

4474

Name Larry D. & Susan McDaniel
By Central Oregon Irrigation Dist.
Address 62290 Deer Trail Road
Bend, OR 97701

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
Trib. of _____ County of Deschutes
Use irrigation
Quantity of water _____ No. of acres 1.0
Name of ditch Central Oregon Canal
Date of priority 10/31/1900 & 12/2/1907
In name of Charles Burkhardt
Deschutes Adjudication, Vol. 16, page 59
App. No. _____ Per. No. _____ Cert. No. 29052
Certificate cancelled _____
Notation made on record by _____

Change in POU
Date filed April 19, 1980
Date of hearing _____
Place of hearing _____
Date of order 6-24-80 Vol. 33, page 379
Date for application of water 10-1-81
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

FEEES PAID

Date	Amount	Receipt No.
<u>4-14-80</u>	<u>30.00</u>	<u>17090</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

Surveyed 6/11/84 (Phillips)

to sur 12/80

W.R. I. S.	
Assembled <u>2-15-83</u> by <u>SM</u>	
Entered _____ by _____	
Verified _____ by _____	

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

T-4474

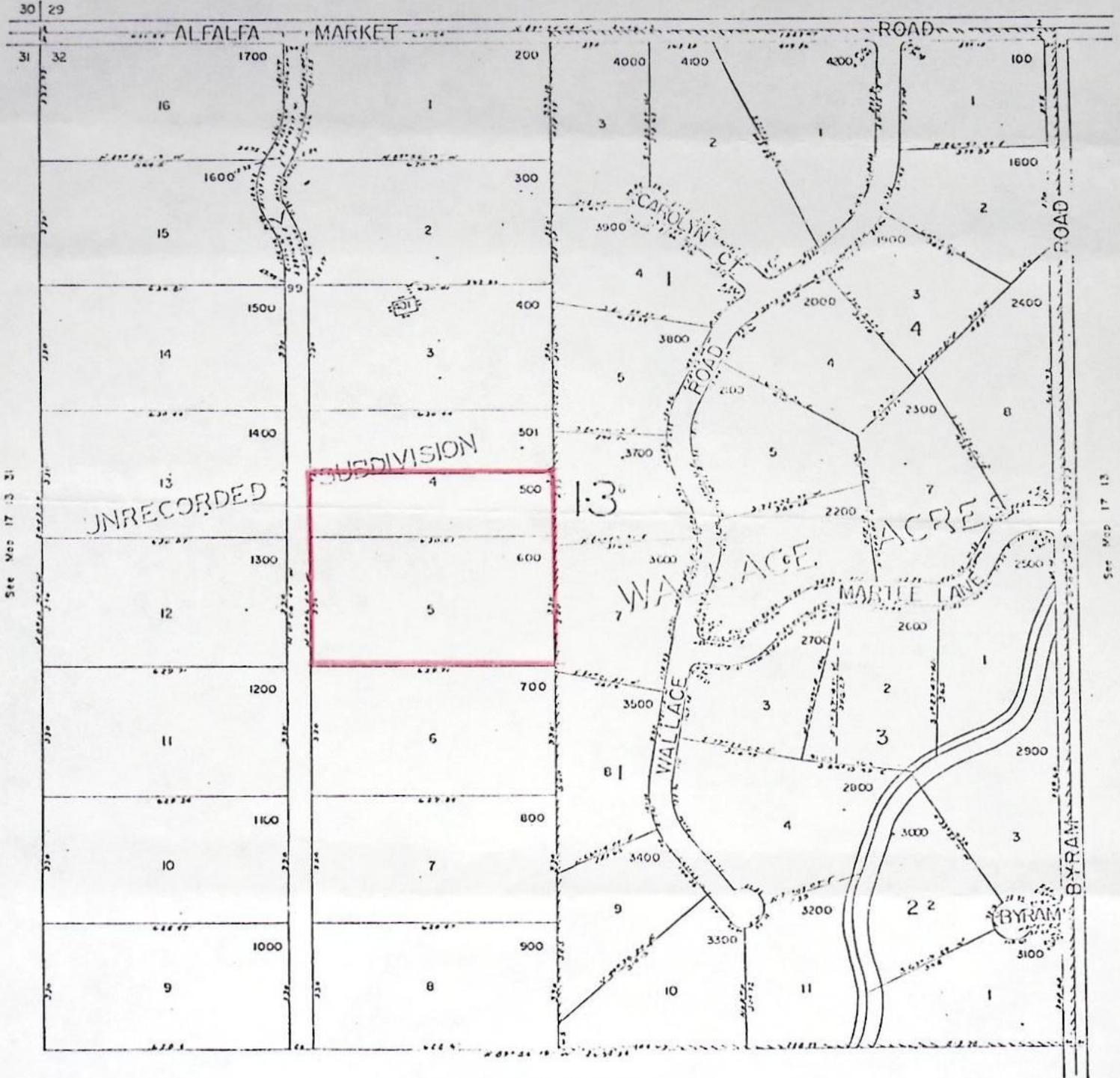
RECEIVED

JUN 9 1980 NW1/4 SEC. 32 T17S. R13E WM
DESCHUTES COUNTY
WATER RESOURCES DEPT
SALEM, OREGON 1"=200'

