

3354

STATUS OF APPLICATION

Change in place of use
 Date filed 1-22-76
 Date of hearing _____
 Place of hearing _____
 Date of order 2-6-76 Vol. 26, page 371
 Date for application of water 10-1-76
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

Summary
 2.790

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes R.
 Trib. of _____ County of Creek
 Use irrigation
 Quantity of water _____ No. of acres 0.84
 Name of ditch Pilot Butte Canal
 Date of priority Oct 31, 1900 & Dec 2, 1907
 In name of G.O.I.D. Tak in name of W.M. Clark
Deschutes Riv. Adjudication, Vol. 16, page 113
 App. No. _____ Per. No. _____ Cert. No. 29052
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

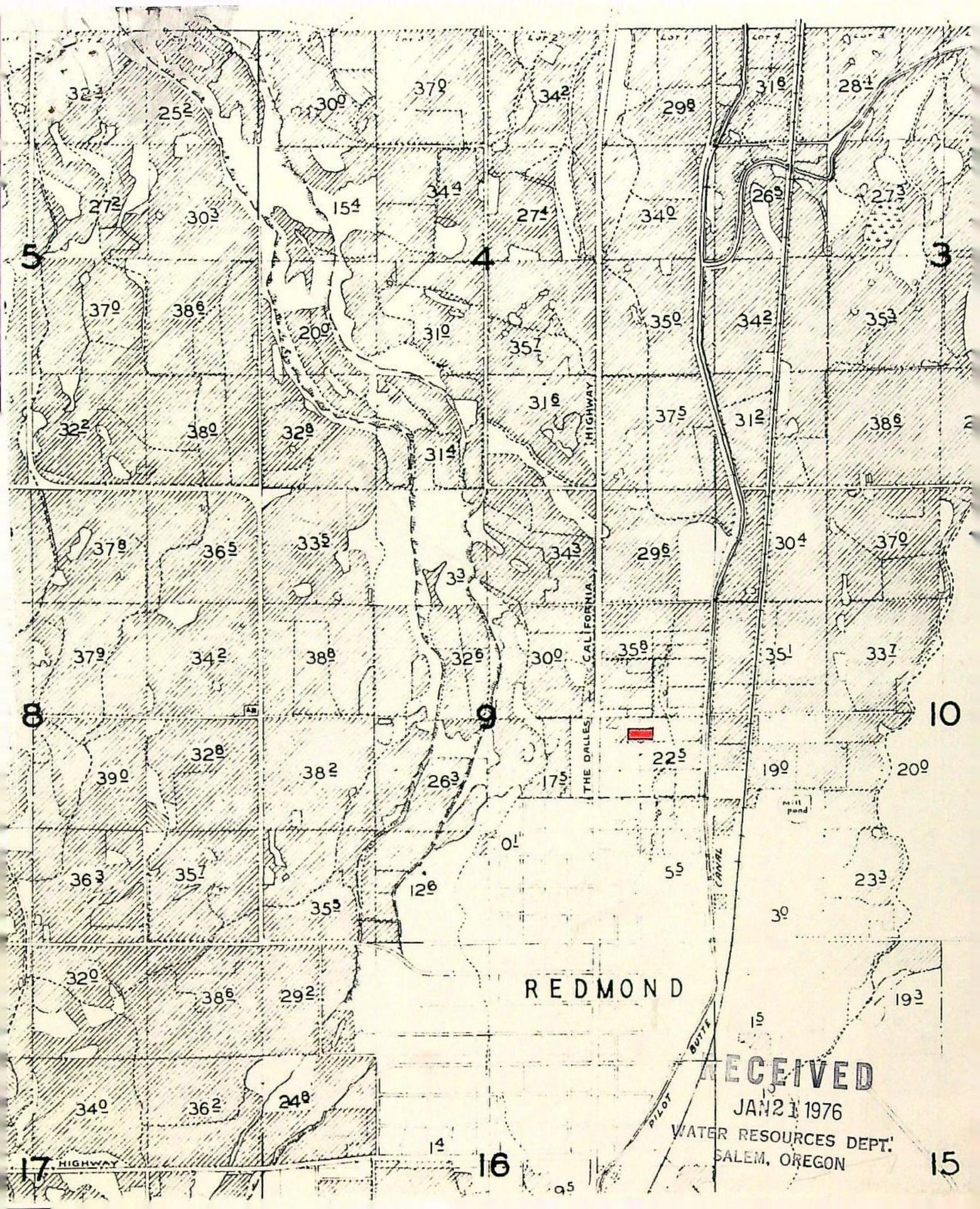
Date	Amount	Receipt No.
<u>1-22-76</u>	<u>30.00</u>	<u>51160</u>
TOTAL		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

TO BE ENTERED WHEN CHECKED	INDEX CARDS:	Entered	Checked
	<u>WA</u> Name	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<u>WH</u> Stream	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WH</u> Pt. of Div.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WH</u> Calendar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<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-safe	<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"/> Chainindex	<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"/>



E. L. GRANT
T-3354

"FROM"

NE 1/4 SE 1/4 SEC. 9 T.15 S. R.13 E. W.M.

