

4080 Alfalfa Waterusers
COLD

Name Alfalfa Wateruser's Association

4080

DESCRIPTION OF WATER RIGHT

By Central Oregon Irrig. Dist.

Address P.O. Box 548

Redmond, Or. 97756

Name of stream Deschutes River

Trib. of _____ County of Deschutes

Use irrigation

Quantity of water _____ No. of acres 4.5

Name of ditch Central Oregon Canal

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

In name of C.O.I.D. to be in name of C.O.I.D.

Deschutes R. Adjudication, Vol. 16, page 145

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

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-23-78</u>	<u>30.00</u>	<u>6913</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Change in POV

Date filed October 23, 1978

Date of hearing _____

Place of hearing _____

Date of order 3-12-79 Vol. 31, page 676

Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

*Summary
4-79*

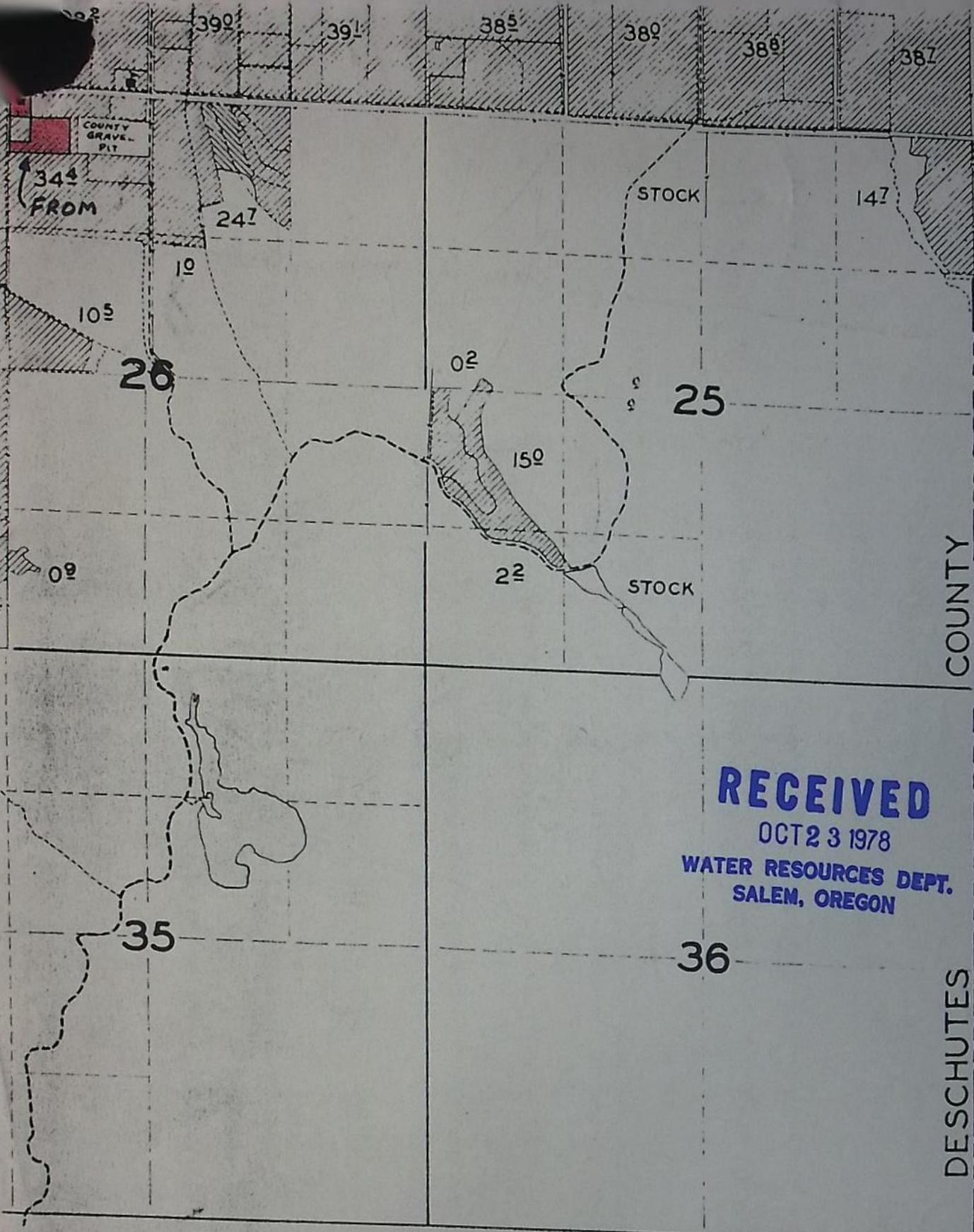
REMARKS

Surveyed 6/18/84 (Matheny)

W.R.I.S.	
Assembled <u>7-8-85</u> by <u>SJA</u>	
Entered _____ by _____	
Verified _____ by _____	

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

T-4080



RECEIVED

OCT 23 1978

WATER RESOURCES DEPT.
SALEM, OREGON

COUNTY COUNTY
CROOK
DESCHUTES

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
ALFALFA WATERUSERS ASSOCIATION)
(CENTRAL OREGON IRRIGATION DISTRICT))
FOR APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4080

On October 23, 1978, an application was filed in the office of the Water Resources Director by Alfalfa Waterusers Association for 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 Waters of Deschutes River and Its Tributaries, a water right was established in the name of Central Oregon Irrigation District for use of the waters of Deschutes River for irrigation of, among other lands, a certain 4.