

4075 Matson COID

4075

Name James W. & Virginia A. Matson

By Central Oregon I. D.

Address P.O. Box 548
Redmond, OR 97756

Change in POU

Date filed Oct 16, 1978

Date of hearing

Place of hearing

Date of order 2-12-79 Vol. 31, page 620

Date for application of water 10-1-80

Proof mailed MAY 25 1984

Proof received 6-8-84

Certificate issued Vol. , page

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River

Trib. of County of Deschutes

Use

Quantity of water No. of acres 16^e

Name of ditch Central Oregon Canal

Date of priority Oct 31, 1900 & Dec 2, 1907

In name of COID tab. in name of James Matson
Deschutes River Adjudication, Vol. 16, page 54

App. No Per. No. Cert. No. 29052

Certificate cancelled

Notation made on record by

FEES PAID

Date	Amount	Receipt No.
10-16-78	30-	6750
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

to survey 9/79

REMARKS

Surveyed 5/16/84 (Jones)
Finis

W.R.I.S.

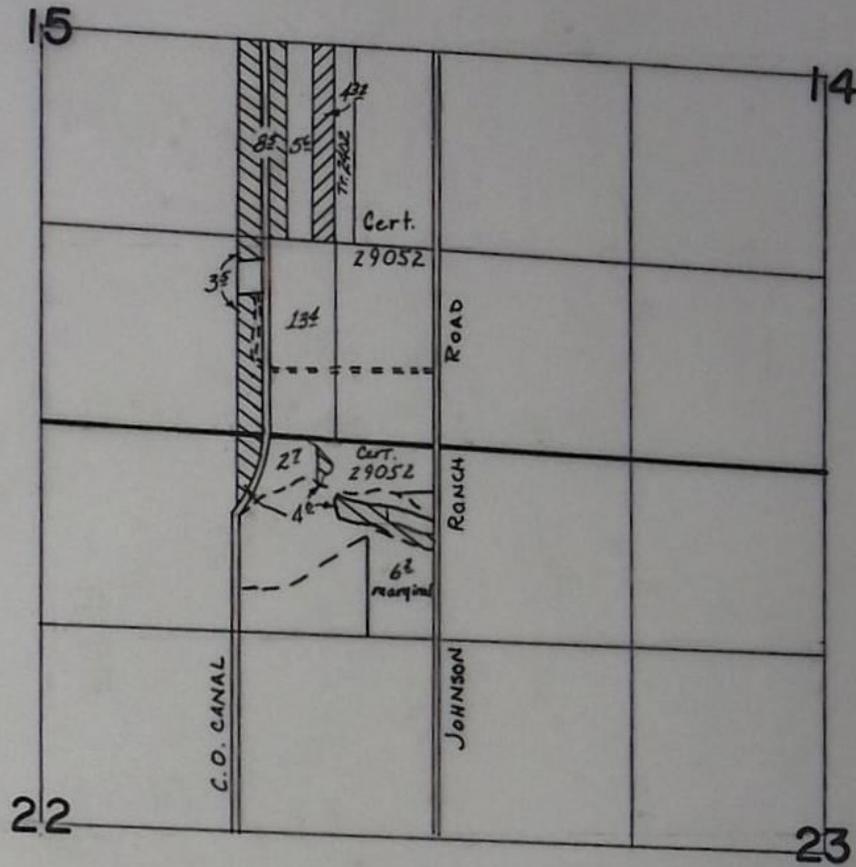
Assembled 9-8-85 by SGA

Entered _____ by _____

Verified _____ by _____

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

T.17S.,R.14E.,W.M.



SCALE : 4" = 1 mile

FINAL PROOF SURVEY

UNDER

Transfers   4075 & 4077

Application No. Permit No.
IN NAME OF

JAMES JONES, HARPER BROWN

Surveyed MAY 16 1984, by L. OLSON



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
JAMES W. & VIRGINIA A. MATSON)
(CENTRAL OREGON IRRIGATION DISTRICT))
FOR APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4075

On October 16, 1978, an application was filed in the office of the Water Resources Director by James W. and Virginia A. Matson for approval of a change in place of use of water from Deschutes River, pursuant to 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 waters of Deschutes River and its Tributaries, a water right was allowed in the name of Central Oregon Irrigation District for the use of the waters of Deschutes River for irrigation of, among other lands, a certain 16.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 17 South, Range 12 East, W.M., being tabulated in the name of James Matson at Volume 16, page 54, 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 water stored in Crane Prairie Reservoir with a date of priority of February 28, 1913. These lands are irrigated by means of the Central Oregon Canal.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom, without loss of priority, to a certain 8.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 4.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, and 4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, Township 17 South, Range 14 East, W.M.

