

3450 Howard P. Hyde and Lawrence F. Bend, Cat. on

3450

STATUS OF APPLICATION

Change in place of use
 Date filed 8-24-76
 Date of hearing _____
 Place of hearing _____
 Date of order 3-17-77 Vol. 28, page 375
 Date for application of water 10-1-78
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 9^e
 Name of ditch Central Oregon Canal
 Date of priority _____
 In name of Tabul. -
Deschutes Adjudication, Vol. 16, page 51
 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>55694</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
	Fees Exam 20-	
	POU 10-	
	<u>30-</u>	

Survey 4-79

REMARKS

Surveyed 5/2/84 (Taylor)

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
	<input checked="" type="checkbox"/> WA	Name	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> WA	Stream	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> WA	Pt. of Div.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> WA	Calendar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" 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"/>	Chainindex	<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 checked="" type="checkbox"/>	Abstracts	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5/8

TOWNSHIP

RECEIVED

FEB 23 1977

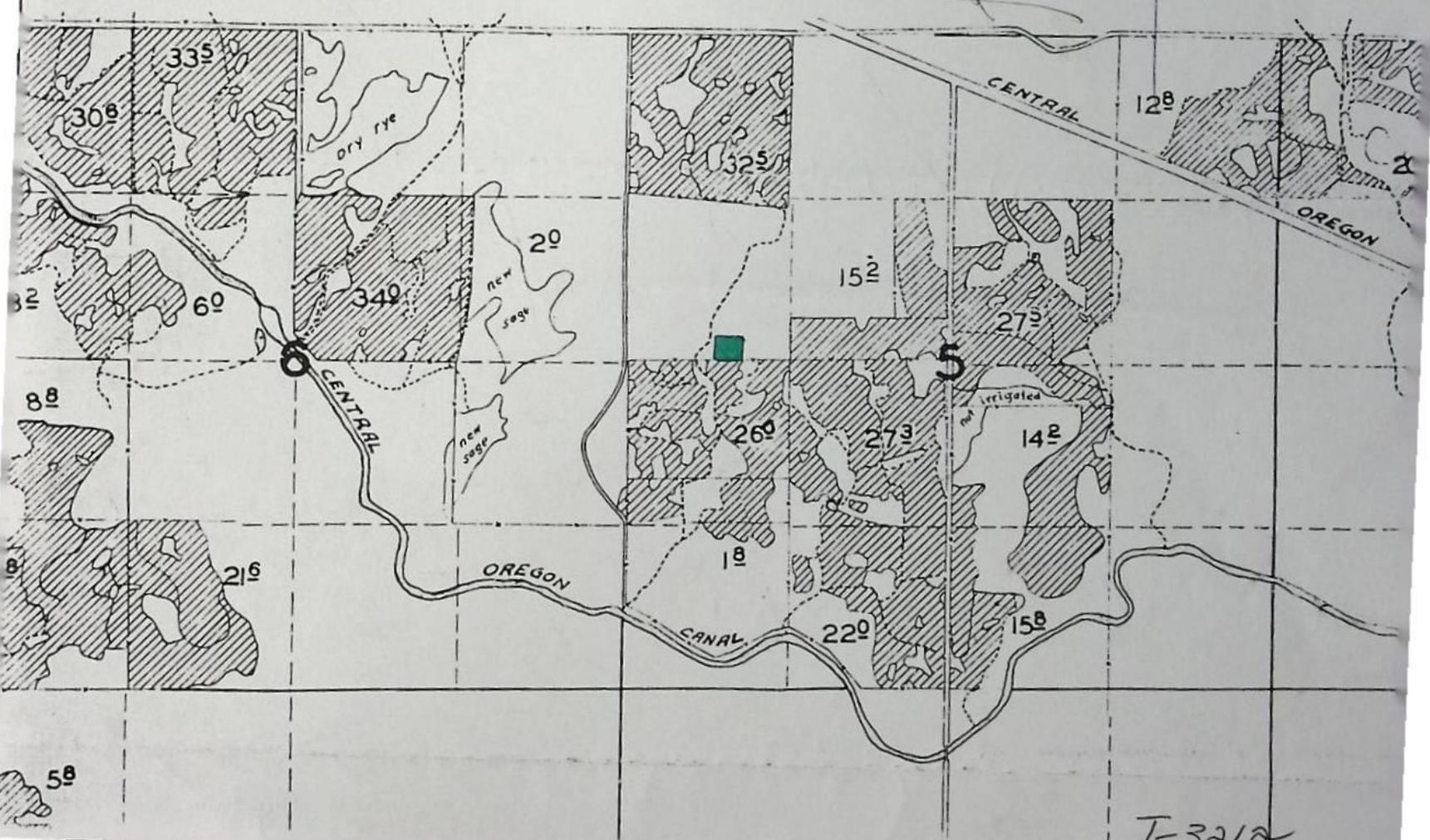
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

