

3391 *Central Oregon*  
*Redmond,*  
 CoI *Or*

3391

STATUS OF APPLICATION

Change in *place of use*  
 Date filed *4-9-76*  
 Date of hearing  
 Place of hearing  
 Date of order *4-23-76* Vol. *27*, page *124*  
 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 *Pilot Butte Canal*  
 Date of priority *Oct 31, 1900 & Dec 2, 1907*  
*Tub. in name of Central Oregon Irrig. Dist.*  
 In name of *Central Oregon Irrig. Dist.*  
*Deschutes River* Adjudication, Vol. *16*, page *145*  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. *29052*  
 Certificate cancelled  
 Notation made on record by \_\_\_\_\_

FEEES PAID

Date	Amount	Receipt No.
<i>4-9-76</i>	<i>30.00</i>	<i>52438</i>
<i>4-9-76</i>	<i>30.00</i>	<i>52448</i>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.
<i>5-24-76</i>	<i>\$3000</i>	<i>576</i>
	<i>Express Rec. Fees</i>	

*to survey 2/75*

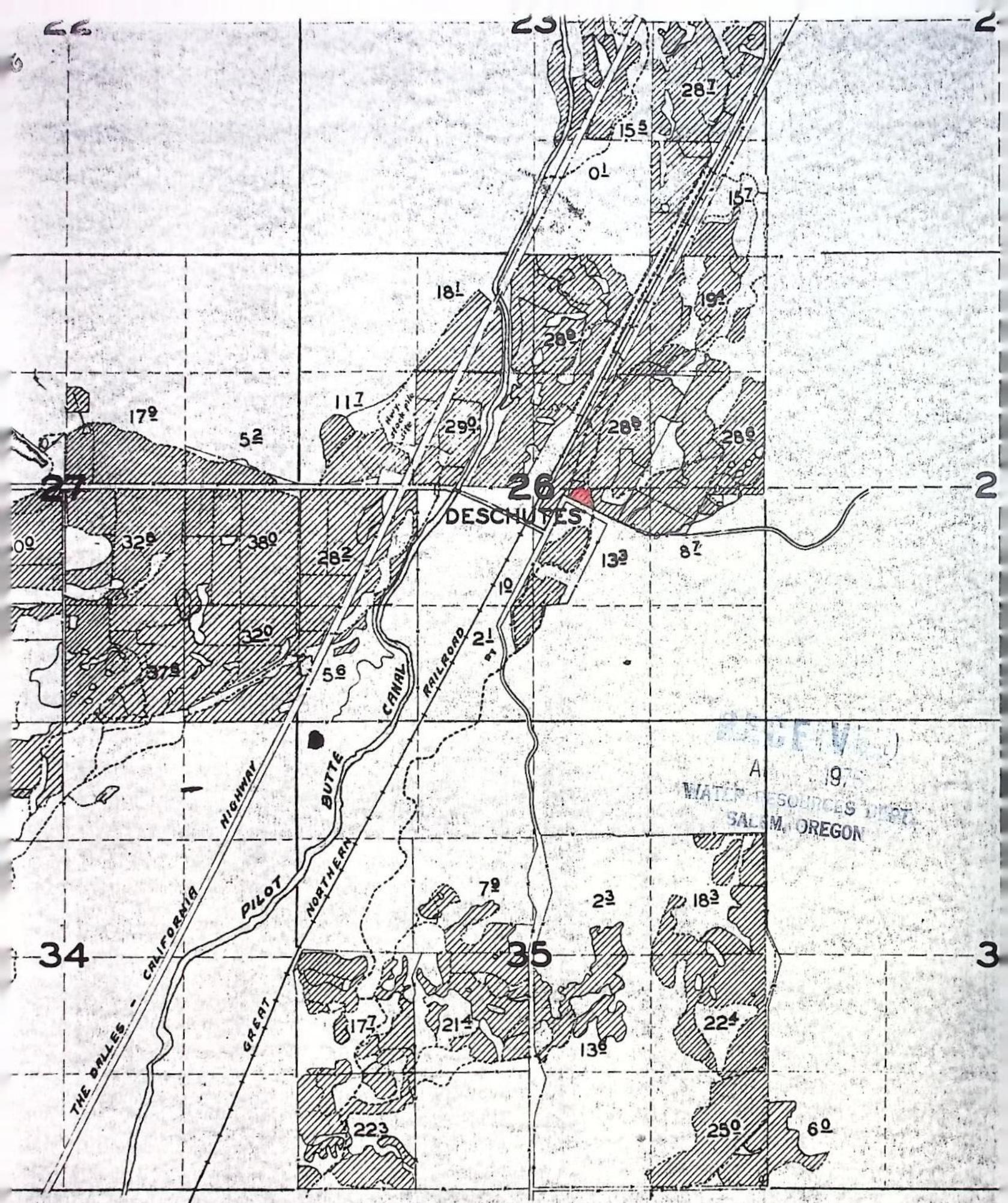
*Surveyed 10/30/25 (Elrod)*

REMARKS

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

	INDEX CARDS:	Entered	Checked
	<i>WA</i> Name	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>WA</i> Stream	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>WA</i> Pt. of Div.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>WA</i> Calendar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHECKED TO RECORDS:			
<input checked="" type="checkbox"/> Twp. & Rge.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Decree-vault	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Decree-note	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Cert. of W/R	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Per. Folder	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Chaindex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Cross Ref.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Power Claim	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Abstracts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





WATER RESOURCES DEPT.  
SALM, OREGON

T-3391

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION )  
OF CENTRAL OREGON IRRIGATION DISTRICT )  
FOR THE APPROVAL OF A CHANGE IN PLACE )  
OF USE OF WATER FROM DESCHUTES RIVER )  
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ORDER APPROVING  
TRANSFER NO. 3391

On April 9, 1976, Central Oregon Irrigation District 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 NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 26, Township 16 South, Range 12 East, W.M., being tabulated in the name of Central Oregon Irrigation District, 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 another 0.6 acre tract in NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 0.4 acre in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 26, Township 16 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 August 6, 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 NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 26, 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 another 0.6 acre tract in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 0.4 acre in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 26, Township 16 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 23rd day of April, 1976.

