

3109
 0109 Joseph + Sara Kessner
 Powell Butte
 Pr.

3109

STATUS OF APPLICATION

Change in place of use and use
 Date filed 8-6-74
 Date of hearing 6-29-76
 Place of hearing Prineville
 Date of order 7-13-76 Vol. 27, page 311
 Date for application of water 10-1-77
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____
Survey 11/76

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R
 Trib. of _____ County of Crook
 Use domestic, chg to irrigation
 Quantity of water _____ No. of acres 1.0
 Name of ditch _____
 Date of priority _____
 In name of _____
Deschutes Adjudication, Vol. 16, page 42
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
8-6-74	30.00	42372
8-6-74	45.00 P.O.N.	42373
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.
6-25-76	\$25.50	671

REMARKS

See H 87, P 101
Transfer H 87 change irrigation to domestic
This transfer changes the domestic back
to irrigated

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<u>WA</u> Name	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WA</u> Stream	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WA</u> Pt. of Div.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WA</u> Calendar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓ Twp. & Nge.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓ Decree-vault	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓ Decree-sate	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓ Cert. of W/R	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Per. folder	<input type="checkbox"/>	<input type="checkbox"/>
Chaindex	<input type="checkbox"/>	<input type="checkbox"/>
Cross Ref.	<input type="checkbox"/>	<input type="checkbox"/>
Power Claim	<input type="checkbox"/>	<input type="checkbox"/>
Abstracts	<input type="checkbox"/>	<input type="checkbox"/>

2/4

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Crook County

IN THE MATTER OF THE APPLICATION)
OF JOSEPH & JESSIE KEUSER (CENTRAL)
OREGON IRRIGATION DISTRICT) FOR THE)
APPROVAL OF A CHANGE IN USE AND)
PLACE OF USE OF WATER FROM DESCHUTES)
RIVER)

ORDER APPROVING
TRANSFER NO. 3109

On August 6, 1974, Joseph and Jessie Keuser filed an application in the office of the Water Resources Director for the approval of a change in use and place of use of water from Deschutes River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Central Oregon Irrigation District and recorded at Page 29052, Volume 21, State Record of Water Right Certificates, confirms a right to the use of the waters of Deschutes River for domestic use in connection with the operation of a store and post office in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 15 South, Range 14 East, W.M., with dates of priority of October 31, 1900, and December 2, 1907. The water is supplied by means of the Central Oregon Canal.

The applicants herein, owners of the store and post office sites above described, propose to transfer the water right therefrom, without loss of priority, to the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, Township 15 South, Range 14 East, W.M., for the irrigation of 1.0 acre.

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 and place of use of water, if any there were, namely: at the county courthouse in Prineville, Oregon, on June 29, 1976, at 9:30 a.m.

The notice was published in the Central Oregonian, a newspaper printed and having general circulation in Crook County, Oregon, for a period of three weeks in the issues of May 6, 13 and 20, 1976. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Bruce A. Estes, Watermaster of District No. 11, has filed a report to the effect that the proposed change in use and place of use of water may be made without injury to existing rights.

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 3, 1974.

No objection having been filed and it appearing that the proposed change in use and 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 use and place of use of water is approved and the water right hereinbefore described as appurtenant to domestic use in connection with the operation of a store and post office in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 15 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 the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, Township 15 South, Range 14 East, W.M., for the irrigation of 1.0 acre.

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

State Engineer
% Dept. of Water Resources
Salem, Oregon

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3109

I, Joseph Keuser hereby certify that
on April 17, 1976 the water has been applied to
the lands to which the water right was transferred by an order of the
Water Resources Director dated April 1 1976, approving an
application for a change in place of use of water from domestic
to irrigation.

Nov. 15 1976
Date

RECEIVED

Joseph Keuser
Signature

NOV 18 1976

WATER RESOURCES DEPT
SALEM, OREGON

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 13th day of July, 1976.

/s/ JAMES E. SEXSON
Director

RECEIVED

MAY 28 1976

WATER RESOURCES DEPT
SALEM, OREGON

Affidavit of Publication

STATE OF OREGON,)
COUNTY OF CROOK,)

I, James O. Smith, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the CENTRAL OREGONIAN, printer or his foreman of the CENTRAL OREGONIAN, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Prineville, in the aforesaid

county and state; that the Notice 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

- Issue date May 6, 1976
- Issue date May 13, 1976
- Issue date May 20, 1976
- Issue date _____
- Issue date _____

NOTICE OF FILING
APPLICATION FOR A
CHANGE IN PLACE OF
USE AND USE OF WATER

Notice is given hereby that Joseph and Jessie Keuser have filed an application for the approval of a change in place of use and use of water from Deschutes River. Certificate of water right issued to Central Oregon Irrigation District and recorded at Page 29052, Volume 21, State Record of Water Right Certificates, confirms a right to the use of water from Deschutes River for domestic use in connection with the operation of a store and post office in the SW 1/4 SW 1/4 of Sec. 22, T. 15 S., R. 14 E., W.M., with a date of priority of October 31, 1900, and December 2, 1907. Water is conveyed to the store and post office by means of the Central Oregon Canal.

The applicant herein, owner of the store and post office site propose to change the use of water from domestic purposes to irrigation of 1.0 acre in NW 1/4 NE 1/4 of Sec. 22, T. 15 S., R. 14 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Prineville, Oregon, on June 29, 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 Joseph and Jessie Keuser, Powell Butte, Oregon 97753, and one copy filed with the Water Resources Department, Salem, Oregon 97310, 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 Department upon request.

Dated at Salem, Oregon, this 27th day of April, 1976.

JAMES E. SEXSON
Director

104,2,4

The fee charged for the above publication was

\$ 24.50

James O. Smith
Publisher

Subscribed and sworn to before me this 20th
day of May, 1976

Beverly B. Thomas
Notary Public for Oregon

My Commission expires July 3, 1978