

4133

Name LYNN K. & PHYLLIS R. HARRIS

DESCRIPTION OF WATER RIGHT

FEES PAID

~~COID~~

Address P.O. Box 548

Redmond, OR 97756

Name of stream Deschutes River

Trib. of \_\_\_\_\_ County of Deschutes

Use \_\_\_\_\_

Quantity of water \_\_\_\_\_ No. of acres 1.0

Name of ditch Pilot Butte Canal

Date of priority 10-31-00 & 12-2-07

In name of Glen Rogerson COID

Deschutes Adjudication, Vol. 16, page 144

App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 29052

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

Date	Amount	Receipt No.
<u>1-19-79</u>	<u>30.00</u>	<u>8653</u>
TOTAL . . .		
	Cert. Fee	

Change in POU

Date filed 1-19-79

Date of hearing \_\_\_\_\_

Place of hearing \_\_\_\_\_

Date of order 11-20-80 Vol. 34, page 78

Amended 12-19-83, 10-1-82, 38, 59

Date for application of water \_\_\_\_\_

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

FEES REFUNDED

Date	Amount	Check No.

*To see 9/82*

REMARKS

Surveyed 6/28/84 (Newland)

W.R.I.S.

Assembled 7-17-85 by SP

Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_

TO BE ENTERED WHERE CHECKED	<input checked="" type="checkbox"/>	INDEX CARDS:	Entered	Checked
	<input checked="" type="checkbox"/>	Name	<u>SP</u>	_____
	<input checked="" type="checkbox"/>	Stream	<u>SP</u>	_____
	<input checked="" type="checkbox"/>	Pt. of Div.	<u>SP</u>	_____
	<input checked="" type="checkbox"/>	Calendar	<u>SP</u>	_____
	<input checked="" type="checkbox"/>	CHECKED TO RECORDS:	<u>SRA</u>	_____
	<input checked="" type="checkbox"/>	Twp. & Pgs.	<u>450 586</u>	<u>586</u>
	<input checked="" type="checkbox"/>	Decree-vault	<u>SRA</u>	<u>586</u>
	<input checked="" type="checkbox"/>	Decree-safe	<u>SRA</u>	<u>586</u>
	<input checked="" type="checkbox"/>	Cert. of W/R	<u>SRA</u>	<u>586</u>
<input type="checkbox"/>	Per. Folder	_____	_____	
<input type="checkbox"/>	Chaindex	_____	_____	
<input type="checkbox"/>	Cross Ref.	_____	_____	
<input checked="" type="checkbox"/>	Power Claim	<u>SP</u>	_____	
<input type="checkbox"/>	Abstracts	_____	_____	

*Amended*

# CENTRAL OREGON IRRIGATION DISTRICT

MUNICIPAL CORPORATION OF THE STATE OF OREGON

847 SOUTH SIXTH STREET • P.O. BOX 548  
REDMOND, OREGON 97756

PHONE: 548-6047

December 9, 1983

Samuel Allison  
Water Resources Department  
555 - 13th Street, N.E.  
Salem, OR 97310

RECEIVED  
RECEIVED  
DEC 13 1983  
DEC 13 1983  
WATER RESOURCES DEPT.  
SALEM, OREGON

RE: No. 4133

Dear Mr. Allison:

Subsequent to a preliminary final proof survey it becomes apparent that the application and therefore the order allowing for the transfer of one (1) acre of water right for irrigation incorrectly described the property to which the right was to be applied.

The application and order described the property of John Newland as:

Lot 1, Block 1, Bee Tree Subdivision  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 15, T. 17 S., R. 12 EWM

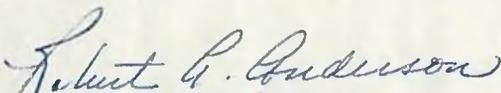
Note that Order No. 2879 earlier placed 1.8 acres of water right on this lot.

Supported by a copy of a deed issued to Newland dated May 11, 1973 and recorded April 20, 1976, I am requesting an amendment to Order No. 4133 properly describing and mapping the one (1) acre described as applied to:

Lot 1, Block 3, Bee Tree Subdivision  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 15, T. 17 S., R. 12 EWM

I have been advised by the Surveyor, Leslie Olson, that Newland has applied water for irrigation to the lands described in his deed.