/s/ JAMES E. SEXSON  
Director

RECEIVED  
APR 9 1976  
WATER RESOURCES DEPT.  
SALEM, OREGON

### Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Central Oregon Irrigation District  
(Name of applicant)

of Redmond  
(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 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 $\frac{1}{4}$
16	12	26														1		

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 and 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 .....  
(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) *Central Oregon Irrig. Dist. supplemental claim*

12. Is the water right recorded in your name? Yes. Page 145  
(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 $\frac{1}{4}$
16	12	26														.6		.4

(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

TOWNSHIP 16 S RANGE 12 E W. M.

SECTION 26

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
19°	29°	6°	26°	18°			11°					9°	3°			Decree, Vol. 16 Page 142 Findings, Vol. 15 Page 271		29052
		23°	4°			12°	19°					Don	4°			Decree, Vol. 16 Page 143 Findings, Vol. 15 Page 272		29052
								10°				2°	7°			Decree, Vol. 16 Page 145 Findings, Vol. 15 Page 274		29052
								34°	21°							Decree, Vol. 16 Page 161 Findings, Vol. 15 Page 279		29054
												7°				Trs. Sp. Cr. Vol. 1 Page 55		
												Don				Trs. Sp. Cr. Vol. 1 Page 55		
19°	27°	27°	30°	15°		12°	30°					4°	9°	17°		Supplemental 13180		23256
								in 2°								E-52	Y.18.P.359	
													10°			T-3391		
													06°	04°		T-3391		

AFFIDAVIT OF APPLICANT

STATE OF OREGON, }  
County of Deschutes } ss.

I, Central Oregon Irrigation District, 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 22nd day of August, 1975.

Central Oregon Irrigation District  
(Name of applicant)  
by David L. Swain, Ass't Secretary

Subscribed and sworn to before me this 22nd day of August, 1975.

[Notarial Seal]

Robert A. Anderson  
NOTARY PUBLIC FOR OREGON

My commission expires August 24, 1975

Remarks Approved by the Board of Directors of the Central Oregon Irrigation District at regular meeting held August 6, 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.

RECEIVED

JAN 13 1978

WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETE APPLICATION  
OF WATER TO BENEFICIAL USE

Transfer No. 3391

I, William R. ELROD, hereby certify that

on Sept. 1, 1976, the water has been applied to the  
lands to which the water right was transferred by an order of the ~~State~~ <sup>Water Resources Director</sup>

~~State~~ dated April 23, 1976, approving an application for a  
change in place of use of water from NW 1/4, SE 1/4, S26 T16S.

NW 1/4, SE 1/4, Section 26, Township 16 South,  
Range 12 East, W. M.

William R. Elrod  
Signature

64940 Beach. Mkt. Rd.  
Bend, Ore. 97701

Jan. 16, 1978  
Date

OK  
GWC