RECEIVED

APR 14 1980 17 13 32B
WATER RESOURCES DEPT
SALEM, OREGON

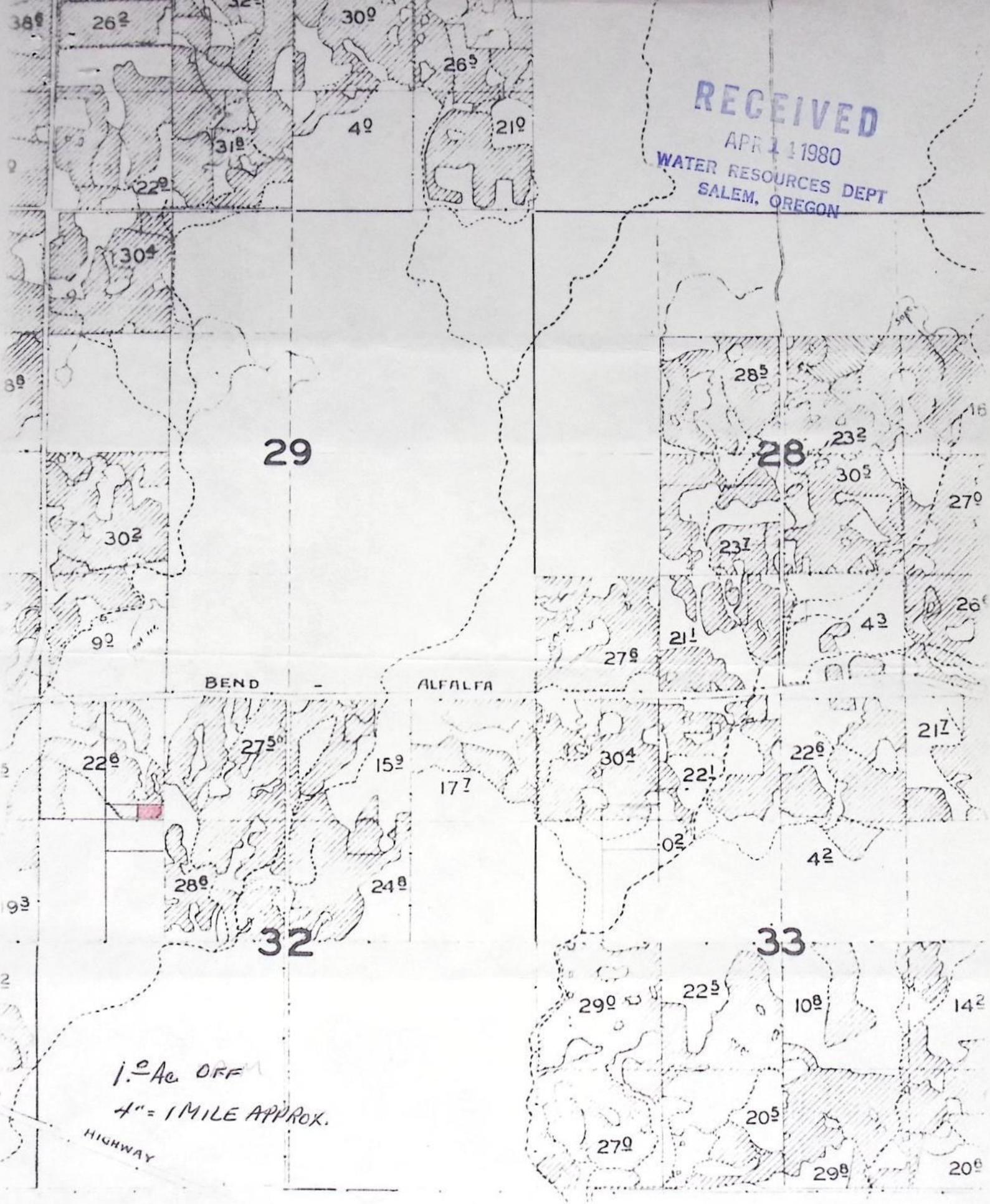
See Map 17 13



See Map 10 13

17 13 32B

RECEIVED
APR 11 1980
WATER RESOURCES DEPT
SALEM, OREGON



BEND - ALFALFA

1.0 Ac OFF
4" = 1 MILE APPROX.

HIGHWAY

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
LARRY D. & SUSAN MCDANIEL (CENTRAL)
OREGON IRRIGATION DISTRICT) FOR)
APPROVAL OF A CHANGE IN PLACE OF USE)
OF WATER)

ORDER APPROVING
TRANSFER NO. 4474

On April 14, 1980, an application was filed in the office of the Water Resources Director by Larry D. and Susan McDaniel 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 1.0 acre in NW 1/4 NW 1/4, Section 32, Township 17 South, Range 13 East, W.M., being tabulated in the name of Charles Burkhardt at Volume 16, page 59, 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 1.0 acre in SW 1/4 NW 1/4 of said Section 32.

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.

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.

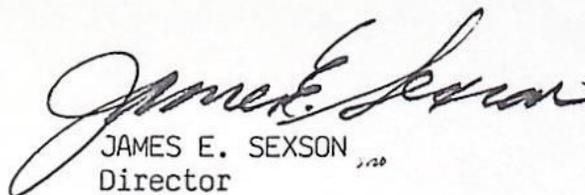
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 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 24th day of June, 1980.


JAMES E. SEXSON
Director

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	32	NW¼ NW¼	1.0

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? No. ^Contract purchaser
(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
Mortgage	1st Natl. Bank of Oregon	Letter of consent attached

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	32	SW¼ NW¼	1.0

(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 Oct. 31, 1980