Very truly,

  
Robert A. Anderson  
Assistant Manager

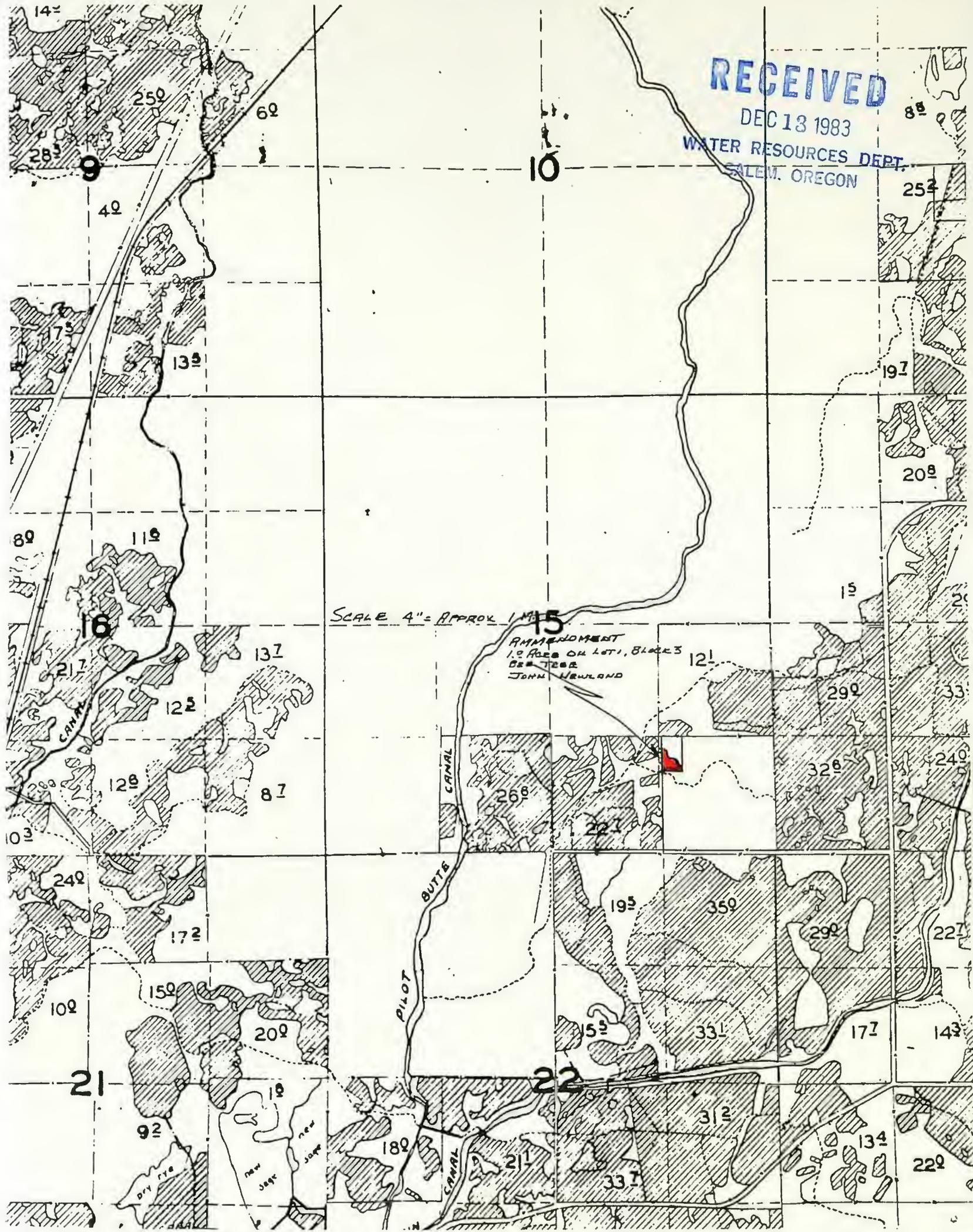
Enclosures

File 400

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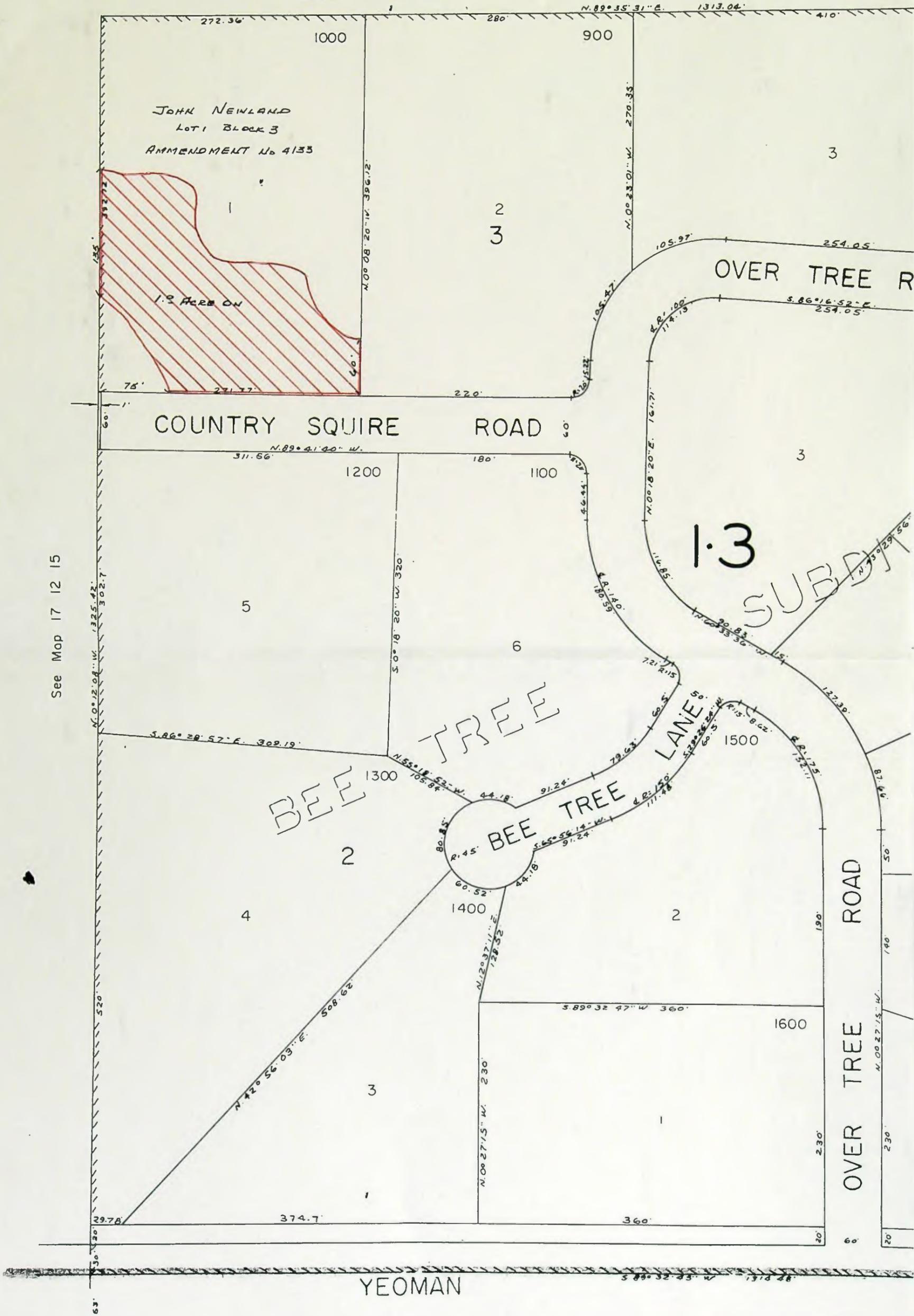
DEC 13 1983

