

3387 *Bank, Yamuna, Holman*
 COI *Oregon*

3387

STATUS OF APPLICATION

Change in place of use
 Date filed 4-9-76
 Date of hearing _____
 Place of hearing _____
 Date of order 7-2-76 Vol. 27, page 286
 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 17^e
 Name of ditch COC
 Date of priority Oct 31, 1900 & Dec. 2, 1907
To be in name of George Michaelson
 In name of Central Oregon Irrig. Dist.
Deschutes River Adjudication, Vol. 16, page 58
 App. No. _____ Per. No. _____ Cert. No. 29252
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4-9-76</u>	<u>30⁰⁰</u>	<u>52443</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

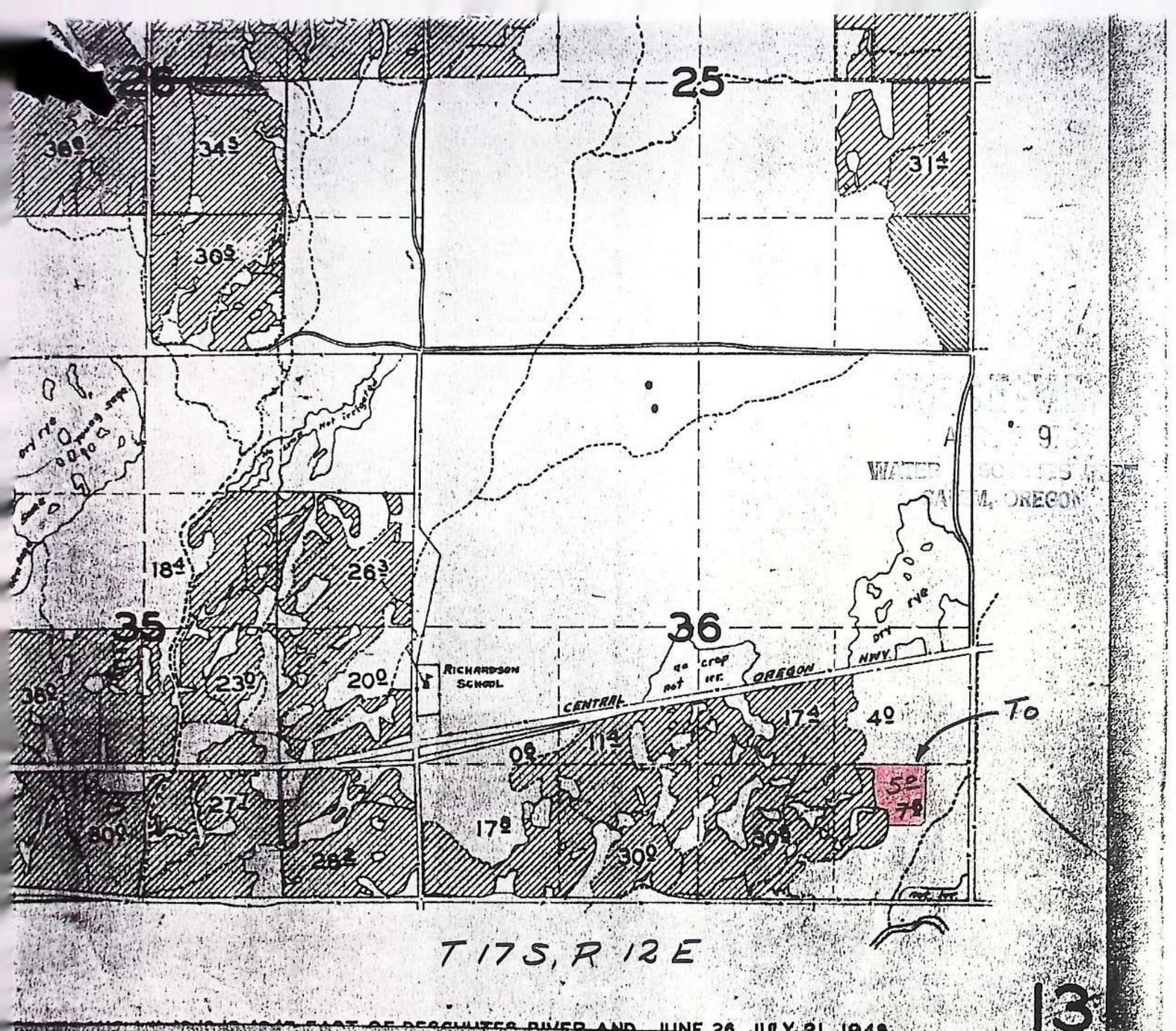
Date	Amount	Check No.