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 April 6, 1977.

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.

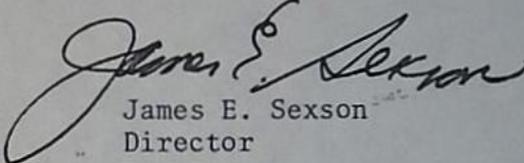
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

V311 P670

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

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 shall be issued to Central Oregon Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon this 12th day of February, 1979.


James E. Sexson
Director

P621

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

WATER RIGHT NO. T0000 *40751* PERMIT NO. 016054 CERTIF. NO.0029052
ORIG. NO. C000290521 PREV. NO. C000290521 SUPER. NO.

NAME: *JAMES & VIRGINIA MATSON*

ADDRESS: COID PO BOX548

CITY/STATE/ZIP/COUNTY; REDMOND, OR 97756

07
09

STREAM-ID 05 1980 RIV.MI. 0.0 WM.DIST. 11 W.R.TYPE SC STATUS V

CANCEL YEAR----> CONSTR.COMPLT--> *09 04 1979* YR.LAST USED-----> _____ NEXT ACTION DUE--> _____
PRIORITY-----> 10 31 1900 PUT TO USE-----> *09 04 1979* LAST TRANS.DATE--> _____ LAST TRANS.TYPE--> _____
APPLICATION---> *10 16 1978* SURVEYED-----> *05 16 1984* EXAM.FEE-----> *20.00* RECORDING FEE----> *10.00*
PERMIT ISSUE--> *02 12 1979* CONCURRENCE-----> *06 07 1984* CYCLE STATUS-----> _____ REPORTED FLAG-----> _____
CONSTR.STRT.--> *02 12 1979* CERTIFIED-----> _____ CORRES.INIT.-----> _____ CORRES.DATE-----> _____

POINT-OF-DIVERSION DATA;						RIV.MI.	RATE	STATUS	S	OR	P
TWNSP	RNGE	SECT	QTR/QTR	STREAM-ID							
170S	120E	29	A D	05 1980	<i>ms</i>	164.0		V			P
180S	120E	13	A C	05 1980	<i>co</i>	171.0		V			P
						0.0					

*** REMARKS; - - - - -
*** DATED-->
*** PRIORITY ALSO 12-2-1907 CHANGES POLL
*** PART OF C-29052 PLOT BUTTE CENTRAL
*** OREGON CANAL TAB IN NAME OF JAMES
*** MATSON

PLACE-OF-USE DATA:												
TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE	%	CNSMTV	ACRES	STATUS	S	OR	P
170S	140E	15	D A	09	IR	100.00		8.50	V			P
		15	D D					3.50				
		22	A A					4.00				

W.R.I.S.

Associated *4-8-85* by *SD*

Entered _____ by _____

Verified _____ by _____

Permit No. _____

Transfer No. 4075

County DESCHUTES

PROOF OF APPROPRIATION OF WATER

1. Name James H. Jones & Harper Brown 2. Address c/o Central Oregon Irrigation District, PO Box 548 Redmond, OR 97756
3. Source of Supply Deschutes River
Tributary of Columbia River
4. Amount of water _____ 5. Priority date October 31, 1900
December 2, 1907
6. Use irrigation of 16.0 acres
7. Location of point of diversion Central Oregon Canal

8. The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

8.5 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
3.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 15

4.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 22 14
Township 17 South, Range 15 East, WM

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of Place of Use approved by the order of the Water Resources Director entered February 12, 1979; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of JUNE 19 84.