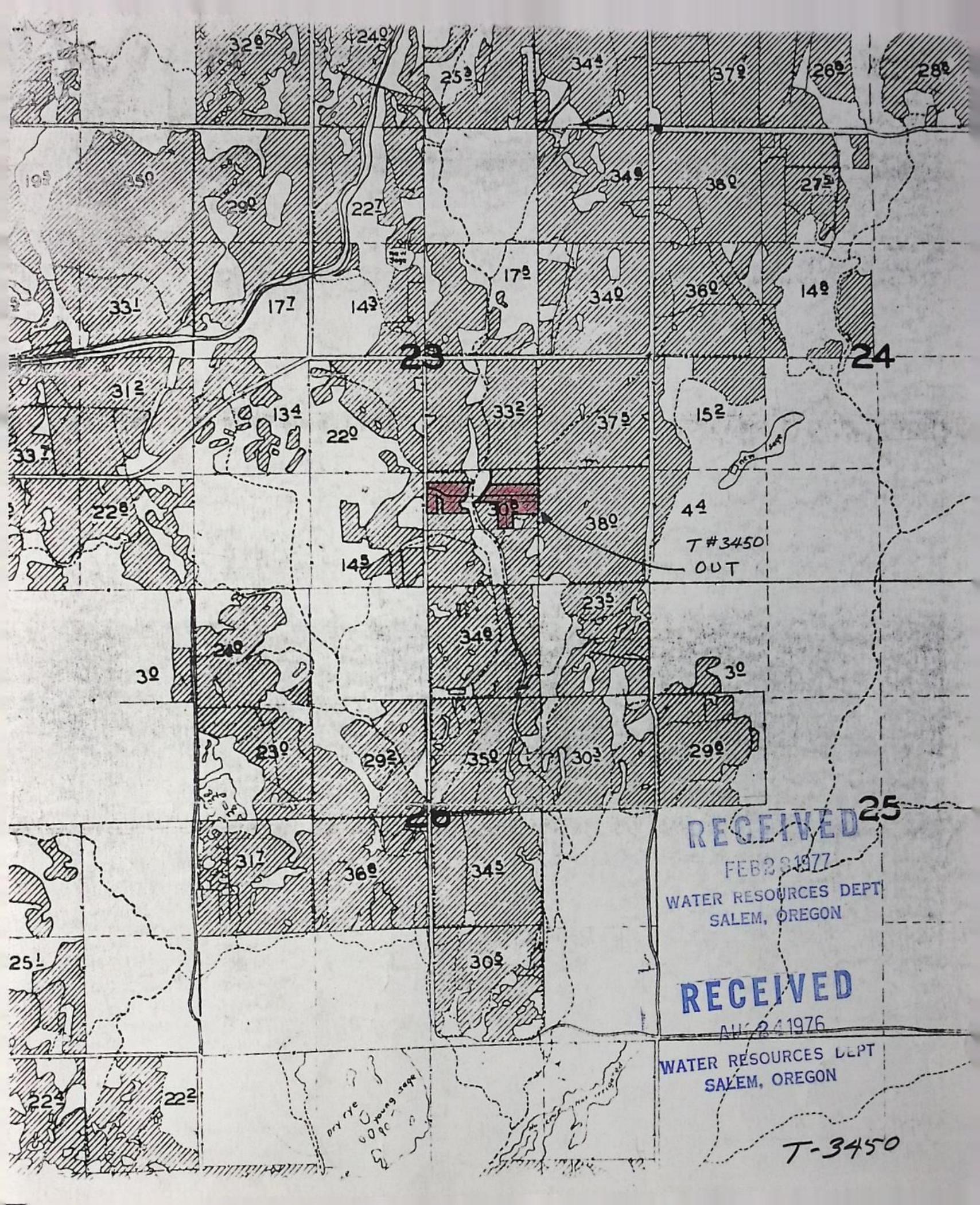
APR 28 1975

STATE ENGINEER
SALEM, OREGON

■ 12 ac to be transferred to



T-321a



23

24

20

25

T #3450
OUT

RECEIVED

FEB 23 1977

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

AUG 24 1976

WATER RESOURCES DEPT
SALEM, OREGON

T-3450

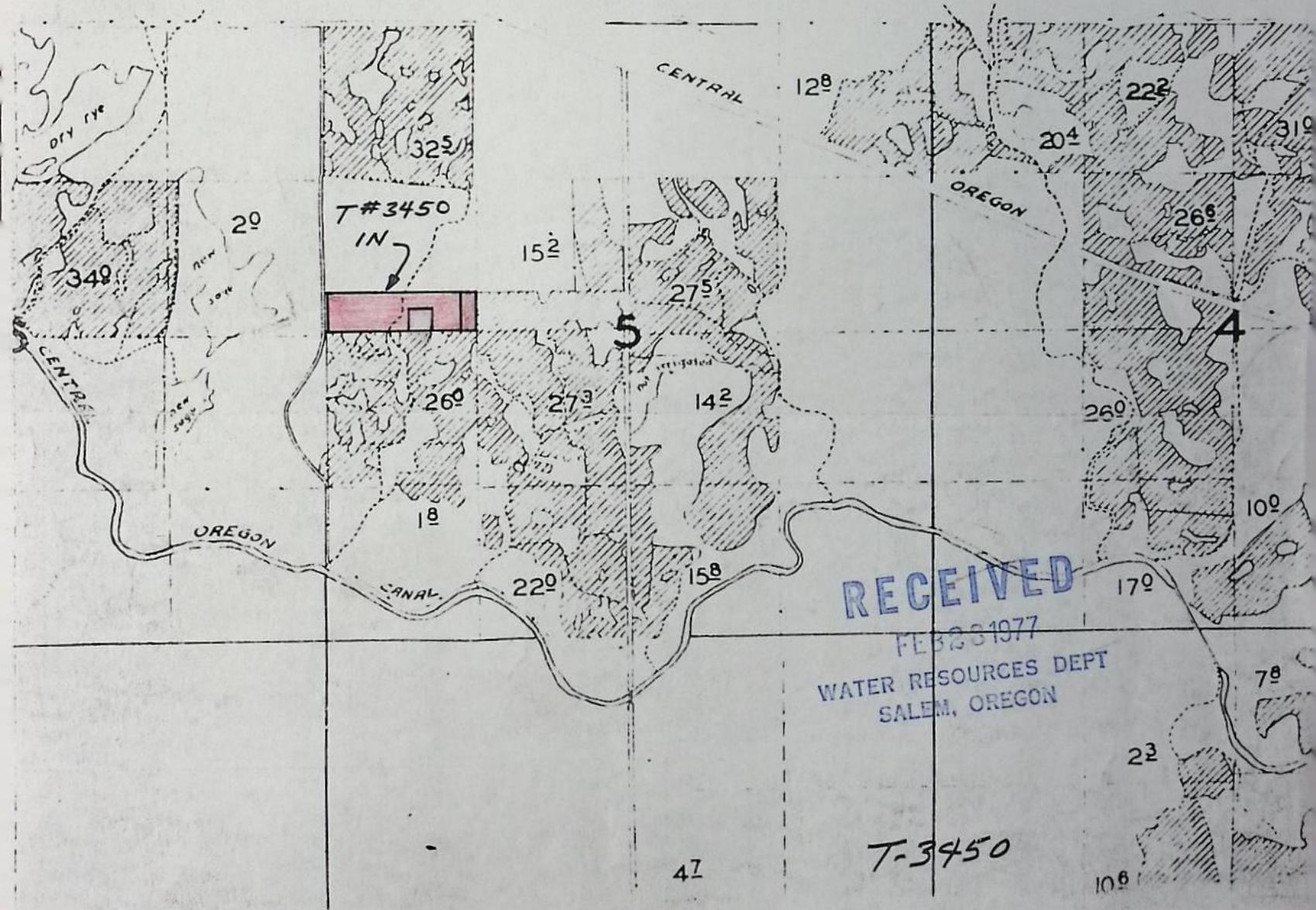
dry rye
60 pc
young sage

TOWNSHIP 18 S

RECEIVED

AUG 24 1976

WATER RESOURCES DEPT
SALEM, OREGON



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF HOWARD R. HYDE & LAWRENCE E.
KEYTE (CENTRAL OREGON IRRIGATION
DISTRICT) FOR THE APPROVAL OF A
CHANGE IN PLACE OF USE OF WATER FROM
DESCHUTES RIVER

ORDER APPROVING
TRANSFER NO. 3450

On August 24, 1976, Howard R. Hyde and Lawrence E. Keyte 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, 9.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Township 17 South, Range 12 East, W.M., being tabulated in the name of Howard Hyde, 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 applicants herein, owners of the lands above described, propose to transfer the water right therefrom, without loss of priority, to irrigation of a certain 9.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, Township 18 South, Range 13 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 May 7, 1975.