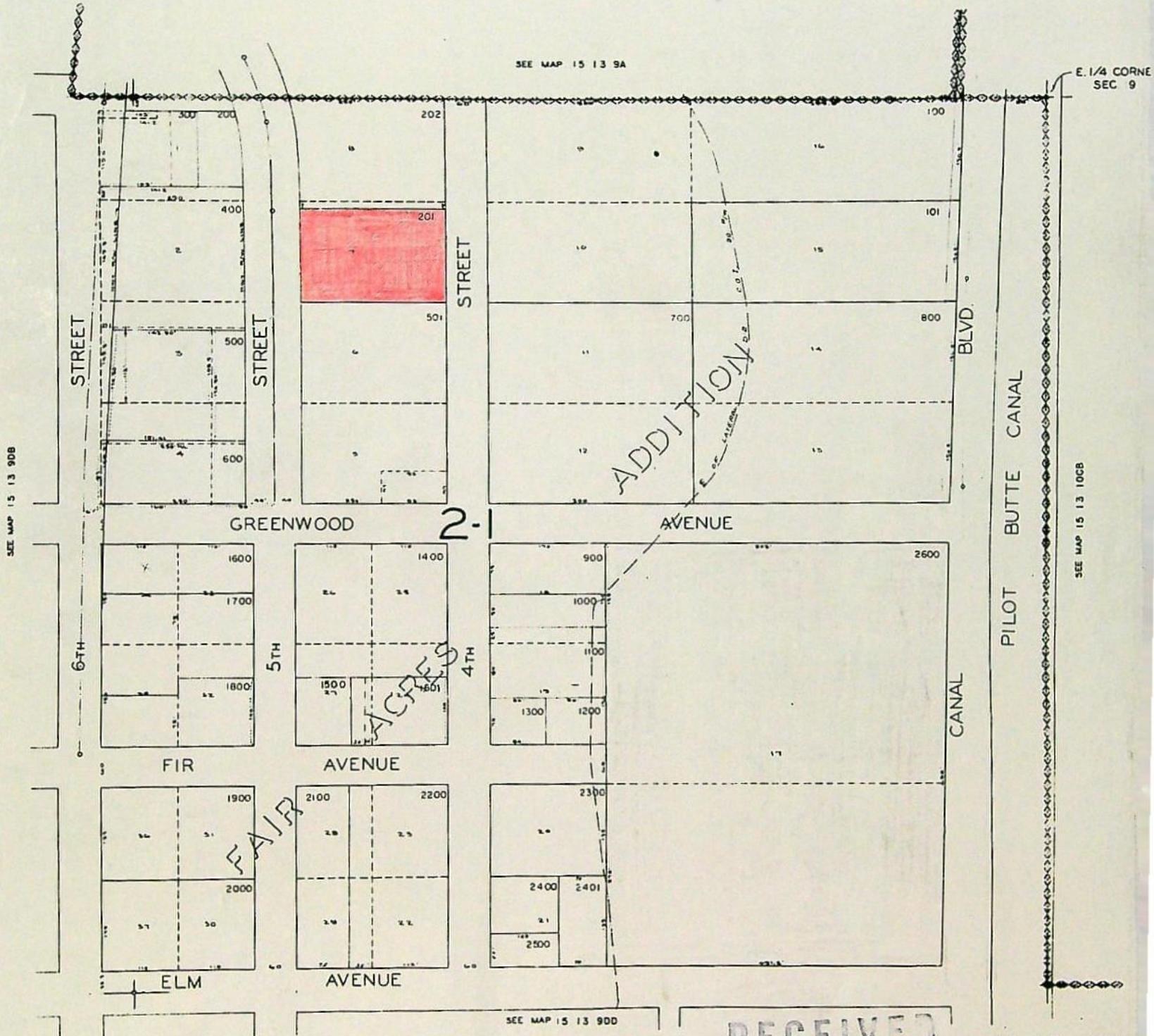
15 13 9DA

DESCHUTES COUNTY

SCALE: 1" = 100'

SEE MAP 15 13 9A

E. 1/4 CORNER
SEC 9



SEE MAP 15 13 9DB

SEE MAP 15 13 10CB

SEE MAP 15 13 9DD

RECEIVED

JAN 21 1976

WATER RESOURCES DEPT.
SALEM, OREGON

15 13 9DA

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Crook County

IN THE MATTER OF THE APPLICATION)
OF EDWARD L. GRANT (CENTRAL OREGON)
IRRIGATION DISTRICT) FOR THE)
APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 3354

On January 22, 1976, Edward L. Grant 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, .84 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 15 South, Range 13 East, W.M., being tabulated in the name of W. M. Clark, 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, contract purchaser of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to .84 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, 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.

