

4350

Name George E. + Evelyn L. Cleveland

By COID

Address PO Box 548
Redmond, OR 97756

Change in POU

Date filed Dec 21, 1979

Date of hearing _____

Place of hearing _____

Date of order 1-28-80 Vol. 32, page 692

Date for application of water 10-1-80 ^{EXT} 10-1-87

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River

Trib. of _____ County of Deschutes

Use irrigation

Quantity of water _____ No. of acres 5⁰⁰

Name of ditch Central Oregon Canal

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

In name of Union Central Life Ins. Co.

Deschutes Riv. Adjudication, Vol. 16, page 60 ⁵⁰⁶

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

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>12-21-79</u>	<u>30.00</u>	<u>15450</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Surveyed 6/28/84 (Honeywell)

To Accr 11/87

W.R.I.S.	
Assembled <u>4-3-85</u> by <u>SJD</u>	
Entered _____ by _____	
Verified _____ by _____	

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

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
GEORGE E. & EVELYN L. CLEVELAND)
(CENTRAL OREGON IRRIGATION DISTRICT))
FOR APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM DESCHUTES RIVER)

ORDER APPROVING
TRANSFER NO. 4350

On December 21, 1979, an application was filed in the office of the Water Resources Director by George E. and Evelyn L. Cleveland 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 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 5.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 17 South, Range 13 East, W.M., being tabulated in the name of Union Central Life Insurance Co. at Volume 16, page 60, 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 5.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 30 (Darrell E. Honeywell).

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 November 13, 1979.

Mr. Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application

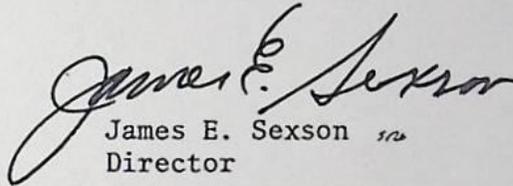
should be approved.

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

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

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 28th day of January, 1980.


James E. Sexson
Director

T-4350

RECEIVED

DEC 2 11979

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

Wex, George E/Evelyn L. Cleveland

(Name of applicant)

of 715 N.E. Dyer Dr.

(Mailing address)

Bend

(City)

State of Oregon

97701

(Zip Code)

382-3303

(Phone number)

do hereby make application for change

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. Union Central Life Insurance Co., page 60.
(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 29052

3. Was your water right acquired by Water Right Permit? No 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, Central Oregon 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
(N. or S.) (E. or W.)

corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)

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
(N. or S.) (E. or W.)

corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)

in the county of The name of the ditch to be used is

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	13	30	NW¼ NW¼	5.0

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes
(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.? yes
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
None		

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	13	30	NE¼ NW¼	5.0

(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 10/31/80

Remarks Water rights are being transferred to Darrell E. Honeywell.

Approved by the Board of Directors of Central Oregon Irrigation District at

at a regular meeting held November 13, 1979

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

Wex, George E. Cleveland and Evelyn L. Cleveland, 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 11th day of September, 1979

x George E. Cleveland
x Evelyn L. Cleveland
(Name of applicant)

Subscribed and sworn to before me this 11th day of September, 1979

[Notarial Seal]



Dawn H. Koppelen
NOTARY PUBLIC FOR OREGON

My commission expires Aug 4, 1980

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

WATER RIGHT NO. T0000 *43501* PERMIT NO. 016 *060* CERTIF. NO. 029052
ORIG. NO. C000290521 PREV. NO. C000290521 SUPER. NO.

NAME: *GEORGE & EVELYN CLEVELAND*
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--> *10 01 1981* YR.LAST USED-----> NEXT ACTION DUE-->
PRIORITY-----> 10 31 1900 PUT TO USE-----> *10 01 1981* LAST TRANS.DATE--> LAST TRANS.TYPE-->
APPLICATION----> *12 21 1979* SURVEYED-----> *06 28 1984* EXAM.FEE-----> *20.00* RECORDING FEE----> *70.00*
PERMIT ISSUE--> *01 28 1980* CONCURRENCE-----> CYCLE STATUS-----> REPORTED FLAG---->
CONSTR.STRT.--> *01 28 1980* 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>04</i>	164.9		V		P	
180S	120E	13	A C	05 1980	<i>00</i>	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 UNION*
** *CENTRAL LIFE INS. CO*
**
**
**

PLACE-OF-USE DATA:											
TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE %	CNSMTV	ACRES	STATUS	S	OR	P
170S	130E	30	B A	09	IR	100.00	5.00	V		P	

W.R.I.S.

Assess. *4-3-85* : *SDA*

Entered _____ by _____

Verified _____ by _____

RECEIVED

NOV 27 1981

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

Place of Use

PURSUANT TO TRANSFER APPLICATION NO. 4350

I, Darrell Honeywell, 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 July 1, 1981.