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 requested change in place of use 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, 1978.

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 March, 1977.

/s/ JAMES E. SEXSON
Director

RECEIVED

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

SEP 6 - 1979

WATER RESOURCES DEPT

SALEM, OREGON

Transfer No. 3450

I, Forrest G. Taylor hereby certify that
on Sept. 30, 1978, the water has been applied to the lands to
which the water right was transferred by an order of the State Engineer
dated MARCH 17, 77, approving an application for a change in place
of use of water from SW¹/₄ SE¹/₄ Sect. 23 Township 17S Range 12 E W.M.
TO: SW¹/₄ NW¹/₄ Sect. 5 Township 18S Range 13 E W.M.

Aug 27, 1979

Date

Forrest G. Taylor
Signature

Current owner

Former owner, CLARENCE W. CAVIN

Dr. J.

RECEIVED

AUG 24 1976

WATER RESOURCES DEPT
SALEM, OREGON

T # 3450

RECEIVED

FEB 23 1977

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Howard R. Hyde and Lawrence E. Kyte KEYTE
(Name of applicant)

of Bend (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 Central Oregon 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
17	12	23															9	

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)

30² Vol 116 P 51
5² out Tr. 3203 ok
32 in "

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 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)

12. Is the water right recorded in your name? Howard Hyde, Page 51 of 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			
			NE¼	NW¼	SW¼	SE¼												
18	13	5							9									

*existing → 1.0 ac in Tr-3212
 → ? 36.0 ac supplemental - Permit 23256*
 (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
None		

20. Reasons for the proposed changes are More beneficial use

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

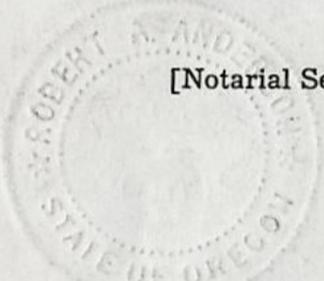
County of Deschutes } ss.

I, Howard R. Hyde and Lawrence E. Kyte, 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 2nd day of April, 1975.

Signatures of Howard R. Hyde and Lawrence E. Kyte with a note "(Name of applicant)"

Subscribed and sworn to before me this 2nd day of April, 1975.



[Notarial Seal]

Signature of Notary Public for Oregon

My commission expires 8/24/75

Remarks Approved at the regular meeting of the Board of Directors of Central Oregon Irrigation District held May 7, 1975.

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.