

3199 Jessie Donovan COI
Sturbonne
or

3199

STATUS OF APPLICATION

Change in place of use
 Date filed 4-11-75
 Date of hearing _____
 Place of hearing _____
 Date of order 10-17-75 Vol. 26, page 1009
 Date for application of water 10-1-76
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 0.3
 Name of ditch Liloh Butte Canal
 Date of priority Oct 31, 1900 + Dec 2, 1907
 In name of H. M. Nussbaum
Deschutes R. Adjudication, Vol. 16, page 80
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEE PAID

Date	Amount	Receipt No.
<u>4-11-75</u>	<u>25.00</u>	<u>46213</u>
TOTAL . . .		
	Cert. Fee	

FEE REFUNDED

Date	Amount	Check No.

to survey 2/78

REMARKS

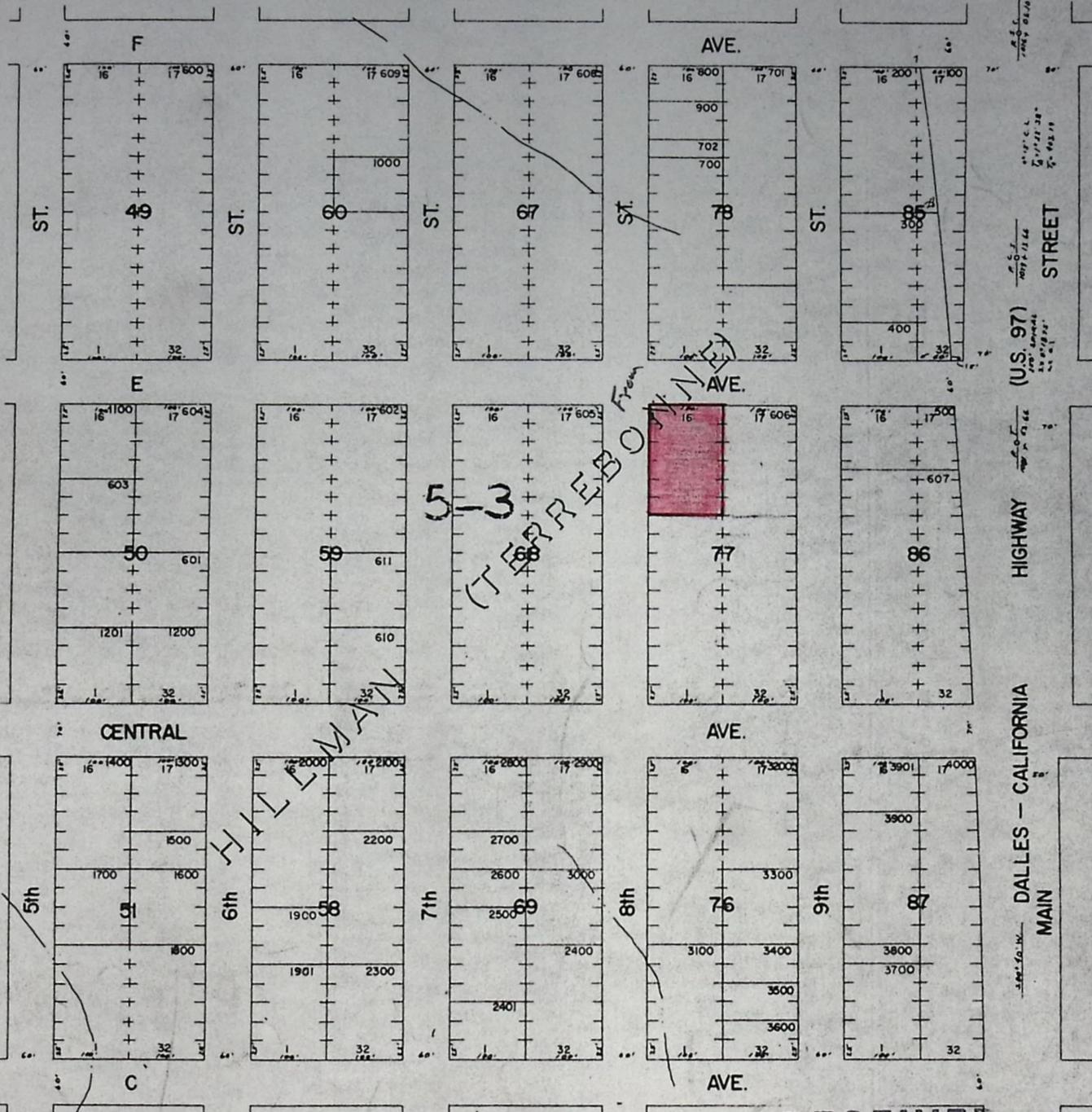
Surveyed 5/1/84 (Wiehr)

