

3269 *Calvin R. + Betty S. Robinson
Las Vegas, Nebraska*

3269

STATUS OF APPLICATION

Change in place of use
 Date filed 6-23-75
 Date of hearing _____
 Place of hearing _____
 Date of order 10-17-75 Vol. 26, page 118-9
 Date for application of water 10-1-76 10-1-78
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

*Survey
6-29-79*

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R.
 Trib. of _____ County of Deschutes
 Use irrigation
 Quantity of water _____ No. of acres 1²
 Name of ditch Pilch Butte Canal
 Date of priority 10/31/00 & 12/2/07
 In name of Joe Jabbar
Deschutes Adjudication, Vol. 16, page 106
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>6-23-75</u>	<u>25.00</u>	<u>7940</u>
TOTAL . . .		
	Cert. Fee	

172c

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

Surveyed 6/25/84 (Botham.)

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<i>WJ</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Stream	<i>WJ</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Ft. & Div.	<i>WJ</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Ca order	<i>WJ</i>	<input checked="" type="checkbox"/>
<input type="checkbox"/> CHANGED TO REC.		
<input checked="" type="checkbox"/> Top - go.	<i>WJ</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Elevation	<i>WJ</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Description	<i>WJ</i>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Cert. of work	<i>WJ</i>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Per. order		<input checked="" type="checkbox"/>
<input type="checkbox"/> Chainindex		<input checked="" type="checkbox"/>
<input type="checkbox"/> Closures		<input checked="" type="checkbox"/>
<input type="checkbox"/> Power Claim		<input checked="" type="checkbox"/>
<input type="checkbox"/> Abstracts		<input checked="" type="checkbox"/>

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF)
CALVIN R. AND BETTY S. ROBINSON)
(CENTRAL OREGON IRRIGATION DISTRICT))
FOR THE APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 3269

On June 23, 1975, Calvin R. and Betty S. Robinson 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, 1.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Township 15 South, Range 13 East, W.M., being tabulated in the name of Joe Talbot, 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, owners of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 1.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Township 15 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 May 7, 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 1.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Township 15 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 1.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Township 15 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 8, 1979

Marvin Bothum

~~Mary Bothum~~
1591 NW Helmholtz
Redmond, Oregon 97756

RECEIVED

FEB 13 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RE: File No. T-3269

The time allowed for completion of the change in place of use of water from Deschutes River, proposed by your water right transfer application No. 3269, expired on October 1, 1978, as extended.

If the authorized change(s) was/were accomplished on or before said date, please fill out and sign the statement of completion at the bottom of this letter and send it to us.

If you were unable to fully accomplish the change within the time allowed, but were diligently working on it and, therefore, you want to apply for an extension of the time limit, check the box at the very bottom of this letter to request the proper application form.

Sincerely,

James W. Carver, Jr.
James W. Carver, Jr.
Engineer

JWC:lcj

STATEMENT OF COMPLETION

I hereby certify that completion of works and use of water to the extent intended within the provisions of the order of the Water Resources Director approving water right transfer application No. 3269 was accomplished by July 1, 1978.

Feb 9 1979
Date

Marvin Bothum
Signature

Please send form for application for extension of time limit.

ok. Jay

RECEIVED

Application No. 3269

FEB 17 1978

Application for Extension of Time

WATER RESOURCES DEPT
SALEM, OREGON

for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Marv Bothum (Name of applicant)

of 1591 NW Helmholtz (Mailing address), Redmond (City)

State of Oregon, 97756 (Zip Code), (Phone number)

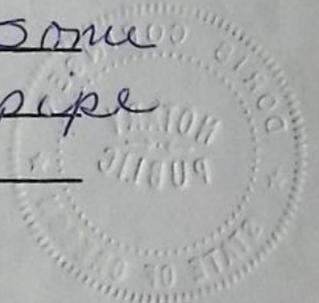
do hereby make application for an extension of time within which to complete a change in: () point of diversion (x) place of use () use heretofore made of water

under the terms of an order of the Water Resources Director entered on October 17, 1975, approving transfer application No. 3269, in the name of Calvin R & Betty S. Robinson (C.O.I.D.) *

The following has been accomplished toward completion of the change within the time allowed, which expired on Oct, 1977:

Cleared some brush, rocks and debris. cut juniper branches. seeded some areas - purchased irrigation pipe 7.3 now in irrigation
(If for irrigation, how many acres, total, are now irrigated)

*If you are not the applicant named above, please explain your interest in this matter. applicant



Rec 979
\$10.00

To fully complete the change, it will be necessary to accomplish the following: Complete Clearing and re-seed all the ground in the remaining 1 1/2 acres - Cross-fence to retain Owe Stock.

I am unable to complete the change under the terms of the order, within the time allowed, because The work has been slow and difficult. The first seeding was not adequate - need to cut hay before complete for sufficient grazing for Owe Stock and request that the time for completion be extended to Aug 1, 1978.

AFFIDAVIT OF APPLICANT

I, Morris Bach, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of February, 1978.

Subscribed and sworn to before me this 6th day of February, 1978.

[Notarial Seal]



Dennis Copinger
Notary Public for Oregon
My commission expires My Commission Expires Sept. 16, 1980

MAIL COMPLETED APPLICATION AND FEE IN THE AMOUNT OF \$ 10.00

TO:

Water Resources Department
MILL CREEK OFFICE PARK
555 13th STREET N.E.
SALEM, OREGON 97310

RECEIVED

T-3269

JUN 23 1975
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Calvin R. Robinson and Betty S. Robinson
(Name of applicant)

of Las Vegas, County of Clark
(Postoffice)

State of Nevada, 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					1.2											

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 the Deschutes River
(Yes or No)

12. Is the water right recorded in your name? No. Joe Talbot, Page 106 of 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 $\frac{1}{4}$
15	13	7					1.2											

(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~~ Nevada
County of Clark } ss.

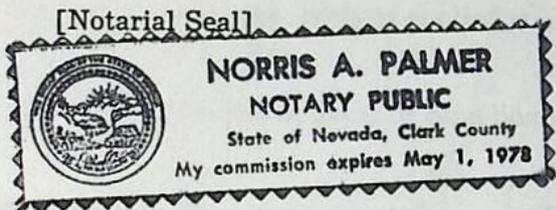
I, Carvin R and Betty J. Robinson, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 19th day of April, 1975.

Carl R. Gosh
Betty J. Robinson
(Name of applicant)

Subscribed and sworn to before me this 19 day of April, 1975

Norris A. Palmer
NOTARY PUBLIC FOR OREGON



My commission expires May 1, 1978

Remarks Approved by the Board of Directors of the Central Oregon Irrigation District at the regular meeting held May 7, 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.