

Richard and Jean M. Zimmerman
CoI Redmond, Or

3457

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT

FEES PAID

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 6
Date for application of water 10-1-77
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

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 132
Tab. - R. B. Smith
App. No. _____ Per. No. _____ Cert. No. _____
Certificate cancelled _____
Notation made on record by _____

Date	Amount	Receipt No.
<u>8-24-76</u>	<u>30.00</u>	<u>55687</u>
TOTAL . . .		
	Cert. Fee	

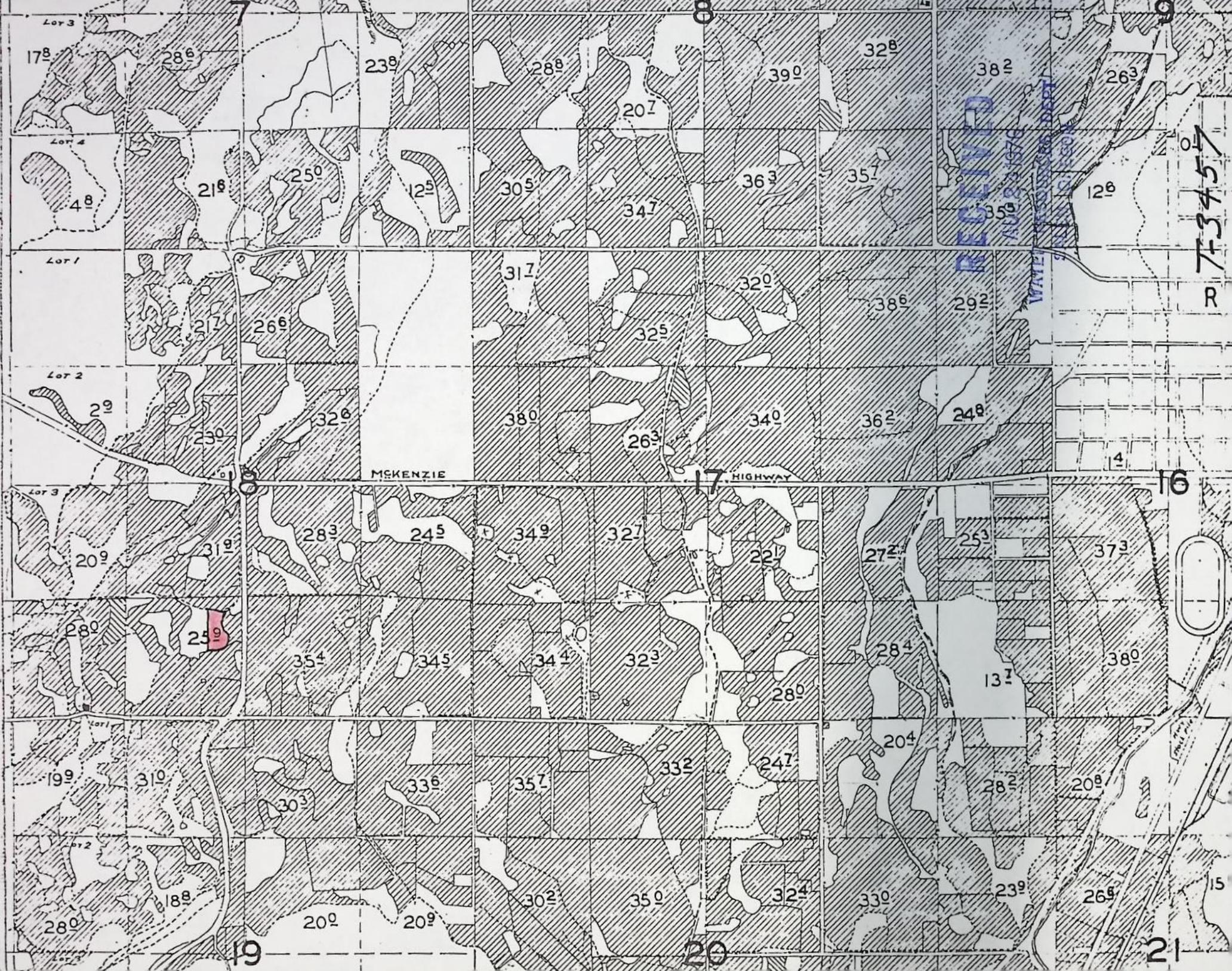
FEES REFUNDED

Date	Amount	Check No.