Remarks Water rights being transferred within the lands currently being purchased by the McDaniel's under contract with 1st Natl. Bank of Oregon, described as the s½ of Tract 4 and all of Tract 5 of Deer Trail.

Approved by the Board of Directors of Central Oregon Irrigation at a regular meeting held on March 11, 1980.

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, Larry D. McDaniel and Susan McDaniel, 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 May, 1979

x Larry McDaniel
x Susan McDaniel
(Name of applicant)

Subscribed and sworn to before me this 14 day of May, 1979

[Signature]
NOTARY PUBLIC FOR OREGON



My commission expires 6/30/81

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

WATER RIGHT NO. T0000 44741 PERMIT NO. 016 059 CERTIF. NO. 029052
ORIG. NO. C000290521 PREV. NO. C000290521 SUPER. NO.

NAME: LARRY & SUSAN MCDANIEL
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--> 11 24 1980 YR.LAST USED-----> NEXT ACTION DUE-->
PRIORITY-----> 10 31 1900 PUT TO USE-----> 11 24 1980 LAST TRANS.DATE--> LAST TRANS.TYPE-->
APPLICATION---> 04 14 1980 SURVEYED-----> 06 11 1984 EXAM.FEE-----> 20.00 RECORDING FEE----> 10.00
PERMIT ISSUE--> 06 24 1980 CONCURRENCE-----> CYCLE STATUS-----> REPORTED FLAG---->
CONSTR.STRT.--> 06 24 1980 CERTIFIED-----> CORRES.INIT.-----> CORRES.DATE----->

POINT-OF-DIVERSION DATA:

TWNSP	RNGE	SECT	QTR/QTR	STREAM-ID	RIV.MI.	RATE	STATUS	S	OR	P
170S	120E	29	A D	05 1980	164.9		V			P
180S	120E	13	A C	05 1980	171.0	0.025	V			P
					0.0					

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

PLACE-OF-USE DATA:

TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE	% CNSMTV	ACRES	STATUS	S	OR	P
170S	130E	32	B C	09	IR	100.00	1.00	V			P

W.R.I.S.