REMARKS

Surveyed 5/3/84 (Loomis, et al)

to survey 2/78

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"/>
<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-sure	<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"/> Chainindex	<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"/>



T-3387

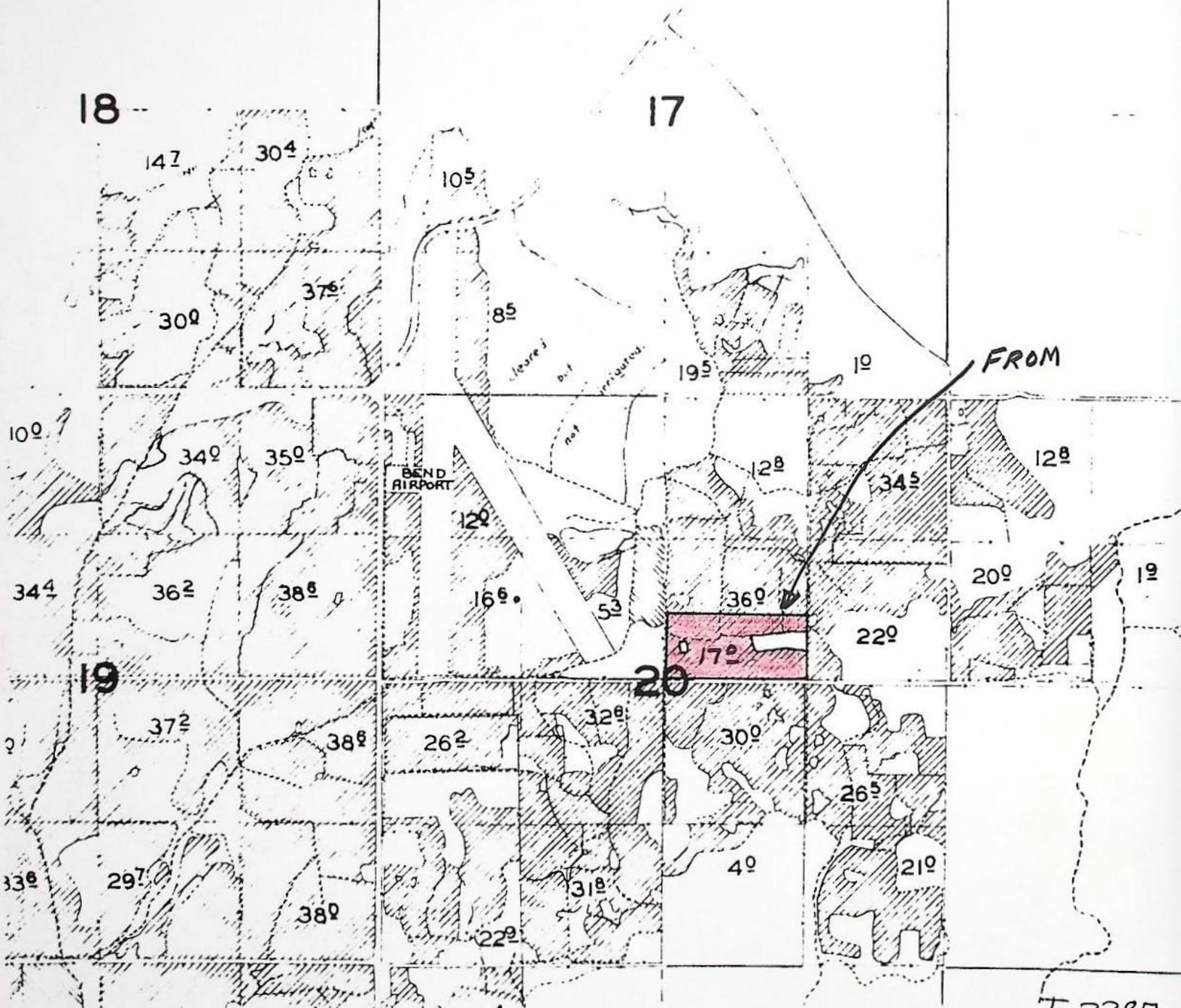
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T17S, R13E