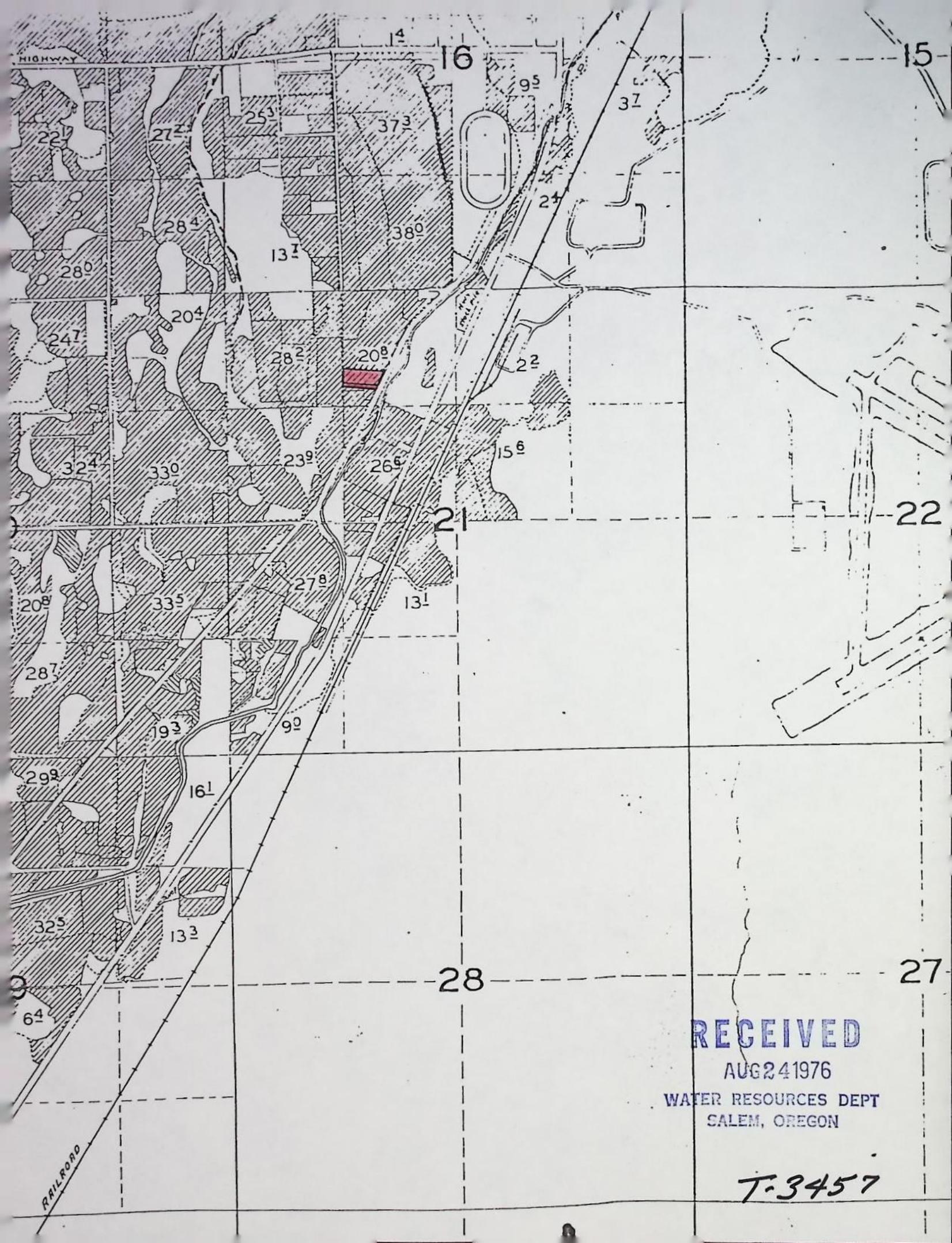
to survey 1178
Surveyed 8/1/84 (Walkley)