WATER RESOURCES DEPT.  
SALEM, OREGON



RECEIVED  
DEC 13 1983  
WATER RESOURCES DEPT.  
SALEM, OREGON

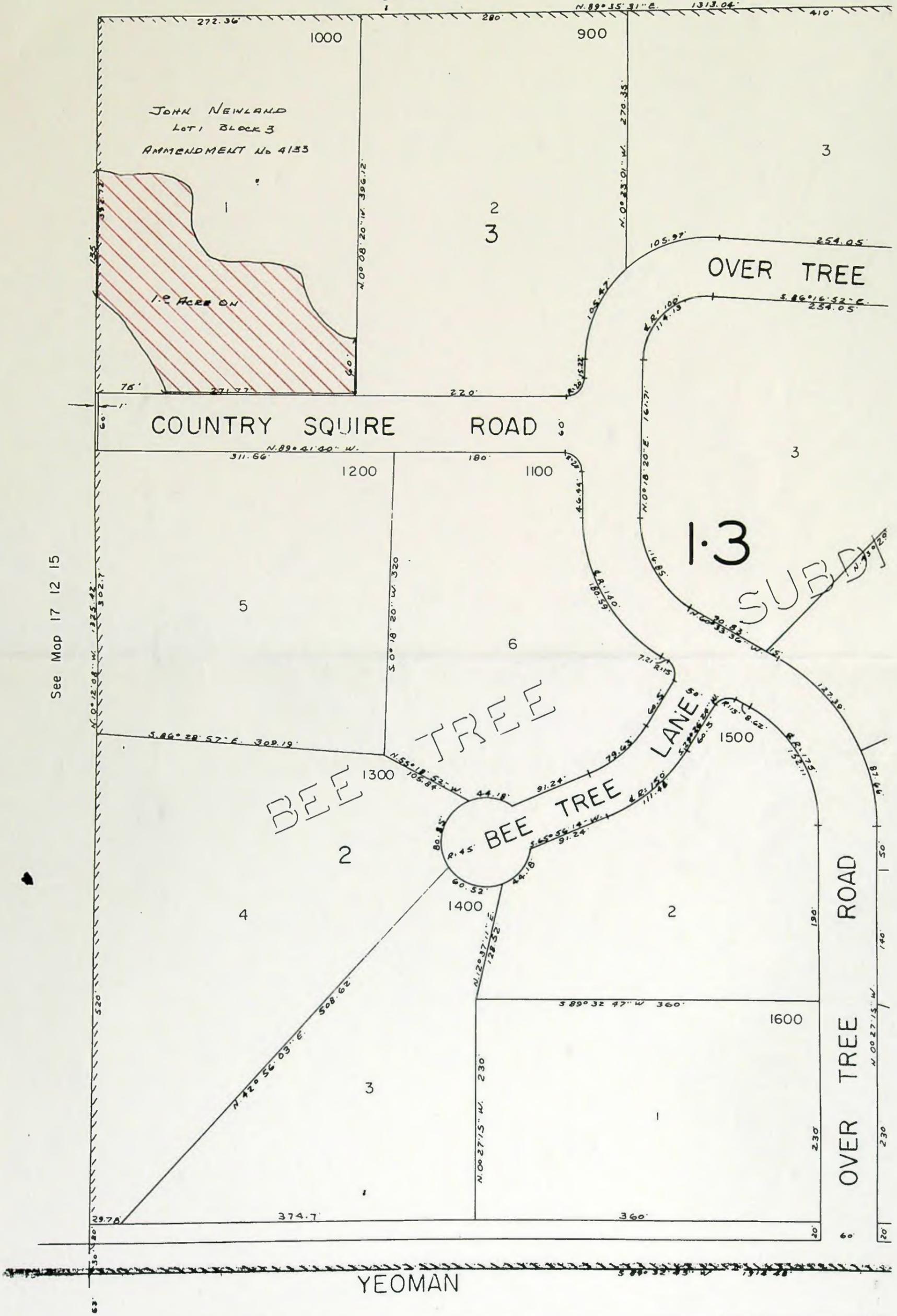
See Map 17 12 15DA



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DEC 13 1983  
WATER RESOURCES DEPT.  
SALEM, OREGON