James H. Jones
Legal Owner of the above described lands
Harper Brown

PC/AR

Trans. Proof

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN:

POD
~~POI~~
USE
Add'l POD

5-16-84
179-119R
UGO

Transfer NO. 4075

County Deschutes

Old Certificate NO. 29052

- Name James H. Jones c/o COID & Harper Brown c/o COID
Address ~~63295 Johnson Road Rd., Bend, 97701~~ PO Box 548 Redmond, OR 97756
- Source of Supply Deschutes River, Trib of Columbia R
- Use irrigation of 16⁰ ac.
- Amount of Water _____ Priority Date 10-31-1900 & 12-2-1907
- Proposed Point of Diversion Central Oregon Canal

6. Completion Date ~~10-1-80~~

7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
<u>17S</u>	<u>14E</u>	<u>15</u>	<u>NESE</u>	<u>8⁵/₈ ac</u>
		<u>15</u>	<u>SESE</u>	<u>3⁵/₄ ac</u>
		<u>22</u>	<u>NE NE</u>	<u>4⁰ ac</u>
			<u>POD</u>	
			<u>WR Dir.</u>	
			<u>Feb 12, 1979</u>	

Brown portion

Info: Harper Brown

The land west of the ^{Canal} ~~ditch~~ has not been irrigated for 2 yrs. It is cleared & stub has alfalfa & grass growing on it. The land east of Canal is part of his hay field.

See TR 2402 for details
↓ TR 4077

Brown is overage by
2% in NE & 10% in SE.

TG: 179-119 R

5-16-84

Sadie Olson

WRE

Jones portion

Info: Mr Jones

Pump: 10hp

Ads: hand lines

Mr. Jones used to own this 120, sold 80 to Brown. He irrigates the piece across the canal as well as the main pasture adjoining Brown, a field south of rental house & east of pond & a somewhat dry (last 2 yrs) rye field from ditch to line fence. This last field is marginal.