Approved: 2-15-85 [Signature]

Entered _____ by _____

Verified _____ by _____

RECEIVED

NOV 24 1980

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Deschutes River

PURSUANT TO TRANSFER APPLICATION NO. 4474

I, LARRY MCDANIEL, 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 Aug 15, 19 80.

11-18-80
Date

Larry McDaniel
Signature

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

OK
Lij

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: June 7, 1980.

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

RECEIVED

JUN 6 1980

WATER RESOURCES DEPT
SALEM, OREGON

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4474
4508
IN THE NAME OF Larry D. & Susan Mc Daniel
J.G. Property Investments

In my opinion the proposed change in place of use 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.

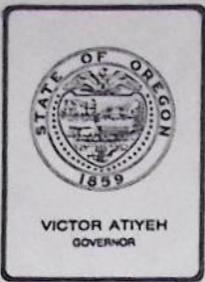
If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? _____
(yes or no)

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 . . .
- ✓ (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 _____

** *Deanne Clark*
Watermaster's signature or initials



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 78-3066

May 20, 1980

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

REFERENCE: File Number T-4474

The Watermaster reports that the 1.0 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T 17S, R 13E, WM, to be divested of water right under this transfer has a house, shed and driveway on it. He also states that the lawn appears to be irrigated from a well.

Please check and, if this is true, reduce the acreage accordingly, or show the 1.0 acre right being removed from a part of the property that is beneficially watered with COID water.

Sincerely,

Samuel R. Allison

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj

cc: Robert F. Main, Jr., Watermaster

T-4474



FIRST NATIONAL BANK OF OREGON

REAL ESTATE LOAN DIVISION, 960 N.W. WALL STREET, BEND, OREGON 97701, TELEPHONE: 389-2055

April 3, 1980

RECEIVED
APR 11 1980
WATER RESOURCES DEPT
SALEM, OREGON

Mr. and Mrs. Larry McDaniel
62290 Deer Trail Road
Bend, Oregon 97701

Mr. and Mrs. McDaniel:

Allow this letter to serve as First National Bank of Oregon's consent for the release of one (1) acre of C.O.I. water from your property.

Regards,

Tom Estoup
Assistant Vice-President

T-4474
RECEIVED

APR 1 1980

WATER RESOURCES DEPT
SALEM, OREGON

20020

WARRANTY DEED

VOL 233 PAGE 63

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

First National Bank of Oregon
RELD, P. O. Box 5153
Portland, Ore. 97208

STEPHEN R. STEPHENS and CAROLYN M. STEPHENS, husband and wife, Grantors, convey and warrant to LARRY D. McDANIEL and SUSAN McDANIEL, husband and wife, Grantees, the following described real property, free of encumbrances except as specifically set forth herein:

PARCEL 1: A parcel of land lying in the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section Thirty-two (32), Township Seventeen (17) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Starting at the West one-sixteenth corner of Section 29 and Section 32, Township 17 South, Range 13 East of the Willamette Meridian, said one-sixteenth corner being on the line common to said Sections 29 and 32; thence South 0° 02' 55" East 1323.10 feet along the East line of the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32, Township 17 South, Range 13 East of the Willamette Meridian, to the true point of beginning for the following described parcel of land, being known as Tract #5 in the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32, Township 17 South, Range 13 East of the Willamette Meridian; thence North 89° 56' 19" West 630.07 feet to a point being on the Easterly right of way line of an existing 60 foot roadway; thence South 0° 06' 44" East 330 feet along the Easterly right of way line to a point on said Easterly right of way line; thence South 89° 56' 19" East 629.71 feet, more or less, to a point being on the Easterly line of said West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32; thence North 0° 02' 55" West 530 feet along the Easterly line of the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32 Township 17 South, Range 13 East of the Willamette Meridian, to the true point of beginning.