See Map 17 12 15DA



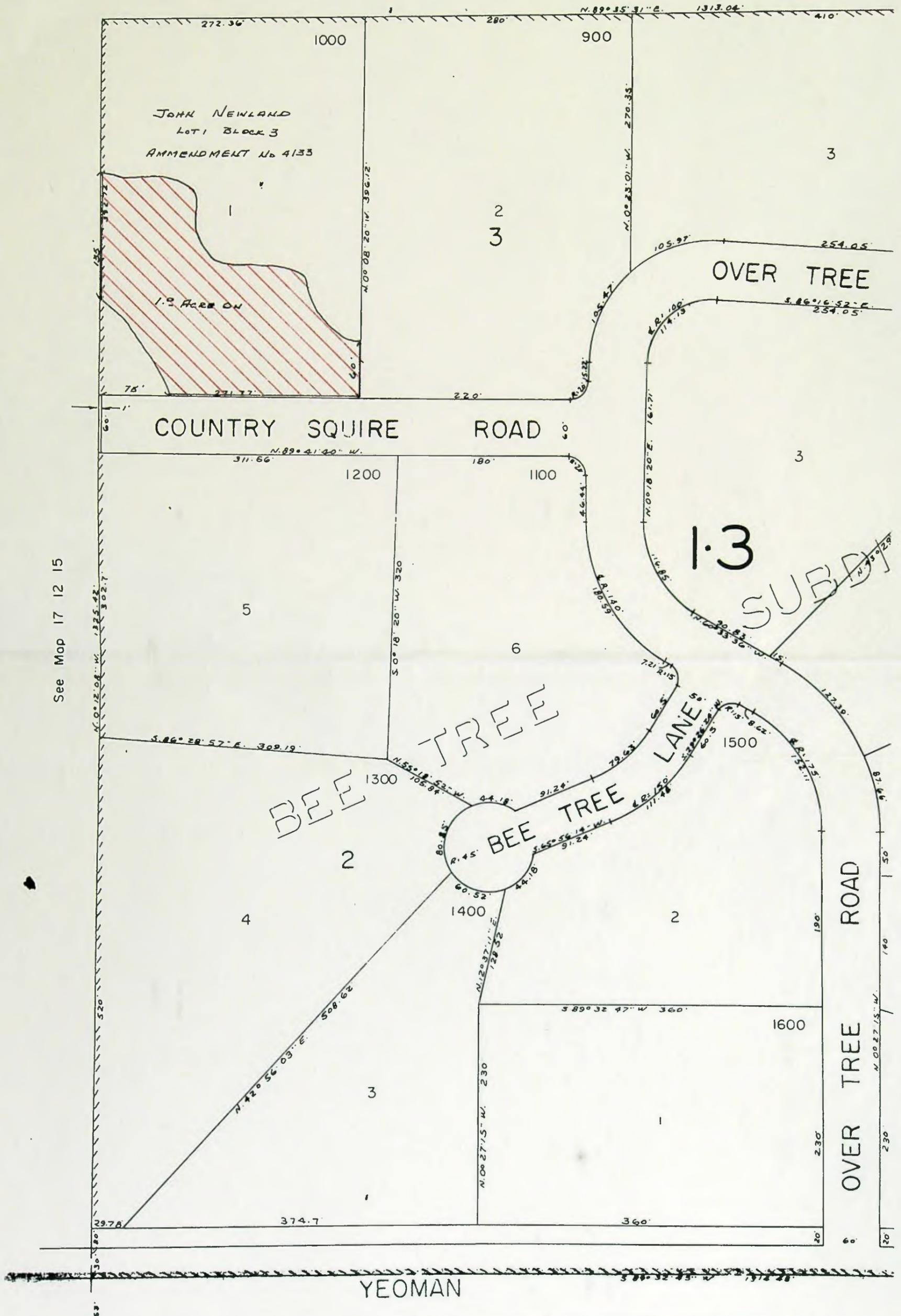
See Map 17 12 15

See Map 17 12 22

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DEC 18 1983  
WATER RESOURCES DEPT.  
SALEM, OREGON