Nov-25, 1981
Date

Darrell Honeywell
Signature

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

DR
GIC



STATE OF OREGON

Bend

RECEIVED INTEROFFICE MEMO

JAN 31 1980

WATER RESOURCES DEPT

SALEM, OREGON

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Dec 27, 1979

FROM: ** Robert F. Main, Jr., Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4350

IN THE NAME OF George E. & Evelyn L. Cleveland

In my opinion the proposed change in POU of water from Deschutes River

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

Headgate notices HAVE HAVE NOT been issued for diversion from the sources which serves this right.

If for change in point of diversion, is there any intervening point of diversion between the authorized and the 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 . . .

X (2) When in the judgment of the watermaster it becomes necessary . . .

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

**

RM

Watermaster's signature or initials

T-4350

162 OF 311

SPECIAL WARRANTY DEED

RAYMOND C. HABERLACH and FLETA M. HABERLACH, husband and wife, hereinafter called Grantors, convey to GEORGE E. CLEVELAND and EVELYN L. CLEVELAND, husband and wife, all that real property situated in Deschutes County, State of Oregon, described as:

The North Half of the Northwest Quarter of Section Thirty (30), Township Seventeen (17) South, Range Thirteen (13), East of the Willamette Meridian

Together with 41 acres of Central Oregon Irrigation water rights

and covenant that it is free from encumbrances created or suffered by the Grantors except the following:

1. Right of way agreement from David G. Guthrie, a single man, George B. Guthrie, Jr., a married man, and Sara C. Poole, wife of Don Poole, record owners, Hopper B. Dyer and Irene C. Dyer, husband and wife, contract purchasers, to Pacific Gas Transmission Company, a California corporation, dated December 10, 1959 and recorded March 16, 1960, in Vol. 121 of Deeds at page 357. (Right to excavate for, install, replace, maintain, use and remove such pipeline or lines of any size for conveying natural and artificial gas and other gaseous or liquid hydrocarbons and any products or by-products thereof, with necessary valves and other appliances and fittings, and devices for controlling electrolysis in connection with said pipelines, together with adequate protection therefor, and also a right of way 100 feet in width).
2. Ratification of Pipeline Right of Way Agreement from Margaret S. Guthrie to Pacific Gas Transmission Company, dated March 2, 1960, and recorded March 16, 1960, in Volume 121 of Deeds at Page 337.
3. Ratification of Pipeline Right of Way Agreement from Don Poole to Pacific Gas Transmission Company, dated February 26, 1960, and recorded March 16, 1960 in Vol. 124 of Deeds, at Page 337.
4. Notice of Location, including the terms and provisions thereof by Pacific Gas Transmission Company, dated September 25, 1961, and recorded October 2, 1961 in Vol. 128 of Deeds at Page 660. (Notice of location of pipeline over and across NW 30 - 17 - 13).
5. Right of Way Easement from Fleta M. Haberlach to Central Electric Cooperative, Inc., a cooperative corporation, dated September 10, 1963, and recorded September 13, 1963 in Vol. 136 of Deeds at Page 368. (Right to enter upon and construct, operate and maintain an electric transmission and distribution line or system).

RECEIVED

DEC 21 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Until a change is requested
all tax statements shall be
sent to:

7/1/77

11:58 253 D 264

Linda Honeywell
142 SW Roosevelt
Bend, Or. 97701
hm: 382-8139
bs: 382-5678

T-4350

MEMORANDUM OF CONTRACT

KNOW ALL MEN BY THESE PRESENTS, by an instrument in
writing dated as of the 29 day of June, 1977, BYARD S. MARTIN
and DORTHA M. MARTIN, husband and wife, as Seller, sold on Contract
of Sale to DARRELL E. HONEYWELL and LINDA L. HONEYWELL, husband and
wife, as Purchaser, the following described real property:

The Southeast Quarter of the Northeast Quarter of the
Northwest Quarter (SE1/4NE1/4NW1/4) of Section Thirty
(30), Township Seventeen (17) South, Range Thirteen
(13) East of the Willamette Meridian, Deschutes County,
Oregon. TOGETHER with an easement for road purposes
along the West boundary of the Northeast 1/4 of the
Northeast 1/4 of the Northwest 1/4 of Section 30, Town-
ship 17 South, Range 13 East of the Willamette Meridian,
Deschutes County, Oregon, thirty feet (30') wide.

TOGETHER with five (5) acres of Central Oregon Irriga-
tion District water.

This memorandum is executed to evidence and confirm
the contract referred to above, to which reference is made for
its terms and conditions.

The true and actual consideration for said contract is
the sum of \$17,500.00.

DATED this 29 day of June, 1977.