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, Township 17 South, Range 14 East, W.M., being tabulated in the name of Central Oregon Irrigation District at Volume 16, page 145, 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 applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to a certain 4.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, 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 March 3, 1976.

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.

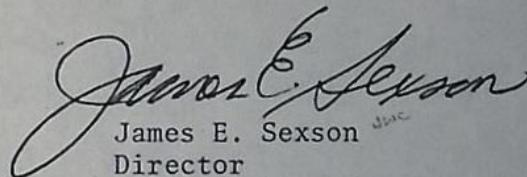
V31, P276

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

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 March, 1979.


James E. Sexson
Director

131.2677

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

WATER RIGHT NO. T000040801 PERMIT NO. 016145 CERTIF. NO.0029052
ORIG. NO. C000290521 PREV. NO. C000290521 SUPER. NO.

NAME: ALFALFA WATER USERS ASSN
ADDRESS: COID PO BOX548
CITY/STATE/ZIP/COUNTY: REDMOND, OR 97756

207
09

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

CANCEL YEAR----> CONSTR.COMPLT-->04 10 1979 YR.LAST USED-----> _____ NEXT ACTION DUE--> _____
PRIORITY-----> 10 31 1900 PUT TO USE----->04 10 1979 LAST TRANS.DATE--> _____ LAST TRANS.TYPE--> _____
APPLICATION-->10 23 1978 SURVEYED----->06 18 1984 EXAM.FEE-----> 20.00 RECORDING FEE----> 10.00
PERMIT ISSUE-->03 12 1979 CONCURRENCE-----> _____ CYCLE STATUS-----> _____ REPORTED FLAG----> _____
CONSTR.STRT.-->03 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	ms	164.0		V		P	
180S	120E	13	A C	05 1980	co	171.0		V		P	
						0.0					

** REMARKS; - - - - -
** DATED-->
** PRIORITY ALSO 12-2-1907. CHANGES POIL
** PART OF C-29052 - PILOT BUTTE CENTRAL
** OREGON CANAL. TAB IN NAME OF COID.
** - - - - -
** - - - - -
** - - - - -
** - - - - -

PLACE-OF-USE DATA:							STATUS	S	OR	P
TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE %	CNSMTV	ACRES			
170S	140E	26	A C	09	IR	100.00	4.50	V		P

W.R.I.S.