See Map 17 12 15DA



See Map 17 12 15

See Map 17 12 22

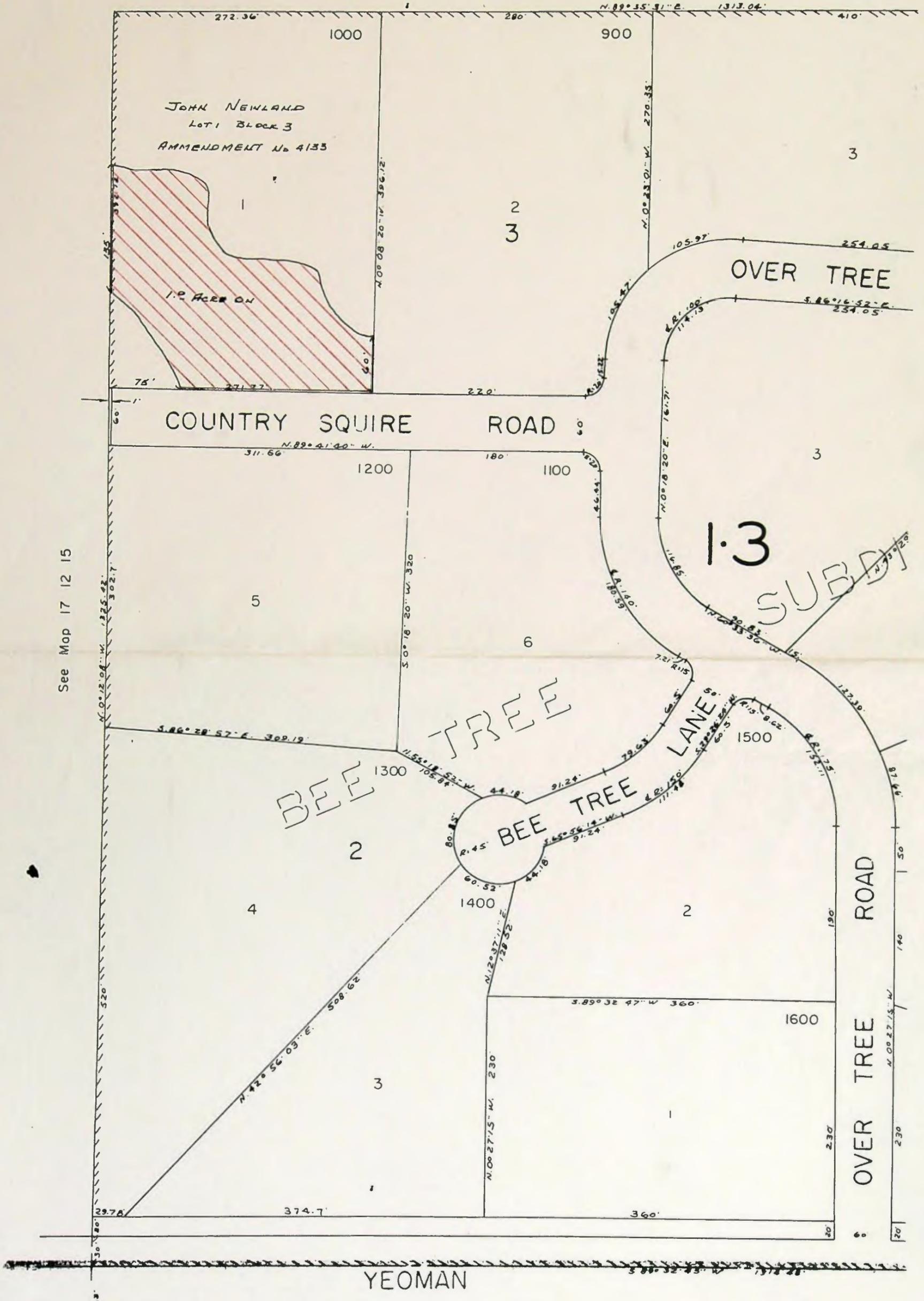
YEOMAN

RECEIVED

DEC 13 1983

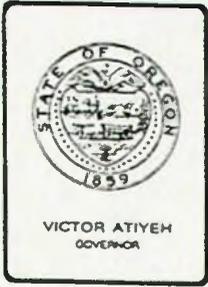
WATER RESOURCES DEPT.  
SAINT MARYS OREGON

See Map 17 12 15DA



See Map 17 12 15

See Map 17 12 22



*Water Resources Department*  
MILL CREEK OFFICE PARK

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

PHONE 378-3066

December 27, 1983

Central Oregon Irrigation District  
PO Box 548  
Redmond, OR 97756

REFERENCE: File T-4133

Enclosed is a certified copy of the order of the Water Resources Director amending the order approving Transfer 4133 in the names of Lynn and Phyllis Harris. Please keep the amending order with the original in your permanent records.

Sincerely,

*Samuel R Allison*

SAMUEL R. ALLISON  
Supervisor  
Transfer Section

SRA:lcj  
cc: Robert F. Main, Jr., Watermaster

RECEIVED

16236

230-554

WARRANTY DEED

DEC 13 1983

WATER RESOURCES DEPT  
21 JOHN NIKANOR NEHLAND

C O - 72, a limited partnership

hereinafter called grantor, conveys to

JOHN NIKANOR NEHLAND and KATHALEEN ANN NEHLAND, husband and wife

hereinafter called grantees

all the following described real property situated in Deschutes County, State of Oregon, to-wit:

Lot One (1) in Block Three (3) of BEE TREE SUBDIVISION, Deschutes County, Oregon

and covenants that grantor is the owner of the above property free from all encumbrances except subject to:

Utility easement as shown on the official plat; and

Deed and plat restrictions as shown on the official plat; and

Covenants, conditions and restrictions as contained in instrument recorded May 23, 1972, in Volume 184, Page 397, Deed records

and will warrant and defend the same against all persons who may lawfully claim the same except as shown above.

The true and actual consideration for this transfer is \$33,300.00.

Dated this 14 day of May, 1973.

C O - 72, a limited partnership

*Patrick G. ...*

STATE OF OREGON, County of Deschutes

Personally appeared Patrick G. ... he being duly sworn did say that he is the general partner of C O - 72, a limited partnership organized and qualified under the laws of the State of Oregon and that said instrument was signed in behalf of said limited partnership and acknowledged said instrument to be the voluntary act and deed of said limited partnership.

*Patrick G. ...*

Hereinafter called grantor