REMARKS

TO BE ENTERED WHERE CHECKED	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 type="checkbox"/>	<input type="checkbox"/>
<u>WH</u> Calendar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>✓</u> Twp. & Rge.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>✓</u> Decree-vault	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>✓</u> Decree-safe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>✓</u> Cert. of W/R	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>✓</u> Per. Folder	<input type="checkbox"/>	<input type="checkbox"/>
<u>✓</u> Chindex	<input type="checkbox"/>	<input type="checkbox"/>
<u>✓</u> Cross Ref.	<input type="checkbox"/>	<input type="checkbox"/>
<u>✓</u> Power Claim	<input type="checkbox"/>	<input type="checkbox"/>
<u>✓</u> Abstracts	<input type="checkbox"/>	<input type="checkbox"/>



7-3457
R



RECEIVED

AUG 24 1976

WATER RESOURCES DEPT
SALEM, OREGON

T-3457

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF ARLIE L. AND JEAN M. ZIMMERMAN
(CENTRAL OREGON IRRIGATION DISTRICT)
FOR THE APPROVAL OF A CHANGE IN PLACE
OF USE OF WATER FROM DESCHUTES RIVER

ORDER APPROVING
TRANSFER NO. 3457

On August 24, 1976, Arlie L. and Jean M. Zimmerman 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 NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 15 South, Range 13 East, W.M., being tabulated in the name of R. B. Smith, 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 2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 15 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 5, 1976.

Don Waddle, holder of the contract and title of the lands from which Arlie L. and Jean M. Zimmerman propose to transfer the water right, has submitted written approval of 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 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. 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

RECEIVED
JAN 20 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.

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

RECEIVED
JAN 10 1978
WATER RESOURCES DEPT.
SALEM, OREGON

Transfer No. 3457

I, MARKIN W JENKINS 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
Water Resources Director dated oct 7, 1976, approving an
application for a change in place of use of water from _____
_____.

12-29-77

Date

Markin W Jenkins
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	Friday 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

AUG 24 1976

WATER RESOURCES DEPT/
SALEM, OREGON

T # 3457

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Arlie L. Zimmerman & Jean M. Zimmerman (husband and wife)
(Name of applicant)

of Redmond (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 Pilot Butte Canal

4. The point of diversion is located ft. (N. or S.) and ft. (E. or W.) from the

corner of being within the
(Section or subdivision)

of Section Tp. (No. N. or S.) R. (No. E. or W.) 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	21					2											

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed. 1.0 ac Dec. 16, P. 131
2.0 ac Dec. 16, P. 132
R.B. Smith

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? 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

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 Deschutes River
(Yes or No)

12. Is the water right recorded in your name? No. R. B. Smith, page 132
(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	18																2

25^o Dec. V 16 P 127

(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)	Don Waddle	letter of permission attached

20. Reasons for the proposed changes are More beneficial use

.....

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

} ss.

We, Arlie L. & Jean M. Zimmerman, 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 29th day of April, 1976

Arlie L. Zimmerman
Jeanne M. Zimmerman (Name of applicant)

Subscribed and sworn to before me this 29th day of April, 1976

[Notarial Seal]

Robert A. Anderson
NOTARY PUBLIC FOR OREGON

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.

Zimmerman - Glaspy

May 5, 1976

Don Waddle
Rt. 2, Box 74
La Pine, Oregon

Central Oregon Irrigation District
847 South 6th
Redmond, Oregon 97756

Gentlemen:

At the request of Mr. A. L. Zimmerman, residing at 1833 S.W. Canal Blv., Redmond, Oregon, also known as N.E. 1/4 N.W. 1/4 of 21 - 15- 13, of Deschutes County, Oregon., we hereby have no objection to his request for the transfer of 2 acres of water rights from the above premises.

This letter will serve as a release of 2 Acres of water rights.

If there is any question, please feel free to Call.

Very truly yours,

Don Waddle

Don Waddle

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AUG 24 1976
WATER RESOURCES DEPT
SALEM, OREGON