Assembled 7-8-85 by SM
 Entered _____ by _____
 Verified _____ by _____

RECEIVED

APR 10 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. 4080

I, Jerrold G. Matheny, 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 March, 1978.

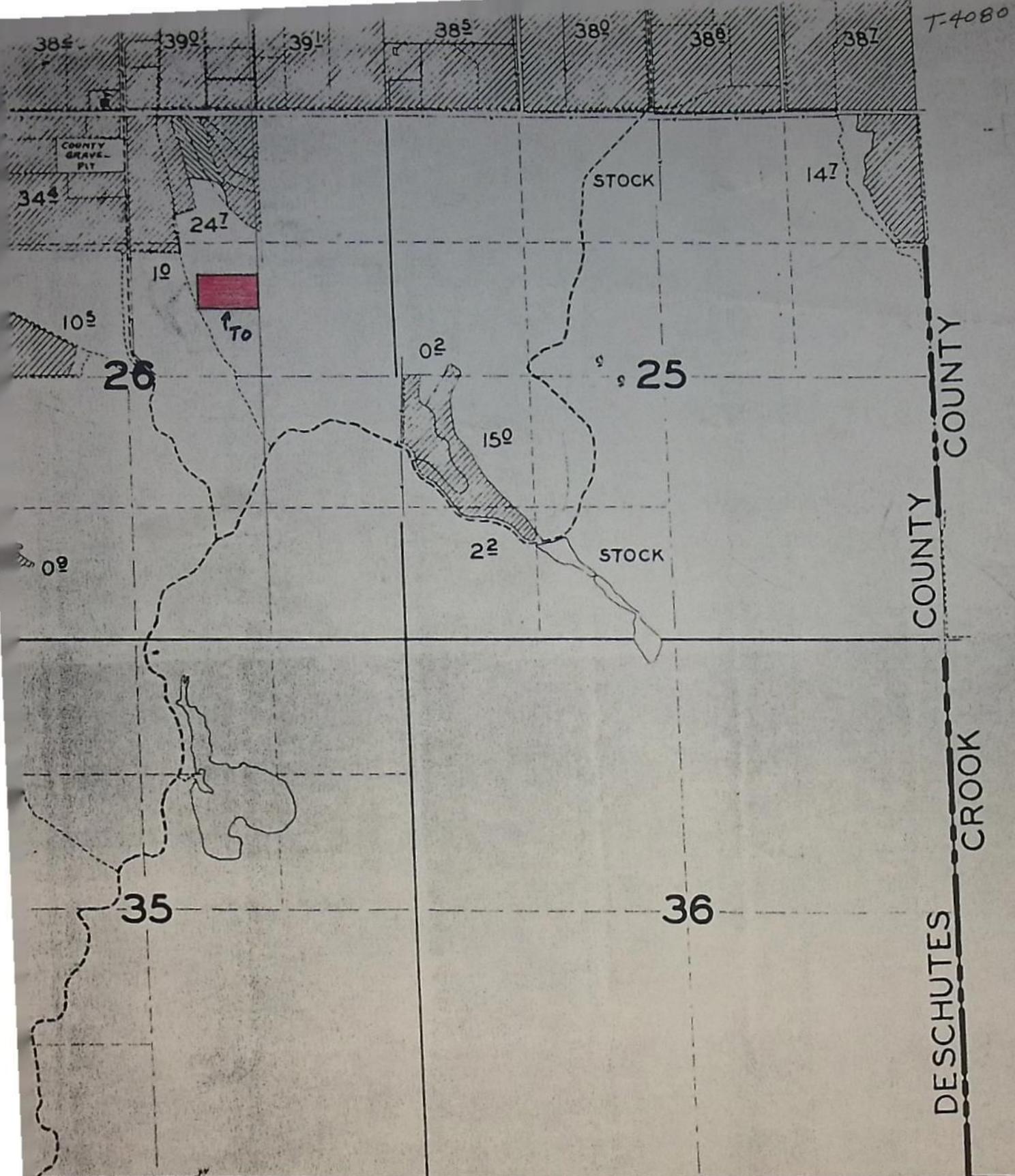
4/9/79
Date

Jerrold G. Matheny
Signature

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

ok
Dij

T-4080



TOWNSHIP 17S RANGE 14E 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			
				Dem 19°	38°	39°	5°	39°	27°							Decree, Vol. 16 Page 64, 65 Findings, Vol. 15 Page 192		29052
17°	21°	30°	34°	39°	59°	5°		39°	27°			20°			70°	Supplemental 13180 23256		
	21°															Findings, Vol. 15 Page 191 Decree, Vol. 16 Page 63		29052
				10°												Findings, Vol. 15 Page 274 Decree, Vol. 16 Page 145		29052
	4°						5°									Decree, Vol. 16 Page 154		29052
				out 3°												T. 3034 Y. 27 P. 118		
				4°												T-4080(out)		
	4°															T-4080(in)		

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OCT 23 1978

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Alfalpa Wateruser's Association
(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. _____ 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 $\frac{1}{4}$
17	14	26					4.5											

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
(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. Cent. Ore. Irrig. Dist., 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 $\frac{1}{4}$
17	14	26			4.5													

(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.? 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

.....

OREGON DEPT. OF WATER RESOURCES
 RECEIVED

BARGAIN AND SALE DEED

ALFALFA GRANGE NO. 678, an Oregon corporation, conveys to ALFALFA DISTRICT NP-56509 WATER USERS' ASSOCIATION all that real property situated in Deschutes County, State of Oregon, described as:

A parcel of land located in the NE 1/4 NW 1/4, Section 26, Township 17 South, Range 14 East, W.M., described as follows: Beginning at the northwest corner of the northeast quarter of the northwest quarter (NE 1/4 NW 1/4) of Section 26, Township 17 South, Range 14 East, W.M.; thence east 590.32 feet; thence south 590.32 feet; thence west 590.32 feet; thence north 590.32 feet to the point of beginning, containing 8.0 acres.

Signed by authority of the Board of Directors, with the seal of said corporation affixed, this 16 day of March, 1965.

ALFALFA GRANGE NO. 678

By Carl B. Livesley President
Carl Livesley

By Mrs. Tom Wallace Secretary
Mrs. Tom Wallace

STATE OF OREGON

County of Deschutes

16 March, 1965.

Personally appeared MRS. TOM WALLACE, who, being sworn, stated that she is the secretary of grantor corporation and that the seal affixed hereto is its seal and that this deed was voluntarily signed and sealed in behalf of the corporation by authority of its Board of Directors. Before me:

[Signature]

Notary Public for Oregon
My Commission expires 12-30-66



No. 8311

(STATE OF OREGON)
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 12th day of March A. D. 1965 at 2:40 o'clock P.M. and recorded in book 142 of pages 495 Record

By [Signature] County Clerk

MCKAY, PANNER, JOHNSON & MARCEAU
ATTORNEYS AT LAW
BEND, OREGON

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Deschutes

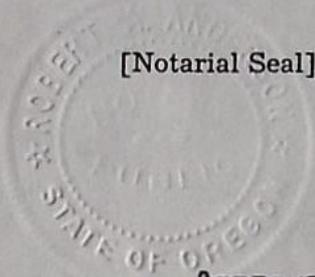
} ss.

I, Alfalfa Wateruser's Association, 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 23rd day of February, 1976

Allen Argonne (Name of applicant) PRES: ALFALFA COMM. HALL WATERUSERS ASSOCIATION

Subscribed and sworn to before me this 23rd day of February, 1976



[Notarial Seal]

Robert G. 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 March 3, 1976. Water rights being transferred to J. G. Matheny, contract purchaser.

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.