

2119 Dan H. Heierman
 Redmond, Oregon 97756

3112

STATUS OF APPLICATION

Change in place of use
 Date filed 8-16-74
 Date of hearing _____
 Place of hearing _____
 Date of order 6-17-76 Vol. 27, page 265
 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 1.0
 Name of ditch Ellet Butte Canal
 Date of priority Oct. 31, 1900 & Dec. 2, 1907
Tap. in name of L. A. Joslin
 In name of Central Oregon Irrigation District
Deschutes R. Adjudication, Vol. 16, page 86
Transfer C-170 &
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

| Date | Amount | Receipt No. |
|----------------|--------------|--------------|
| <u>8-16-74</u> | <u>25.00</u> | <u>42519</u> |
| TOTAL . . . | | |
| | Cert. Fee | |

FEES REFUNDED

| Date | Amount | Check No. |
|------|--------|-----------|
| | | |

to survey 2/78

Surveyed 10/30/85 (Smith)

REMARKS

See C 170

| | | | | |
|-----------------------------|--|---------------------|-------------------------------------|--------------------------|
| TO BE ENTERED WHERE CHECKED | <input checked="" type="checkbox"/> WA | INDEX CARDS: | Entered | Checked |
| | <input checked="" type="checkbox"/> WA | Name | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <input checked="" type="checkbox"/> WA | Stream | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <input type="checkbox"/> | Pt. of Div. | <input type="checkbox"/> | <input type="checkbox"/> |
| | <input checked="" type="checkbox"/> WA | Calendar | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <input checked="" type="checkbox"/> | CHLCKED 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"/> | 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"/> |

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BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION }
OF DAN H. HEIERMAN (CENTRAL }
OREGON IRRIGATION DISTRICT) FOR }
THE APPROVAL OF A CHANGE IN PLACE }
OF USE OF WATER FROM DESCHUTES }
RIVER }

ORDER APPROVING
TRANSFER NO. 3112

On August 16, 1974, Dan H. Heierman 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 $\frac{1}{4}$ of Section 21, Township 14 South, Range 13 East, W.M., being tabulated in the name of L. A. Joslin, 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. This land also had 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. On June 10, 1966, an order was entered by the State Engineer wherein the rights appurtenant to the above described 1.0 acre were transferred to the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 16 South, Range 12 East. Satisfactory proof has been submitted to the Water Resources Director that water has been applied beneficially to these lands. These lands are irrigated by means of the Pilot Butte Canal.

The applicant herein, owner of the lands above described in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, proposes to transfer the water right therefrom, without loss of priority, to 1.0 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 15 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 May 1, 1974.

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 1.0 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 16 South, Range 12 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 15 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 17th day of June, 1976.

/s/ JAMES E. SEXSON
Director