

3175 Archie Carroll, Sr.
 Belmont

3175

STATUS OF APPLICATION

Change in place of use
 Date filed 3-7-75
 Date of hearing _____
 Place of hearing _____
 Date of order 7-6-76 Vol. 27, page 293
 Date for application of water 10-1-77
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R.
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 1.72
 Name of ditch Pilot Butte Canal
 Date of priority Oct 31, 1900 + Dec 2, 1907
 In name of Planerville Addition
Deschutes R. Adjudication, Vol. 16, page 130
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-7-75</u>	<u>25.00</u>	<u>45536</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

to survey 1178

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"/>
<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"/>

304

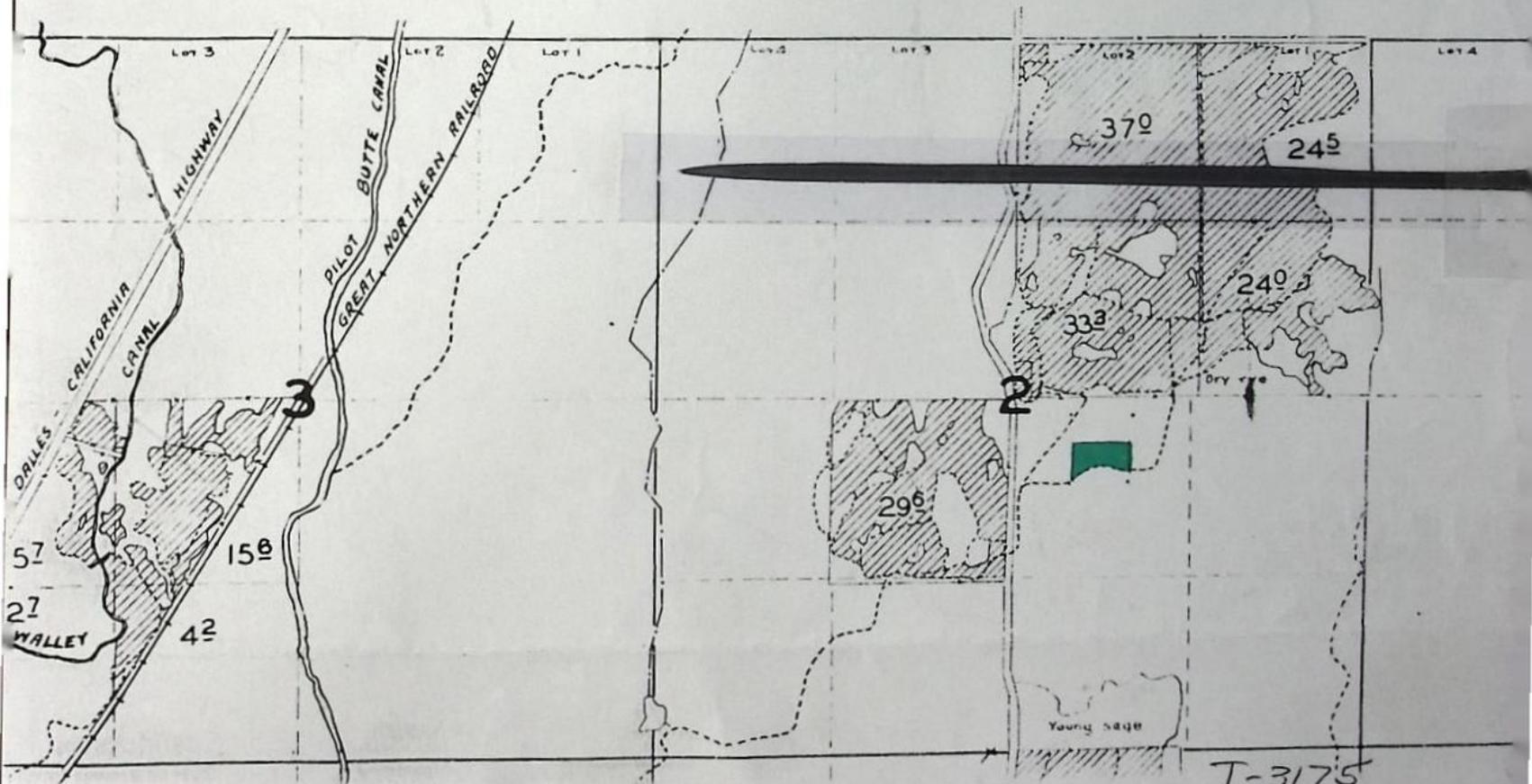
RANGE 12 EAST, W.M.