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>22</u>	
<input checked="" type="checkbox"/> Stream	<u>22</u>	
<input checked="" type="checkbox"/> Pt. of Div.	<u>WH</u>	
<input checked="" type="checkbox"/> Calendar		
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>22</u>	
<input checked="" type="checkbox"/> Decree-vault	<u>22</u>	
<input checked="" type="checkbox"/> Decree-sale	<u>22</u>	
<input checked="" type="checkbox"/> Cert. of W/R	<u>22</u>	
<input type="checkbox"/> Per. Folder		
<input type="checkbox"/> Chainindex		
<input type="checkbox"/> Cross Ref.		
<input type="checkbox"/> Power Claim		
<input type="checkbox"/> Abstracts		

NE 1/4 SW 1/4 Sec. 16 T. 14 S. R. 13 E. W. M.
DESCHUTES COUNTY

14 13 16 C A

Scale: 1" = 200'
See Map 14 13 16 B D



See Map 14 13 16 C B

See Map 14 13 16 D B

See Map 14 13 16 C D

RECEIVED

APR 11 1975
STATE ENGINEER
SALEM, OREGON

14 13 16 C A

T-3199

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

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

ORDER APPROVING
TRANSFER NO. 3199

On April 11, 1975, Jessie Donovan 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, 0.3 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 14 South, Range 13 East, W.M., being tabulated in the name of H. M. Nussbaum, 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 0.3 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 14 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 April 2, 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 0.3 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 14 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 0.3 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, Township 14 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

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3199

I, Aurance E. Wiehs, hereby certify that
on Oct 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 10/17/1975, approving an application for a
change in place of use of water from NE 1/4 - SW 1/4 Sec 16, T. 14S, R. 13E W.M.

January 9, 1978
Date

Aurance E. Wiehs
Signature

RECEIVED

JAN 24 1978

WATER RESOURCES DEPT
SALEM, OREGON

40 RECEIVED

T-3199

APR 11 1975
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Jessie Donovan
(Name of applicant)

of Tareabonna,
(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. _____ 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 $\frac{1}{4}$
14	13	16									.3							
(Block 77 - Lots 11 to 16 inc. @ .05)																		

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? No. H.M. Nussbaum Page 80 of the 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			
			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 $\frac{1}{4}$
14	13	16																

(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,

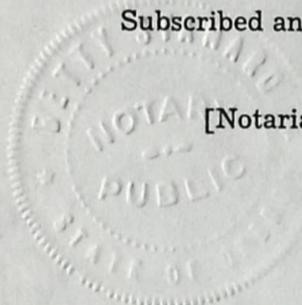
County of Deschutes } ss.

I, Jessie Donovan, 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 20th day of March, 1973.

Jessie J. Donovan (Name of applicant)

Subscribed and sworn to before me this 20th day of March, 1973.



[Notarial Seal]

Betty Seavard NOTARY PUBLIC FOR OREGON

My commission expires May 28, 1973

Remarks Approved by the Board of Directors of the Central Oregon Irrigation

District at a regular meeting held April 2, 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.

SE1/4 SE1/4 Sec. 16 T.14 S. R.13 E.W.M.

14 13 16 D D

DESCHUTES COUNTY,

See Map 14 13 16 D A



See Map 14 13 16 D C

See Map 14 13 B

See Map 14 13 21

T-2199

14 13 16 D D