RECEIVED

APR 29 1960

WATER RESOURCES DEPT.
SALEM, OREGON



T-3387

7

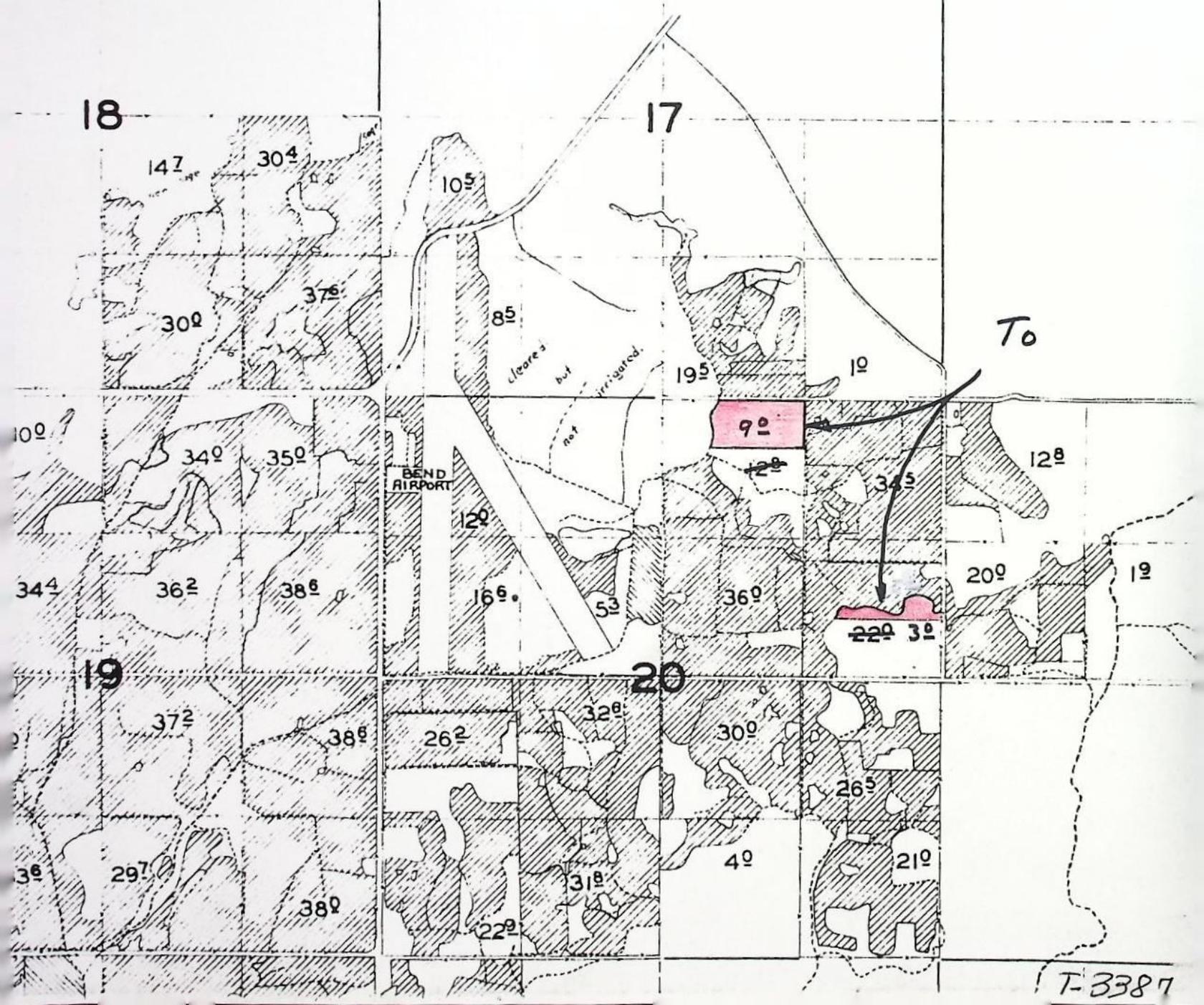
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T 17 S, R 13 E

