Subscribed and sworn to before me this day of, 1976

[Notarial Seal]

J. Richard Chase
Don E. Chase
Applicants
XXXXXXXXXXXXXXXXXXXX

My commission expires September 7, 1979

Remarks Approved by the Board of Directors of the Central Oregon Irrigation District at a regular meeting held May 5, 1976.

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.