TG: 179-119 R

5-16-84

Sadie Olson

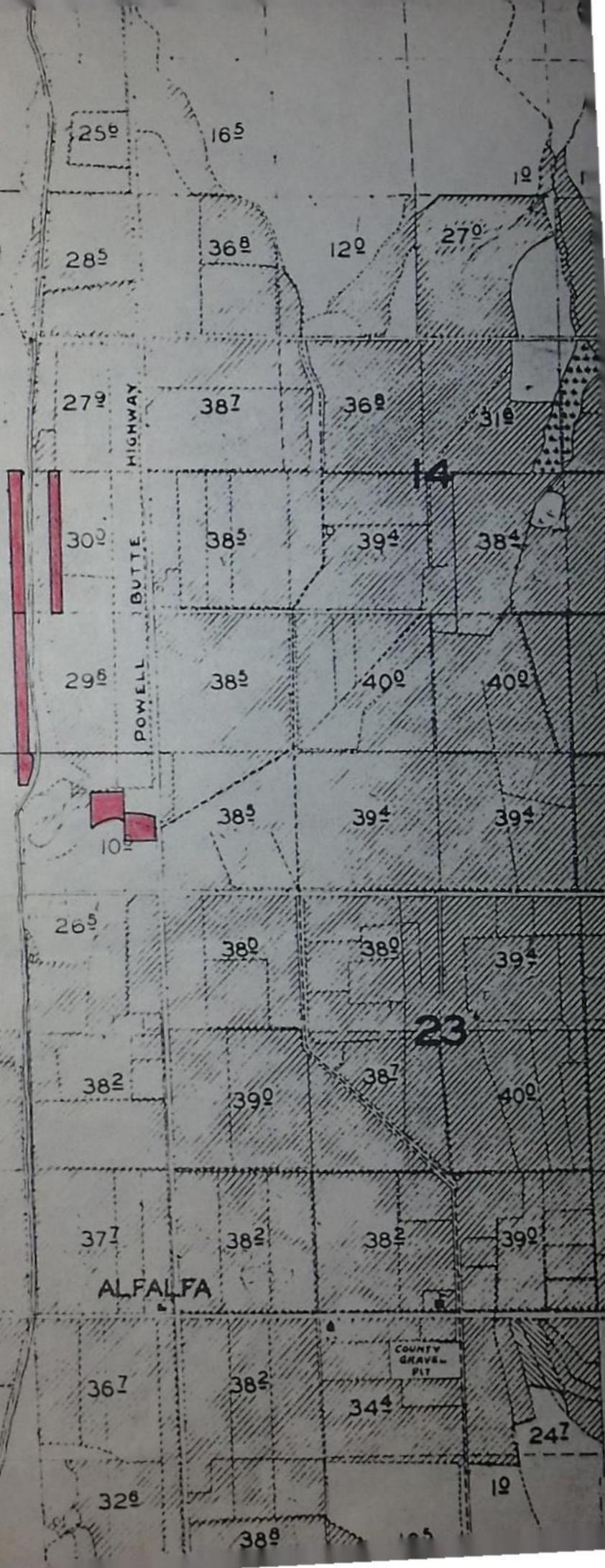
WRE

Note: Jones is not irrigating all of his 29052 lands as shown on the adj. map, therefore I had to show the 27 as overage.

T-4075
To
RECEIVED

JAN 8 1979

WATER RESOURCES DEPT.
SALEM, OREGON



TOWNSHIP 175 RANGE 14E W. M.

SECTION 15

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			
28 ⁵																Decree, Vol. 16 Page 62		COID
			28 ⁰									30 ⁰				Findings, Vol. 5 Page 189	189	29052
			28 ⁰													Decree, Vol. 16 Page 62		
28 ²			28 ⁰													Findings, Vol. 5 Page 190	190	29052
			12 ⁰													Supplemental		
																13180	23256	
																N-43	Y.19.P.146	
																OUT 8 ⁰	T-2402	Y.19.P.471
																+4 ⁰	T-4075	(C-29052)
																	T-4077	(C-29052)
																OUT 4 ¹²	T-4573	(C-29052)
																	5473	

TOWNSHIP 175 RANGE 14E W. M.

SECTION 22

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																		
10 ⁰			37 ⁰				10 ⁰	31 ⁰	5 ⁰	39 ⁰	38 ⁰	37 ⁰	38 ⁰	38 ⁰	Decree, Vol. 9 Page 62, 63	190	COID	
10 ⁰			37 ⁰				10 ⁰	31 ⁰	5 ⁰	39 ⁰	38 ⁰	37 ⁰	38 ⁰	38 ⁰	Findings, Vol. 5 Page 190	190	29052	
+4 ⁰															Supplemental			
			OUT 3 ⁰													T-4075	(C-29052)	
			IN 1 ⁰													T-4624	(C-29052)	
			2 ⁰													T-4624	(C-29052)	
										IN 6 ⁴³						T-4823	(29052)	
			OUT 4 ⁰													T-4952	(29052)	
										IN 0 ⁸						T-5218	(C-29052)	
										IN 9 ⁰						T-4692	(T-2524)	

RECEIVED

SEP 4 - 1979

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN
place of use of water from Deschutes River

PURSUANT TO TRANSFER APPLICATION NO. 4075

I, JAMES H JONES, 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 said water right transfer application was accomplished by April 1st, 1978

August 28 1979
Date

James H Jones
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

OK
DJ

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JAN 8 1979

WATER RESOURCES DEPT. SALEM, OREGON

7-4075 RECEIVED

OCT 16 1978

WATER RESOURCES DEPT. SALEM, OREGON

Application for Transfer of Water Right

RECEIVED

OCT 27 1978

WATER RESOURCES DEPT. SALEM, OREGON

Water Resources Director To the STATE ENGINEER OF OREGON:

We X, James W. Matson and Virginia A. Matson (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 (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. and ft. from the (N. or S.) (E. or W.)

corner of (Section or subdivision) being within the

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.

Table with columns for Twp., Range, Sec., and sub-sections (NE 1/4, NW 1/4, SW 1/4, SE 1/4) for NE 1-4, NW 1-4, SW 1-4, and SE 1-4. Row 1 shows 17, 12, 34 and 16.0 acres.

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 (Yes or No) If so, give number of certificate 29052

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

Yes (Yes or No) If so, give title of proceedings adjudication of the Deschutes River

12. Is the water right recorded in your name? Yes, page 54 Vol. 16 Tab. in name of James Matson (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	14	15													8			4
17	14	22	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 corner of being within the of Section Tp. R. W. M., 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

.....

RECEIVED
 RECEIVED
 RECEIVED

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

} ss.

We James W. Matson and Virginia A. Matson, 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 18th day of November, 1976.

x James W Matson
x Virginia A. Matson
(Name of applicant)

Subscribed and sworn to before me this 18th day of November, 1976.