SELLER:

PURCHASER:

Byard S. Martin
Byard S. Martin

Darrell E. Honeywell
Darrell E. Honeywell

Dortha M. Martin
Dortha M. Martin

Linda L. Honeywell
Linda L. Honeywell

STATE OF OREGON)
) ss.
County of Deschutes)

DATED: June 29, 1977

Personally appeared the above-named BYARD S. MARTIN and
DORTHA M. MARTIN and acknowledged the foregoing instrument to be
their voluntary act. Before me:

William S. Koppelen
Notary Public for Oregon

LAW OFFICES P.O. BOX 1130 BEND, OREGON 97701 My Commission expires: 8-4-80
DESCHUTES COUNTY TITLE CO.
P.O. BOX 277

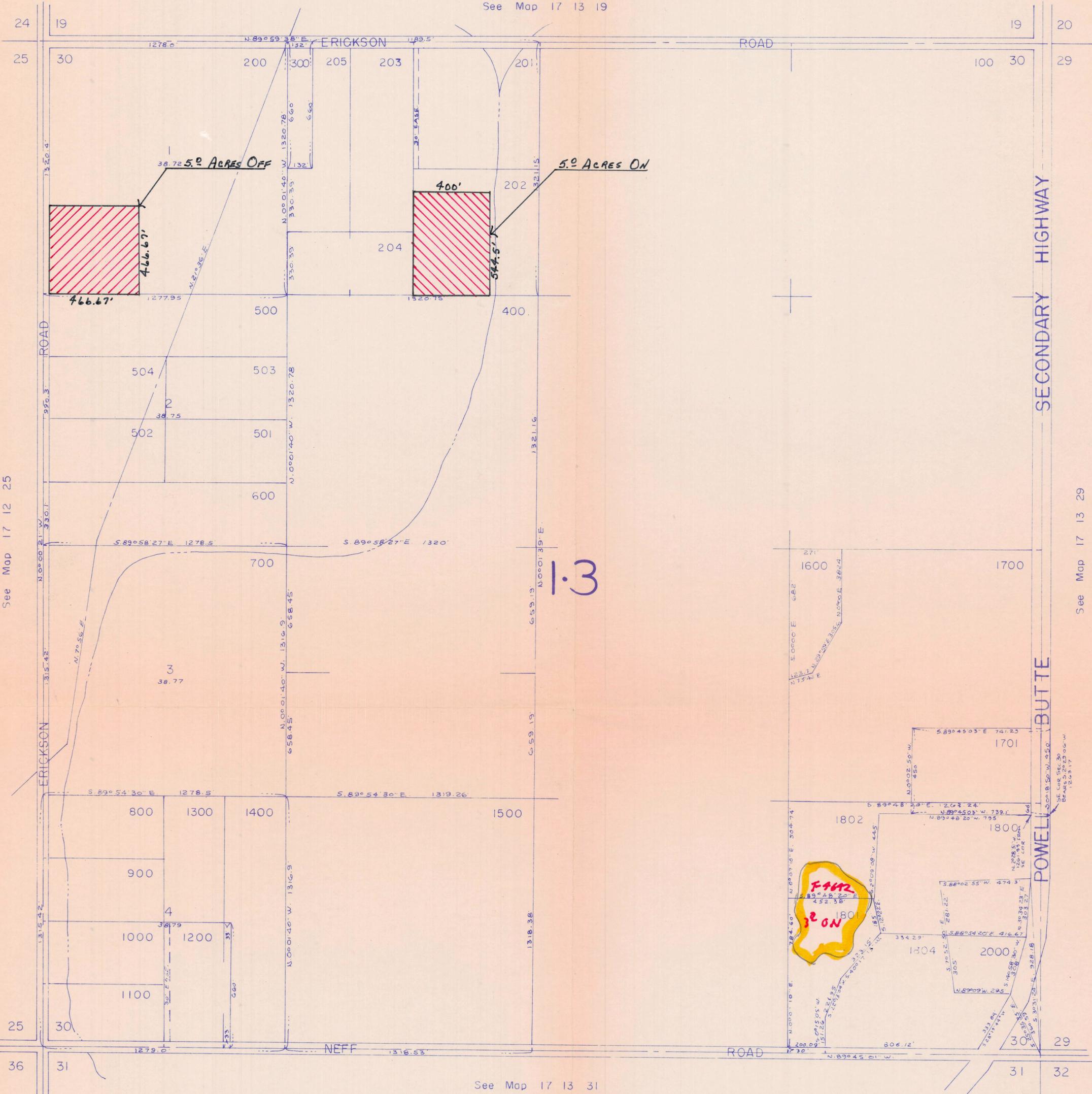
DESCHUTES COUNTY

1"=400'

T-4350

RECEIVED
DEC 21 1979
WATER RESOURCES DEPT.
SALEM, OREGON

See Map 17 13 19



See Map 17 12 25

See Map 17 13 29

1.3

See Map 17 13 31