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APR 9 1970

WATER RESOURCES DEPT.
SALEM, OREGON



To

T-3387

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION
OF GERALD E. AND JEANNINE A. LANIER
(CENTRAL OREGON IRRIGATION DISTRICT)
FOR THE APPROVAL OF A CHANGE IN PLACE
OF USE OF WATER FROM DESCHUTES RIVER

ORDER APPROVING
TRANSFER NO. 3387

On April 9, 1976, Gerald E. and Jeannine A. Lanier 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, 17.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Township 17 South, Range 13 East, W.M., being tabulated in the name of George Michealson, 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 Prairic Reservoir with a date of priority of February 28, 1913. These lands are irrigated by means of the Central Oregon Canal.

The applicants herein, contract purchasers of the lands above described, propose to transfer the water right therefrom, without loss of priority, to 9.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Township 17 South, Range 13 East, and 5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 17 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 February 4, 1976.

Charles T. Warren, Diane and Tommy Cobos, and Carol Cobos, contract sellers of the lands Gerald E. and Jeannine A. Ianier propose to transfer the water right from, have submitted written approval of the 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 is approved and the water right hereinbefore described as appurtenant to 17.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Township 17 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 9.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20, Township 17 South, Range 13 East, and 5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 17 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 2nd day of July, 1976.

/s/ JAMES E. SEXSON
Director

GILBERT ONION SKIN
MILLERS FALLS
ALL COTTON



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

*James
Carver
Watts*

January 12, 1978

Gerald E. & Jeannine A. Lanier
c/o Central Oregon Irrigation District
P.O. Box 548
Redmond, OR 97756

RECEIVED

FEB 21 1978

**WATER RESOURCES DEPT.
SALEM, OREGON**

RE: File No. T- 3387

Dear Mr. and Mrs. Lanier:

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. 3387, expired on October 1, 1977.

If the authorized change was 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 dilligently 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. 3387 was accomplished by ~~XXXXXX~~, 197~~6~~

1/20/78 1 AUGUST
Date

Senneth A. Watts
Signature

Please send form for application for extension of time limit.

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

Transfer No. 3387

I, Kenneth A. Walter hereby certify that
on July 2, 1976, the water has been applied to the lands to
which the water right was transferred by an order of the State Engineer
dated July 2, 1976, approving an application for a change in place
of use of water from Gerald E + Jeannine A. Lanier.

January 6, 1978
Date

Kenneth A. Walter
Signature

RECEIVED
JAN 24 1978
WATER RESOURCES DEPT
SALEM, OREGON



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-3066

January 12, 1978

Gerald E. & Jeannine A. Lanier
c/o Central Oregon Irrigation District
P.O. Box 548
Redmond, OR 97756

*James
etc
water*

RECEIVED
JAN 26 1978
WATER RESOURCES DEPT
SALEM, OREGON

RE: File No. T- 3387

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If you were unable to fully accomplish the change within the time allowed, but were dilligently 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. 3387 was accomplished by July 1, 1978.