RECEIVED

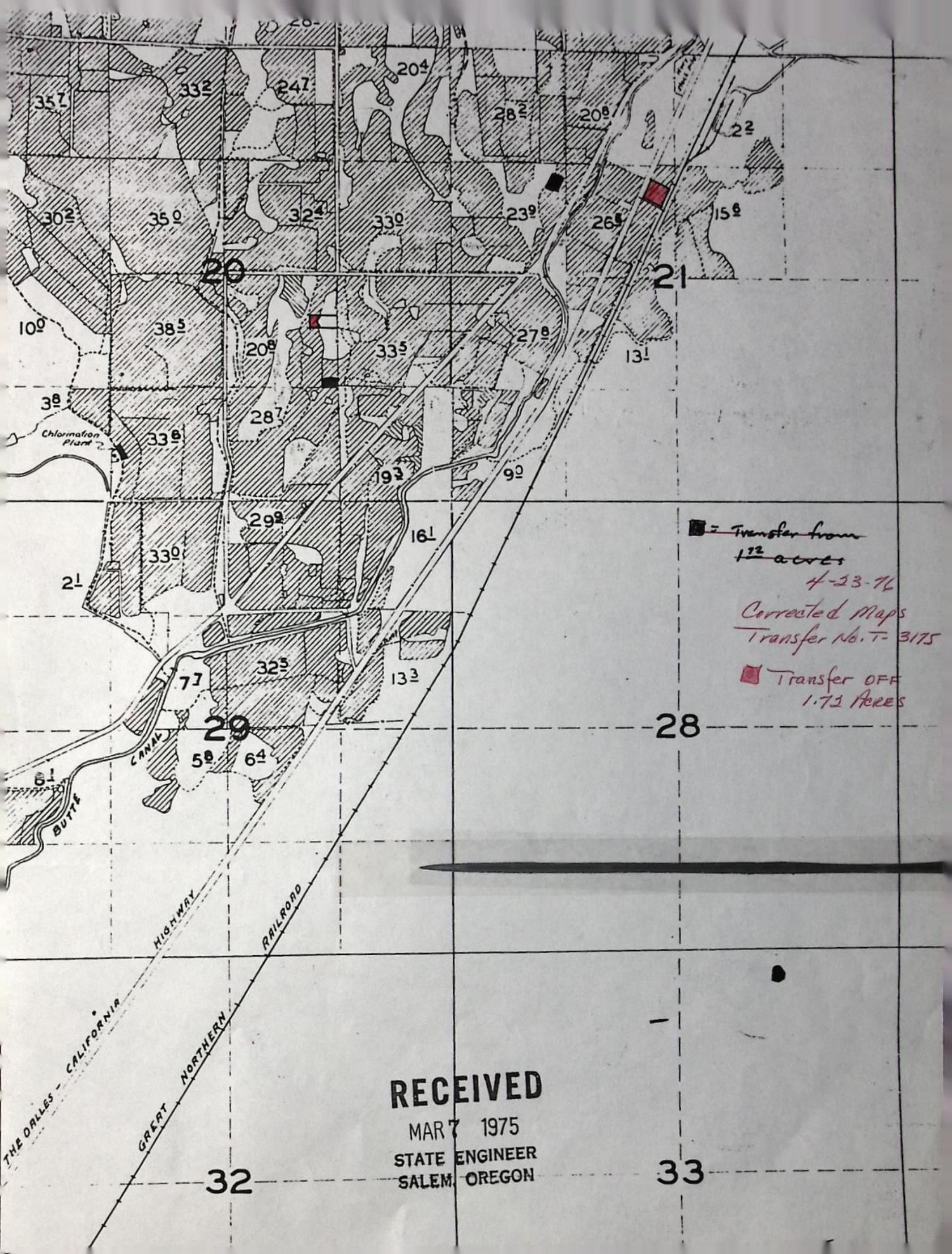
MAR 7 1975

STATE ENGINEER
SALEM, OREGON

■ Transfer to 12 $\frac{1}{2}$ acres



T-3175



■ = Transfer from
 1.72 acres
 4-23-76

Corrected Maps
 Transfer No. T-3175

■ Transfer OFF
 1.72 Acres

RECEIVED
 MAR 7 1975
 STATE ENGINEER
 SALEM, OREGON

NW 1/4 SEC. 21 T. 15 S. R. 13 E. W. M.

dead numbers
3300
3400
3500
3600
3700
3800
3900
4000
4100
4200
4300
4400
4500
4600
4700

15 13 21B

DESCHUTES COUNTY

SCALE: 1" = 200'