Clyde R. and Enid B. Ellinger, holder of the contract of purchase of the land involved have submitted a written statement authorizing release of the water right.

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 October 1, 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 .84 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, 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 .84 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 17, 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 6th day of February, 1976.

JAMES E. SEXSON
Director

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JAN 29 1976

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Edward L Grant
(Name of applicant)

of Box 102 Mitchell Star Route Prineville, County of Crook
(Postoffice)

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 9 Tp. 15 R. 13 W. M., in the County of Deschutes
(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 $\frac{1}{4}$
15	13	9													.84			

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? No Contract Purchaser
(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
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

..... If so, give title of proceedings Adjudication of Deschutes River
(Yes or No)

12. Is the water right recorded in your name? No. W. M. Clark, Page 113
(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			
			NE¼	NW¼	SW¼	SE¼												
15	13	17					.84											

(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? No

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
Contract of Purchase	Clyde R Ellinger	Permission attached

20. Reasons for the proposed changes are More beneficial use

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

} ss.

I, Ed L. Grant, 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 30th day of September, 1975.

Ed L. Grant
(Name of applicant)

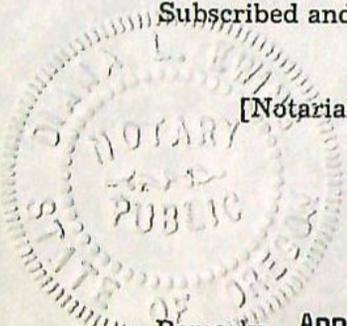
Subscribed and sworn to before me this 30th day of September, 1975.

[Notarial Seal]

Oliver L. Ewing
NOTARY PUBLIC FOR OREGON

My commission expires September 7, 1979.

Remarks Approved by the Board of Directors at the regular meeting of the
Central Oregon Irrigation District held October 1, 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.

September 18, 1975

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

TO WHOM IT MAY CONCERN:

We, Clyde R Ellinger and Enid B Ellinger, hereby authorize you to release the Central Oregon Irrigationth Water Right, .84 acre on the Southerly 139.5 Feet of Lot 7 of Fair Acres - 9-15-13, Deschutes County Redmond, Oregon.

It is our understanding that the water is being sold and transferred by Edward Grant to another piece of property.

Signed

Clyde R. Ellinger

Signed

Enid B. Ellinger

RECEIVED
JAN 21 1976
WATER RESOURCES DEPT.
SALEM, OREGON

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			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
27°	34°	36°	5									27°			28°	Decree, Vol. 16 Page 123	123	29052
			32°													Decree, Vol. 16 Page 124	124	29052
				32°	38°	26°	33°	35°	34°	33°	5	23°	34°			Decree, Vol. 16 Page 125	125	29052
																Decree, Vol. 16 Page 125	125	29052
																Supplemental	13180	23256
																Trs. Sp. Or. Vol. 8 Page 554	554	29052
																Trs. Sp. Or. Vol. 9 Page 137	137	29052
																Trs. Sp. Or. Vol. 9 Page 140	140	29052
																Trs. Sp. Or. Vol. 9 Page 143	143	29052 out
																Trs. Sp. Or. Vol. 9 Page 143	143	29052
																Decree, Vol. 16 Page 149	149	29052
																Trs. Sp. Or. Vol. 10 Page 136	136	29052 in
																Trs. Sp. Or. Vol. 11 Page 304	304	
																Decree, Vol. 16 Page 107	107	29052
																Trs. Sp. Or. Vol. 12 Page 367	367	29052

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			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
																Mun	Trs. Sp. Or. V. 12 p. 367	367
																	Trs. Sp. Or. V. 13 p. 488	488
																	R-93	V. 14 P. 436
																	C-168	V. 15 P. 271
																	R-96	V. 16 P. 364
																	R-106	V. 18 P. 108
																	R-106	V. 18 P. 108
																Mun	G-4981	G-4980
																	T-2477	V. 21 P. 231
																	T-2477	V. 21 P. 231
																	2717	V. 22 P. 397
																	2718	V. 22 P. 405
																	T-2572	V. 21 P. 369
																	T-2904	V. 24 P. 54

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			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
																	G-6865	
																	T-3354	