[Notarial Seal]

Robert A. Anderson
NOTARY PUBLIC FOR OREGON

My commission expires Sept. 14, 1979

Remarks Transfer No. N-43 removed 14.0 acres from NE 1/4 SE 1/4 of Section 15, T. 17 S., R. 14 E. W.M. ~~XXXXXX~~

Approved by the Board of Directors of the Central Oregon Irrigation District at a regular meeting held April 6, 1977.

Water rights being transferred to John Grover, contract purchaser.

Lands being assigned water rights are effected by Transfer Application No's. N-43 and 2402.

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.

CENTRAL OREGON IRRIGATION DISTRICT

MUNICIPAL CORPORATION OF THE STATE OF OREGON

BOARD OF DIRECTORS
DON MILTENBERGER, PRESIDENT
KENNETH WERTH, VICE-PRESIDENT
WILLIAM PREWITT
DON FARRIER
TOM KASBERGER

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

RECEIVED
JAN 8 1979
WATER RESOURCES DEPT.
SALEM, OREGON

January 5, 1979

Wayne J. Overcash
Water Resources Department
555 13th Street N.E.
Salem, Oregon 97310

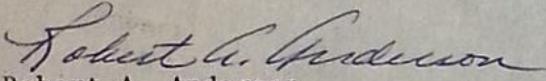
Re: File No. T-4075
James W. Matson

Dear Mr. Overcash,

Enclosed you will find a corrected map of the areas to which the water rights are to be assigned.

It is the intent to assign the 4.0 acres as the place of use within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T.17S., R.14 E.W.M. to an area equaling 4.0 acres and lying immediately west and adjacent to the west side of the area designated as 4.0 acres under File No. T-2402.

yours truly,


Robert A. Anderson
Secretary-Manager

RAA/brl

Enclosure

CENTRAL OREGON IRRIGATION DISTRICT

MUNICIPAL CORPORATION OF THE STATE OF OREGON

BOARD OF DIRECTORS
DON MILTENBERGER, PRESIDENT
KENNETH WERTH, VICE-PRESIDENT
WILLIAM PREWITT
DON FARRIER
TOM KASBERGER

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

October 25, 1978

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OCT 27 1978
WATER RESOURCES DEPT.
SALEM, OREGON

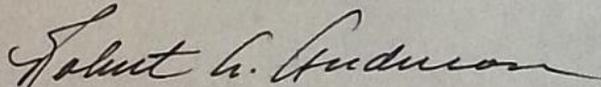
Wayne J. Overcash
Water Rights Engineer
State of Oregon
Water Resources Department
555 13th Street, N.E.
Salem, Oregon 97310

Re: T-4075
James W. Matson

Dear Mr. Overcash,

As requested by your letter dated October 19, 1978 I am enclosing with this re-submittal an ammended map of the area being divested of 16.0 acres of water more nearly representing the correct area. Also enclosed is a copy of the deed held by the Matson's at the time that this application was filed.