SEE MAP 15 13 16CC

SEE MAP 15 13 16CD

17 18
20 21

SEE MAP
15 13 21BB

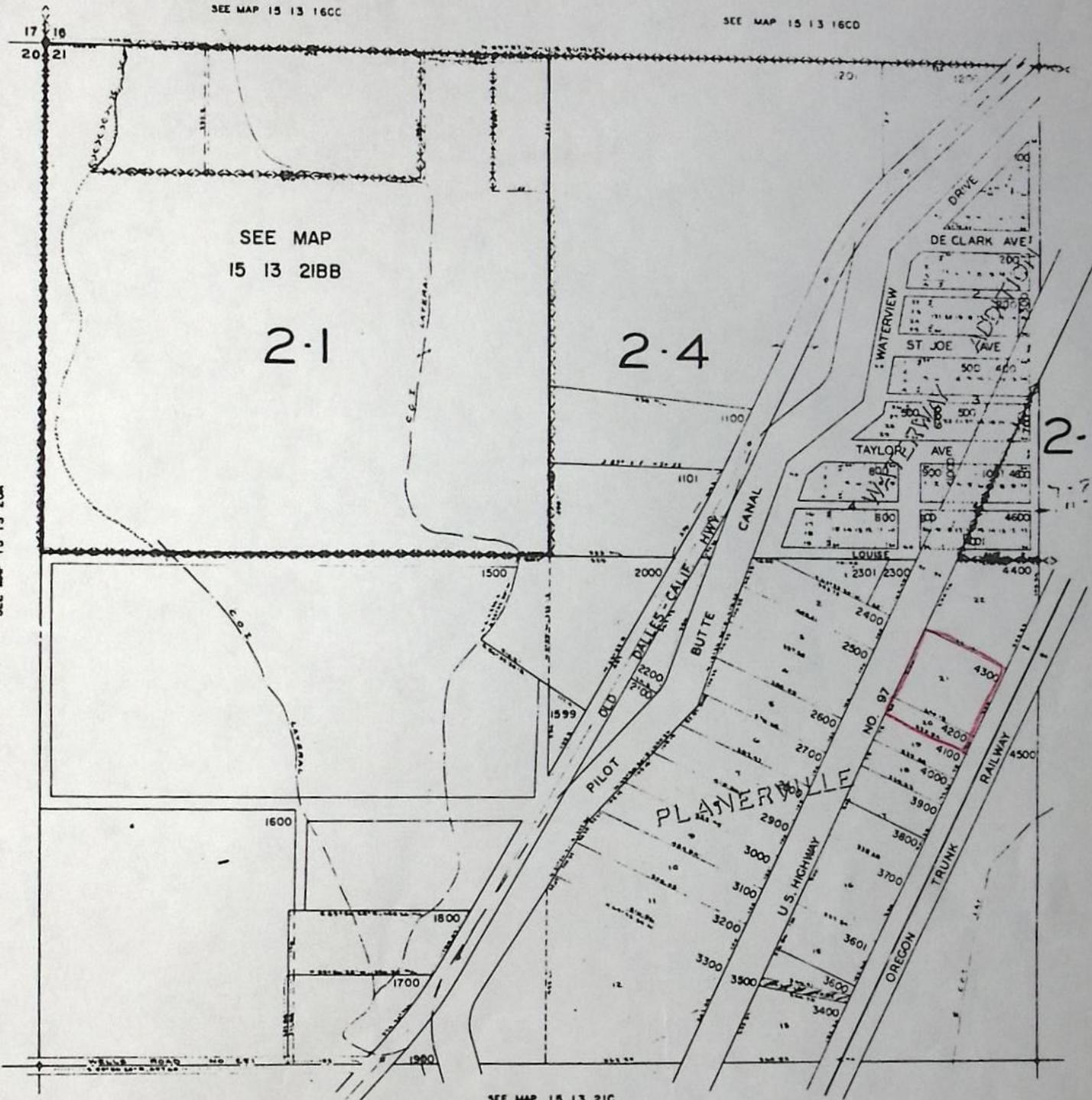
2-1

2-4

2-1

SEE MAP 15 13 20A

SEE MAP 15 13 21A



SEE MAP 15 13 21C

15 13 21B

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF ARCHIE CARROLL, SR., (CENTRAL)
OREGON IRRIGATION DISTRICT) FOR)
THE APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM DESCHUTES RIVER))

ORDER APPROVING
TRANSFER NO. 3175

On March 7, 1975, Archie Carroll, Sr., 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, 1.22 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, Township 15 South, Range 13 East, W.M., being tabulated in the name of Planerville Addition and 0.50 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 15 South, Range 13 East, W.M., being tabulated in the name of John Jacobson, 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 1.72 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, 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 March 5, 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 proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 1.22 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, and 0.5 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 15 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 1.72 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, 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 6th day of July, 1976.

