

3456
Friday, B. Holmes
Feb. 1907, Or.
COI

3456

STATUS OF APPLICATION

Change in place of use
Date filed 8-24-76
Date of hearing _____
Place of hearing _____
Date of order 10-7-76 Vol. 28, page 8
Date for application of water 10-1-77
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

Survey 12/76

Surveyed 8/29/84 (Frisknecht)

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes
Trib. of _____ County of Deschutes
Use irrigation
Quantity of water _____ No. of acres 2^e
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 106
Tab. - H. J. Miller
App. No. _____ Per. No. _____ Cert. No. _____
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8-24-76</u>	<u>30.00</u>	<u>55688</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

INDEX CARDS:	Entered	Checked
	<u>WA</u> Name	<input checked="" 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"/>
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 type="checkbox"/> Abstracts	<input type="checkbox"/>	<input type="checkbox"/>

108

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION)
OF FRIDAY B. HOLMES (CENTRAL)
OREGON IRRIGATION DISTRICT) FOR)
THE APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM DESCHUTES RIVER))

ORDER APPROVING
TRANSFER NO. 3456

On August 24, 1976, Friday B. Holmes 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, 2.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, 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 another 2.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 15 South, Range 13 East, W.M.

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AUG 24 1976

WATER RESOURCES DEPT
SALEM, OREGON



T-3456

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AUG 24 1976

WATER RESOURCES DEPT
SALEM, OREGON



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 June 2, 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 7th day of October, 1976.

/s/ JAMES E. SEKSON
Director

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DEC 17 1976

WATER RESOURCES DEPT OF COMPLETE APPLICATION
SALEM, OREGON NOTICE OF WATER TO BENEFICIAL USE

Dept. of Water Resources
St. Eugene off
Salem, Oregon

Transfer No. 3456

I, Friday B. Holmes hereby certify that
on July 10, 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 October 7, 1976, approving an
application for a change in place of use of water from S¹/₄ SW¹/₄ NE¹/₄
Section 7, T15^S R13 E W M.

December 15, 1976
Date

Friday B. Holmes
Signature



WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3066

ROBERT W. STRAUB
GOVERNOR

November 2, 1976

Mr. Robert Anderson
Central Oregon Irrigation District
P.O. Box 548
Redmond, Oregon 97756

Dear Mr. Anderson:

Enclosed are certified copies of the orders of the Water Resources Director approving your applications for changes in place of use of water from Deschutes River as follows:

T-3120	Central Oregon Irrigation District
T-3390	Dwin and Jo Ann Dunkin
T-3447	Leslie E. and Elizabeth A. Aldous
T-3448	Lester P. and Opal O. Creasey
T-3451	Grace Kristiansen
T-3452	Lawrence and Mary F. Poncy
T-3454	Rodney W. and Helen R. McPheeters
T-3455	Orlo and Hazel Flock
T-3456	Priday B. Holmes
T-3457	Arlie L. and Jean M. Zimmerman
T-3459	Carl and Wilda Fischer
T-3460	Delano N. and Melba M. Fox
T-3461	Leonard W. and Sandra Hagberry
T-3463	Dan H. Heierman
T-3465	Neff Road Development Company

Also enclosed is a notice of complete application of water which should be dated, signed and returned to this office when the water has been applied to beneficial use. According to the terms of the orders, this should be done on or before October 1, 1977.

We have enclosed an extra copy of each order for your files and miscellaneous receipts which had not been sent to you previously.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:whh
Enclosures
cc: Bruce Estes, Watermaster, Dist. No. 11

RECEIVED

T # 3456

AUG 24 1976

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Friday B. Holmes
(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

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 $\frac{1}{4}$
15	13	7			2													

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

*2.5² ac Deed Vol 16 P. 106
H. J. Miller*

(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

*Fees File 20-
Rec 10-
30-*

10. Do you hold a water right certificate? Yes 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? No. H. J. Miller, Page 106
(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 $\frac{1}{4}$
15	13	7			2													

25.0 ac Decree Vol 16, P 106

(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, Priday B. Holmes, 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 21st day of May, 1976

Priday B. Holmes (Name of applicant)

Subscribed and sworn to before me this 21st day of May, 1976

[Notarial Seal]

Robert C. Anderson NOTARY PUBLIC FOR OREGON

My commission expires Sept. 14, 1979

Remarks Approved by the Board of Directors of the Central Oregon Irrigation District at a regular meeting held June 2, 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.