all the following described real property situated in Deschutes County, State of Oregon, to-wit:

Lot One (1) in Block Three (3) of the Willamette, Deschutes County, Oregon

and covenants that grantor is the owner of the above property free from all encumbrances except subject to:

Utility easement as shown on the official plat; and

Deed and plat restrictions as shown on the official plat; and

Covenants, conditions and restrictions as contained in instrument recorded May 23, 1972, in Volume 184, Page 997, Deed records

and will warrant and defend the same against all persons who may lawfully claim the same except as shown above.

The true and actual consideration for this transfer is \$5,500.00.

Dated this 11th day of May, 1973.

G O - 72, a limited partnership

By: Patrick Gisler  
General Partner

STATE OF OREGON, County of Deschutes ) ss.

Personally appeared Patrick Gisler, who being duly sworn did say that he is the general partner of G O - 72, a limited partnership organized and qualified under the laws of the State of Oregon and that said instrument was signed on behalf of said limited partnership and acknowledged said instrument to be the voluntary act and deed of said limited partnership.



James A. Livingston  
Notary Public for Oregon  
My Commission Expires Nov 2, 1975

--	--	--

15296

STATE OF OREGON  
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 20 day of April A.D. 1886 at 11:40 o'clock A.M. and recorded in Book 20 on Page 27 Records of Deschutes

ROSEMARY PATTERSON  
*[Signature]*

*[Faint handwritten text]*

RECEIVED

DEC 13 1983

WATER RESOURCES DEPT.  
STATE OF OREGON

B

Transfer No. 4133

Name John N. Newland  
~~Lynn & Phyllis Harris~~/COID

Expiration date for completion 10-1-82

Extended to \_\_\_\_\_

Proof to Jun 9/82

O. K. for certificate \_\_\_\_\_

Ditch company or irrigation district involved is \_\_\_\_\_



*Water Resources Department*  
MILL CREEK OFFICE PARK

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

PHONE 378-3066  
or  
1-800-452-7813  
(message line)

September 30, 1982

John N. Newland  
Central Oregon Irrigation District  
PO Box 548  
Redmond, OR 97701

Dear Mr. Newland:

REFERENCE: File T-4133

We have received the Notice of Completion of Works and Use of Water for a change in place of use of water from Deschutes River, as allowed by Water Right Transfer 4133. A survey will be made at a later date to confirm extent of use.

