

**RECEIVED**

APR 28 1975

STATE ENGINEER  
SALEM, OREGON

■ 12 acre to be transferred from

T-32/2

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF )  
BILL LOVING (CENTRAL OREGON IRRIGATION )  
DISTRICT) FOR THE APPROVAL OF A CHANGE )  
IN PLACE OF USE OF WATER FROM DESCHUTES )  
RIVER )

ORDER APPROVING  
TRANSFER NO. 3212

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On April 28, 1975, Bill Loving 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, 1.0 acre in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 13, Township 17 South, Range 14 East, W.M., being tabulated in the name of William Horsell, 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 applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 1.0 acre in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 5, Township 18 South, Range 13 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 objections 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.

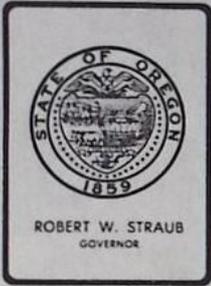
NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 1.0 acre in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 13, Township 17 South, Range 14 East, W.M., with dates of priority of October 31, 1900, and December 2, 1907, be severed therefrom and simultaneously and without loss of priority transferred to 1.0 acre in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 5, Township 18 South, Range 13 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1976.

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 October, 1975.

JAMES E. SEXSON  
Director



*Water Resources Department*  
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

February 2, 1978

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

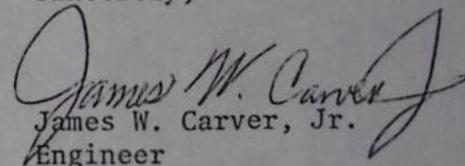
Dear Mr. Anderson:

Completion notices for the following transfer applications for changes in place of use of water from Deschutes River have been received and surveys will be made at a later date:

2958	William B. & Violet Anderson
2959	William E. Tower
2960	Preston & Marjorie Waller
3033	Milfred S. & Ada Bernice Wallenburg
3096	R. W. & Pansie V. Michel
3174	Lynn M. & Bessie M. Fischer
3199	Jessie Donovan
3212	Bill Loving
3335	Ivan Ivancovich, Jr.
3386	Bud & Lois Holliday & Clyde & Mary Lou Purcell
3387	Gerald E. & Jeannine A. Lanier
3389	Dale & Annette Landrus
3391	Central Oregon Irrigation District
3459	Carl & Wilda Fischer
3460	Delano N. & Melba M. Fox
3461	Leonard W. & Sandra Hagberry

Until such time as certificate of water right is issued confirming these changes, the orders will be evidence of the water rights in question as long as the authorized beneficial use of water is continued.

Sincerely,

  
James W. Carver, Jr.  
Engineer

JWC:lcj  
cc: Robert F. Main, Watermaster

NOTICE OF COMPLETE APPLICATION  
OF WATER TO BENEFICIAL USE

Transfer No. 3212

I, FORREST TAYLOR, hereby certify that  
on OCTOBER 1, 1976, the water has been applied to the  
lands to which the water right was transferred by an order of the State  
Engineer dated OCTOBER 17, 1975, approving an application for a  
change in place of use of water from NE 1/4 - SW 1/4 SEC. 13, T. 17S, R. 14E W.M.

1/12/78  
Date

Forrest Taylor  
Signature

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JAN 24 1978

WATER RESOURCES DEPT  
SALEM, OREGON

# CENTRAL OREGON IRRIGATION DISTRICT

MUNICIPAL CORPORATION OF THE STATE OF OREGON

BOARD OF DIRECTORS  
BERTIL NELSON, PRESIDENT  
DON MILTENBERGER, VICE-PRESIDENT  
RAY KNOWLES  
ROBERT WEIGAND  
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 17, 1978

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JAN 24 1978

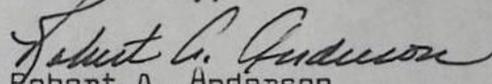
WATER RESOURCES DEPT  
SALEM, OREGON

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

Dear Mr. Carver;

Enclosed find the notices of the complete application of water to beneficial use on transfers numbers: 2804, 2959, 2960, 2958, 3096, 3199, 3174, 3212, 3335, 3385, 3387, 3389, 3459, 3460 and 3461.