/s/ JAMES E. SEXSON
Director

CENTRAL OREGON IRRIGATION DISTRICT

MUNICIPAL CORPORATION OF THE STATE OF OREGON

BOARD OF DIRECTORS
BERTIL NELSON, PRESIDENT
DON MILTENBERGER, VICE-PRESIDENT
RAY KNOWLES
TOM KASBERGER
KENNETH WERTH

847 SOUTH SIXTH STREET • P. O. BOX 548
REDMOND, OREGON 97756

PHONES 548-2413, 548-3151

ROBERT A. ANDERSON
SECRETARY-MANAGER
DIANA L. EWING
ASSISTANT SECRETARY
J. VINCE HURLEY
COUNSEL

January 20, 1978

James W. Carver, Jr.
State of Oregon
Water Resources Department
555 13th Street N.E.
Salem, Oregon 97310

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JAN 23 1978

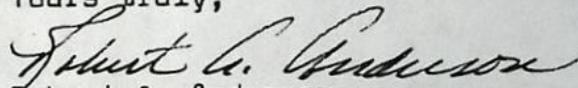
Dear Mr. Carver,

In reply to your letter dated January 12th requesting information regarding the interest that the signers of the following Files Nos. hold relating to the said orders:

# 3136	Warranted Deed dated	5/6/74
# 3175	" " "	3/11/77
# 3279	" " "	12/1/70
# 3280	" " "	12/1/70
# 3298	" " "	4/2/70
# 3385	" " "	12/1/70
# 3451	Contract Purchaser	
# 3457	Warranted Deed dated	5/23/77
# 3465	" " "	12/1/70

I hope that this provides you with the information that you desire.

Yours truly,


Robert A. Anderson
Sec'y-Mgr.