Yours very truly,



Robert A. Anderson
Secretary-Manager

RAA/brl

Enclosures

T-2402

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OCT 27 1978

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JAN 8 1979

WATER RESOURCES DEPT.
SALEM, OREGON

15

14

2 Acres

POWELL BUTTE HIGHWAY

22

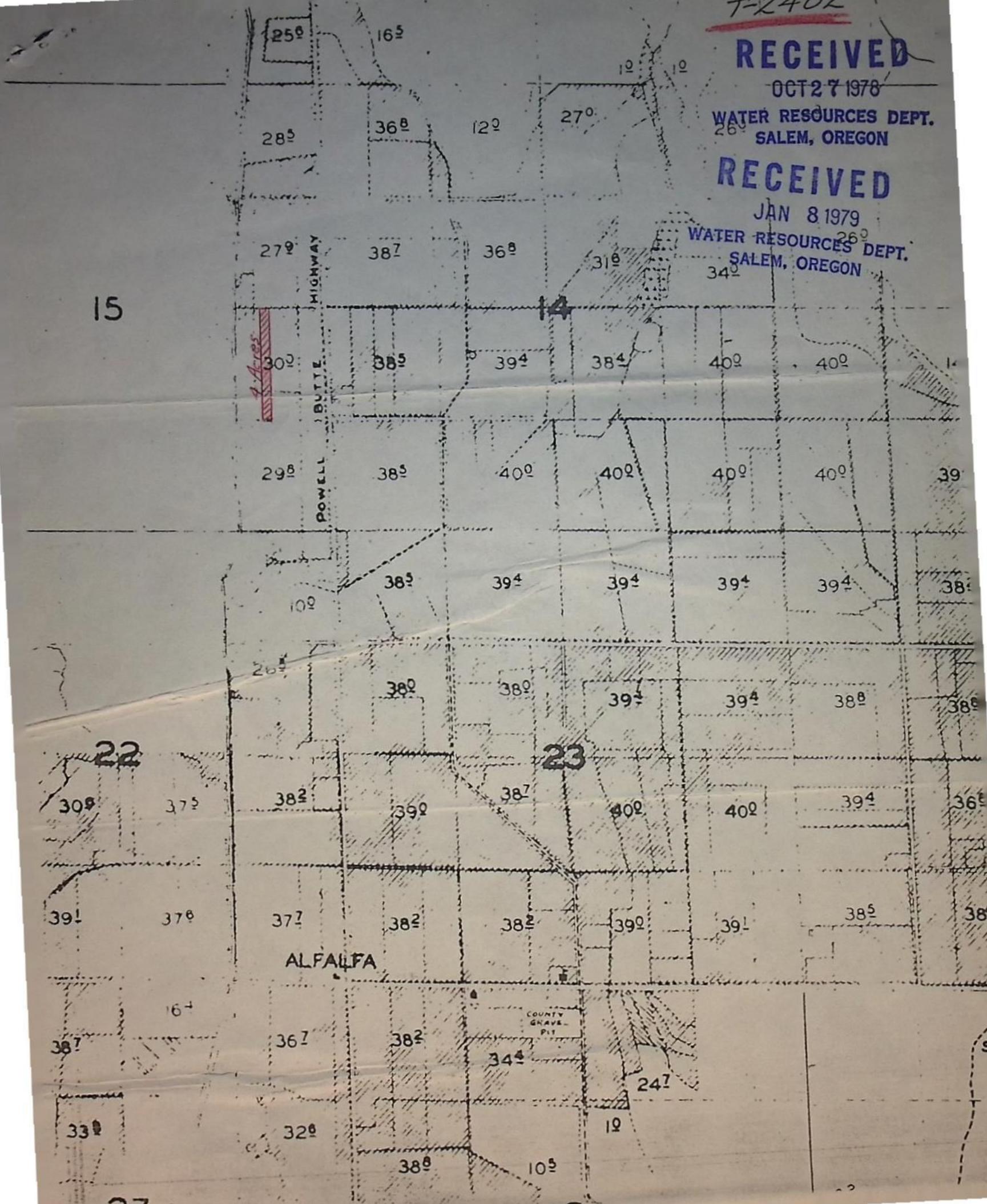
23

ALFALFA

COUNTY GRAVE PIT

27

51



2372

KNOW ALL MEN BY THESE PRESENTS, That I, Wealthy E. Dunn, widow of Marsellus Dunn, deceased

in consideration of Ten - - - - - Dollars, and other valuable considerations to me paid by James W. Matson and Virginia A. Matson, husband and wife

do hereby grant, bargain, sell and convey unto said James W. Matson and Virginia A. Matson, husband and wife

and to their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances situated in the County of Deschutes and State of Oregon, bounded and described as follows, to-wit:

The Northeast Quarter of the Northwest Quarter of Section 34, Township 17 South, Range 12 E.W.M.



RECEIVED OCT 27 1978 WATER RESOURCES DEPT. SALEM, OREGON

To Have and to Hold, the above described and granted premises unto the said James W. Matson and Virginia A. Matson, husband and wife

and to their heirs and assigns forever

And I, Wealthy E. Dunn, widow of Marsellus Dunn, deceased

above named do covenant to and with the above named grantees and their heirs and assigns that I am lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances,

and that I will and my heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever,

Witness my hand and seal this 19th day of March, 1945 Executed in the Presence of

Wealthy E. Dunn (SEAL)

(SEAL)

(SEAL)

(SEAL)