A new certificate based on the survey will be issued at a later date. In case of irrigation, any lands described in the order that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the order will be evidence of the water right in question as long as the authorized beneficial use of water is continued.

Sincerely,

LUCILLE C. JENSEN  
Secretary  
Transfer Section

LCJ:wpc

cc: Robert F. Main, Watermaster

0056/4  
2808B

COPY

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SEP 23 1982

WATER RESOURCES DEPT.  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

Place of Use

PURSUANT TO TRANSFER APPLICATION NO. 4132

I, JOHN N. NEWLAND, 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 7/23, 1981.

9/22/82

Date

John N. Newland

Signature

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

ok  
Jay

T-4133

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JAN 19 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

# Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

Wex, Lynn K. Harris and Phillis R. Harris  
(Name of applicant)

of 63460 Deschutes Market Road, Bend  
(Mailing address) (City)

State of Oregon, 97701, do hereby make application for change  
(Zip Code) (Phone number)

in place of use  
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No. Glen Rogerson, page 144  
(If not, give name)

2. Was your water right determined by Decree of Court? Yes If so, give title of proceedings  
(Yes or No)

Adjudication of the Deschutes River number of certificate

3. Was your water right acquired by Water Right Permit? yes If so, give number  
(Yes or No)

of permit Number of certificate

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Deschutes River, Pilot Butte Canal

5. What is the date of priority of your water right? Oct. 31, 1900 and Dec. 2, 1907

6. The authorized point of diversion is located ft. and ft. from the corner of being within the 1/4 1/4 of Section Tp. R. W. M., in the county of Deschutes The name of the ditch used is

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located ft. and ft. from the corner of being within the 1/4 1/4 of Section Tp. R. W. M., in the county of The name of the ditch to be used is

RECEIVED

8. The use to which the water is applied is irrigation  
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
17	12	14	SE¼ NW¼	1

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? No. Contract purchasers  
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No  
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. 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)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
<u>Title</u>	<u>Dept. of Veterans Affairs</u>	<u>Letter of consent attached</u>
<u>Title</u>	<u>Dept. of Veterans Affairs</u>	<u>Letter of consent attached.</u>

13. The use to which the water is to be applied is irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
17	12	15	SE¼ SE¼ Lot 1 Block 1, Bee Tree Subdivision)	1

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are more beneficial use

15. Construction work will be completed on or before .....

16. The water will be completely applied to the proposed use on or before July 1, 1978

Remarks Application approved by the Board of Directors of the Central Oregon Irriga-  
tion District at a regular meeting held May 3, 1978. Water right being transferred to  
lands being purchased under contract by John Newland.

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

**AFFIDAVIT OF APPLICANT**

We, Lynn K. Harris and Phillis R. Harris, 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 25th day of April, 1978.

Lynn K. Harris  
Phyllis R. Harris  
(Name of applicant)

Subscribed and sworn to before me this 25th day of April, 1978.

[Notarial Seal]

Robert G. Anderson  
NOTARY PUBLIC FOR OREGON

My commission expires Sept. 14, 1979



REMITTANCE STATEMENT

TO Water Resources Department

PAY PERIOD ENDED:

Lynn K. and Phillis R. harris  
 George E. and Lenora F. holt  
 James K. and Celia L. Muckey

AMOUNT

DISCOUNT

NET AMOUNT

\$90.00

GROSS	DEDUCTIONS									NET AMOUNT OF CHECK
	ST. COMP.	SOC. SEC.	STATE TAX	FED. W.	HOSP.	GAS & OIL	MDSE.	PHONE	RETIRE.	

CENTRAL OREGON IRRIGATION DISTRICT

REDMOND, OREGON

# 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 19 1979  
WATER RESOURCES DEPT.  
SALEM, OREGON

T-4133

January 17, 1979

Wayne J. Overcash  
Water Rights Engineer  
555 13th Street N.E.  
Salem, OR 97310

Dear Mr. Overcash,

Enclosed are water right transfer applications in the names of  
the following:

Lynn K. and Phillis R. Harris  
George E. and Lenora F. Molt  
James K. and Celia L. Muckey

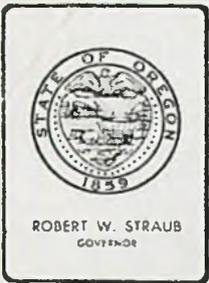
Enclosed is our check No. 8651 in the amount of \$90.00 covering  
the transfer fees.