Grassie Bond

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JAN 10 1978

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3175

I, Howard Glazier hereby certify that
on July 10, 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 July 6, 1976, approving an
application for a change in place of use of water from 1.22 acres SE 1/4 NW 1/4
Section 21, and .05 acre NW 1/4 SE 1/4 Section 20, Township 15
South, Range 13 East, W. M.

Dec 30 1977
Date

Howard Glazier
Signature

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T-3175

MAR 7 1975
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Archie Carroll Sr.
(Name of applicant)

of Redmond
(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 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 $\frac{1}{4}$	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 $\frac{1}{4}$
15S	13E	21								1.22	<i>Tab. in name of Planerville Addition</i>							
15S	13E	20									<i>Tab. in name of John Jacobson</i>							0.50

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? 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 & Dec. 2, 1907

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

of permit _____

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APR 30 1976
WATER RESOURCES DEPT
SALEM, OREGON

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)

12. Is the water right recorded in your name? John Jacobson page 130 for 0.5 ac in Sec. 20
Planerville Addition page 133 for 1.22 ac in Sec 21
(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 $\frac{1}{4}$
17S	12E	2															1.72	

(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,

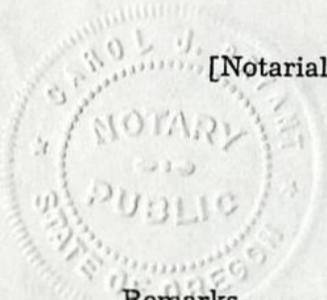
County of Deschutes } ss.

I, Archie Carroll, Sr., 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 18 day of February, 1975.

Archie Carroll Sr. (Name of applicant)

Subscribed and sworn to before me this 18 day of February, 1975.



[Notarial Seal]

Carol J. Bryant NOTARY PUBLIC FOR OREGON

My commission expires July 28, 1978.

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

April 20, 1976

T-3175

Central Oregon Irrigation District
P.O. Box 548
Redmond, OR 97756

ATTENTION: Diana Ewing, Assistant Secretary

Dear Mrs. Ewing:

The application for a change in place of use of water you submitted for Archie Carroll, Sr. received in March of 1975 was filed as transfer number 3175. The two maps and fees of \$25.00 were also received.

Will you please review the location of the 1.22 acre tract to be involved. According to the supporting maps, the 1.22 acre tract is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21 instead of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ presently noted in item No. 5. If the acreage is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, the right would be tabulated in the name Harold Doty instead of Planerville Addition presently noted in item 12.

According to our records the right for the irrigation of the 0.5 acre in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 as illustrated on the supporting map is tabulated in the name John Jacobson and was transferred out under an earlier transfer number 2477. The order approving this transfer No. 2477 was dated September 27, 1971 and the application was in the name of Earl Cordes. I am enclosing a print of the map which supported the application.

I am returning the transfer application 3175 and two maps for completion. I apologize for the delay in responding to the application. Upon return of the completed application, proper action will be taken.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:cc
Encl. Receipt No. 45536

December 27, 1974

Central Oregon Irrigation District
Redmond, Oregon

Gentlemen,

Investors Insurance Corporation, an Oregon Corporation, is the beneficiary under a Deed of Trust given on July 27, 1972 by Archie Carroll and Willie Morene Carroll on Lots 20 and 21, Planerville Addition, Deschutes County, Oregon. We do hereby give our consent to Mr. & Mrs. Carroll to transfer or sell the 1.22 acres of Central Oregon Irrigation District water rights they own on this property.

Investors Insurance Corporation

by Carl Robert Wells
President

by Eunice Brock
Assistant Secretary

STATE OF OREGON, County of Washington
December 27, 1974

Personally appeared Carl Robert Wells and Eunice Brock who, being duly sworn, did say that the former is the President and the latter is the Assistant Secretary of Investors Insurance Corporation, and Oregon Corporation, and that said instrument was signed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

E. P. Steinmetz Jr.
Notary Public for Oregon

My commission expires 6-21-75

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APR 30 1976

WATER RESOURCES DEPT.
SALEM, OREGON

T-3175