1-24-78
Date

James W. Carver Jr
Signature

Please send form for application for extension of time limit.

RECEIVED
APR 9 1973
WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Gerald E. Lanier and Jeannine A. Lanier
(Name of applicant)

of Bend (Postoffice), County of Deschutes,

State of Oregon, 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 Central Oregon Canal

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

corner of (Section or subdivision) being within the

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 $\frac{1}{4}$
17	13	20			17													

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 George Michealson, Page 58
(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 $\frac{1}{4}$
17	13	20		9		3												
17	12	36																5

(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
Mortgage Lt. May 3, 1976 <i>MD</i>	Federal Land Bank	Permission attached
Contract of Sale	Charles S. & Diane J. Warren Tommy D. & Carol Cobas)	Permissions Attached

20. Reasons for the proposed changes are more beneficial use

AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Deschutes } ss.

I, Gerald E. Lanier and Jeannine A. Lanier, 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 1st day of December, 1975.

Signatures of Gerald E. Lanier and Jeannine A. Lanier with the text '(Name of applicant)'.

Subscribed and sworn to before me this 1st day of December, 1975.

[Notarial Seal]

Signature of Robert A. Anderson, Notary Public for Oregon.

My commission expires Sept. 14, 1979.

Remarks Approved by the Board of Directors of the Central Oregon Irrigation District at a regular meeting held February 4, 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.

WE, CHARLES T. WARREN & DIANE AND TOMMY COBOS & CAROL, DO HEREBY GIVE OUR CONSENT TO REMOVE ALL WATER RIGHTS IN EXCESS OF 20 ACRES APPURTENANT TO THE SW $\frac{1}{4}$, NE $\frac{1}{4}$, SEC.20, T17S, R13E, EWM.

12/4/95

DATED

Charles T. Warren

Diane J. Warren

Tommy P. Cobos

Carol Cobos

RECORDED
A
19
WATER
CL. M. OREGON

T-3387

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

April 29, 1976

State of Oregon
Water Resources Dep't
1178 Chemeketa St., N.E.
Salem, Oregon 97310

Attn; Wayne J. Overcash

Dear Mr. Overcash:

T-3387, Lanier

In reply to your letter of April 21, 1976 I will attempt to correct an error that was made on the application form of this transfer.

Item 19 stated that there was a mortgage held on the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Said Section 20-17-13 by the Federal Land Bank, this is not actually the case, they hold a mortgage on the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 20 only.

If we were to strike the incorrect entry on Item 19 and state that consent of the Federal Land Bank does not apply then perhaps the application could otherwise be processed as submitted. We will await your action.

Sincerely,

Robert A. Anderson
Robert A. Anderson
Sec'y-Manager

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MAY - 31 1976
WATER RESOURCES DEPT
SALEM, OREGON

FEDERAL LAND BANK ASSOCIATION OF REDMOND

P. O. BOX 577 742 S.W. FOREST. AVE. REDMOND, OREGON 97756

TELEPHONE: 548-2541



NEAL ELLIOTT, MANAGER

December 2, 1975

T-3387

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

Re: FLB #143631 - Gerald Lanier

ATTN: Mr. Bob Anderson

Dear Mr. Anderson:

The Federal Land Bank of Spokane holds for security for the above captioned loan, 80 acres described as the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 20, Township 17 S., Range 13 EWM.

Under this loan the Bank relies on 61 acre water right.

The Federal Land Bank consents to the transfer of any and all water right that is in excess of the 61 acre water right that is valued under our mortgage.

The Federal Land Bank of Spokane

A handwritten signature in cursive script that reads "Neal Elliott".

Neal Elliott
Attorney in Fact

ah

RECEIVED
MAY 8 1976
WATER RESOURCES DEPT
SALEM, OREGON