Sincerely,



Robert A. Anderson  
Secretary-Manager

RAA/brl



T-4133

*Department of Veterans' Affairs*

FARM AND HOME LOANS

2150 N.E. STUDIO ROAD, BEND, OREGON 97701 PHONE 389-1996

September 8, 1977

**RECEIVED**

**JAN 19 1979**

**WATER RESOURCES DEPT.  
SALEM, OREGON**

Lynn K. Harris  
63460 Deschutes Market Road  
Bend, OR 97701

HARRIS, Lynn K.

Your request to transfer two (2) acres of Central Oregon Irrigation water from the property under mortgage to the Department has been approved.

The transfer must be completed through the office of the water district.

Harper Brown  
Area Supervisor

fr

cc: Records Center



STATE OF OREGON

*Bond*

INTEROFFICE MEMO

RECEIVED

NOV 7 1980

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE:

WATER RESOURCES DEPT  
SALEM, OREGON

FROM: WATERMASTER, DISTRICT NO. 11

(signature) *Diane Clark*

SUBJECT: Water Right Transfer Application No. 4133 for change in (POU) POD, Use of water

In the name(s) of *Lynn & Phyllis Harris / COID*

In my opinion (assuming the water right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY\* to an existing water right.

\*The approval of this transfer application would result in injury to other water rights because \_\_\_\_\_

The existing right may not be valid because *This land now has houses and out buildings on it where it probably was irrigated at one time*

Headgate notices HAVE HAVE NOT been issued for diversion from the source(s) which serve(s) this right.

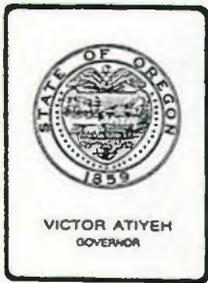
If for change in point of diversion, is there any intervening point(s) of diversion between the authorized and proposed points of diversion? \_\_\_\_\_ (yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion ... .
- (2) WHEN IN the judgment of the watermaster it becomes necessary ... .

The enclosed copy of the transfer application and map(s) are for your records.





## Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

August 28, 1980

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

REFERENCE: Transfer Applications

We have been withholding action on transfers numbered:

4057	C. Wayne Jonas
4067	C. Wayne Jonas
4077	Otis & Lily Hollinghead
4081	Jeffery Robertson
4082	Kenneth & Doris Whitmore
4084	Henry & Nancy Lewis
4086	Eva Mulkey
4133	Lynn & Phyllis Harris

pending receipt of deeds and other information.

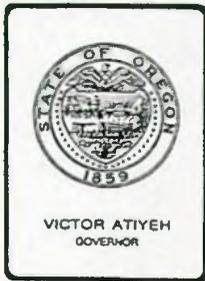
Please advise when we may expect to receive the requested information. If we have not heard from you within 60 days (October 28, 1980), the files will be closed and unearned fees will be refunded.

Sincerely,

Samuel R. Allison  
Supervisor  
Transfer Section

SRA:lcj

cc: Robert F. Main, Jr., Watermaster



*Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-3066

March 11, 1980

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

Dear Mr. Anderson:

We have been withholding action on transfers No.:

4057	C. Wayne Jonas
4067	C. Wayne Jonas
4077	Otis & Lily Hollingshead
4081	Jeffery Robertson
4082	Kenneth & Doris Whitmore
4084	Henry & Nancy Lewis
4086	Eva Mulkey
4133	Lynn & Phyllis Harris

pending receipt of deeds and other information.

Please advise when we may expect to receive the requested information.

Sincerely,

Samuel R. Allison  
Supervisor  
Transfer Section

SRA:lcj  
cc: Robert F. Main, Jr., Watermaster



## Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

January 30, 1979

Robert A. Anderson, Sec-Mgr.  
Central Oregon Irrigation District  
P.O. Box 548  
Redmond, Oregon 97756

RE: File No. T-4133

Dear Mr. Anderson:

The water right transfer application in the names of Lynn K. and Phyllis R. Harris for approval of a change in place of use of water within your District, together with supporting data and fees of \$30, was received January 19, 1979. Our receipt No. 8653 is enclosed.

We will need a copy of the deed showing current ownership of the property from which the water right is to be transferred. We did receive the copy of the contract of sale between Sherman and Venn, but this document does not indicate who is the present legal owner of the property.

Please refer any correspondence to file No. T-4133.

Sincerely,

Wayne J. Overcash  
Water Rights Engineer

WJO:lcj

*Called Diana Ewing April 2, 1979  
Hold action*