Yours truly,

  
Robert A. Anderson  
Sec'y-Mgr.

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T-3212

APR 28 1975  
STATE ENGINEER  
SALEM, OREGON

### Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Bill Loving  
(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 $\frac{1}{4}$	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	14E	13									1.0							

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 .....

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? Wm. Horsell page 62  
(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 $\frac{1}{4}$
18S	13E	5						1.0										

(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, Bill Loving, 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.

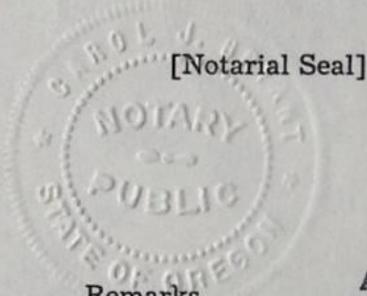
In Witness Whereof, I have hereunto set my hand this 18 day of February, 1975.

Bill Loving (Name of applicant)

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

Carol J. Bryant NOTARY PUBLIC FOR OREGON

My commission expires July 28, 1978.



Remarks Approved at the regular meeting of the Board of Directors of Central Oregon Irrigation District 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.

We, Mildred and Robert Ireland, mortgage holders, do hereby give our consent to Bill Loving to transfer one (1) acre of water right from the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, T. 17 S., R. 14 EWM.

Mildred Ireland  
Mildred Ireland

Robert Ireland  
Robert Ireland

State of Oregon        )  
                                  :    ss  
County of Deschutes    )

BE IT REMEMBERED, That on this 18<sup>th</sup> day of APRIL, 1975 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Robert Ireland known to me to be the identical individual described in and Mildred Ireland know to me to be the identical individual described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Carol J Bryant  
Carol J Bryant - Notary Public

My commission expires July 28, 1978



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STATE ENGINEER  
SALEM, OREGON.

T-3212



## WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

ROBERT W. STRAUB  
GOVERNOR

JAMES E. SEXSON  
Director

October 31, 1975

WATER POLICY REVIEW  
BOARD

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Portland

Mr. Robert A. 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 places of use of water from Deschutes River in the names of:

<u>Name</u>	<u>Number</u>
Deschutes County Administrative School Dist.	2757
Gary B. Nelson	2759
William E. Tower	2959
Preston and Marjorie Waller	2960
Ronald Smith	3178
R. Wayne and Della Hamby	3179
Jessie Donovan	3199
H. E. Roberts	3201
Howard R. and Pearl Hyde	3203
Bill Loving	3212
Richard A. and Cleone W. Steelhammer	3214
J. Scott	3243
Ruth Schollmeyer	3268
Calvin R. and Betty S. Robinson	3269
Donna M. and Mike Broome	3271
Donald K. and Nancy M. Smith	3276
Raymond C. and Patricia J. Damm	3288
Edwin Oliver	3298

Along with the orders are notices of complete application of water which should be dated, signed and returned to this office by the owner when the water has been applied to beneficial use.

Please forward the certified copy of the order and the notice of complete application of water to the appropriate owners of the land to which the transfer is being made.

Also enclosed are various receipts for payments made in connection with the transfers, and an extra copy of the order for your files.

Sincerely,

Trevor Jones  
Assistant

TJ:whh  
cc: Bruce Estes, Watermaster  
Enclosures

col

Transfer No. 3212

Name Bill Loving

Expiration date for completion 10/1/76

Extended to \_\_\_\_\_

Proof to Survey 2/78

O. K. for certificate \_\_\_\_\_

Ditch company or irrigation district involved is \_\_\_\_\_