PARCEL 2: A parcel of land lying in the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section Thirty-two (32), Township Seventeen

99
100,000
94
55

Warranty Deed

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GOLDWOOD
MILLS, OREGON 97101
ECHO TIME COMPANY
1050 BOND, BEND, OREGON 97101

Page 1

RECEIVED

APR 11 1980

WATER RESOURCES DEPT
SALEM, OREGON

VOL 233 PAGE 64

(17) South, Range Thirteen (13) East of the Willamette Meridian, Deschutes County, Oregon, being more particularly described as the South one-half of the following described Parcel, lying in the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32, Township 17 South, Range 13 East of the Willamette Meridian: Starting at the West one-sixteenth corner to Section 29 and 32, Township 17 South, Range 13 East of the Willamette Meridian, said one-sixteenth corner being on the line common to said Section 29 and 32; thence South 0°02'55" East 993.10 feet along the East line of the West Half of the Northwest Quarter (W 1/2 NW 1/4), Section 32, Township 17 South, Range 13 East of the Willamette Meridian, to the true point of beginning for the following described parcel of land, being known as Tract #4, in the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32, Township 17 South, Range 13 East of the Willamette Meridian; thence North 89°56'19" West 630.44 feet to a point being on the Easterly right-of-way line of an existing 60 foot roadway; thence South 0°06'44" East 330 feet along said Easterly right-of-way line to a point on said Easterly right of way line; thence South 89°56'19" East 630.07 feet to a point being on the Easterly line of the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32, Township 17 South, Range 13 East of the Willamette Meridian; thence North 0°02'55" West 330 feet along the Easterly line of the West Half of the Northwest Quarter (W 1/2 NW 1/4) of Section 32, Township 17 South, Range 13 East of the Willamette Meridian, to the true point of beginning.

TOGETHER with two (2) acres of Central Oregon Irrigation District water rights.

SUBJECT TO:

(1) The premises fall within the boundaries of Central Oregon Irrigation District and are subject to rules, regulations, assessments and liens thereon;

(2) Mortgage, including the terms and provisions thereof, executed by Stephen R. Stephens and Carolyn M. Stephens, husband and wife, to First National Bank of Oregon, a national banking association, dated March 13, 1972, recorded March 14, 1972, in Volume 178, Page 162, Mortgage Records, given to secure payment of a note for \$26,000.00, which Grantee expressly assumes and agrees to pay.

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BLVD. OREGON 97201

RECEIVED
APR 1 1980
WATER RESOURCES DEPT
SALEM, OREGON

VOL 233 PAGE 65

The true and actual consideration for this conveyance
is \$45,000.00.

DATED this 14th day of June, 1976.

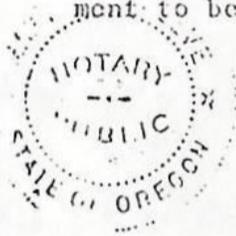
Stephen R. Stephens
STEPHEN R. STEPHENS

Carolyn M. Stephens
CAROLYN M. STEPHENS

STATE OF OREGON)
County of Deschutes) ss.

June 14, 1976.

Personally appeared the above named STEPHEN R. STEPHENS
and CAROLYN M. STEPHENS and acknowledged the foregoing instru-
ment to be their voluntary act. Before me:



Margaret Rose
Notary Public for Oregon
My Commission Expires: 11/29/79

20310

STATE OF OREGON
County of Deschutes
I hereby certify that the within instru-
ment of writing was recorded for Record
the 14 day of June A.D. 1976
at 4:22 o'clock P.M. and recorded
in Book 233 on Page 65 Records
of Clatsop
ROSEMARY BATTERSON
County Clerk
By Eric [Signature] Deputy

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
DEN. OREGON 97201

RECEIVED
JUN 9 1980
WATER RESOURCES DEPT
SALEM, OREGON

NW14 SEC. 32 T.17S. R.13E.W.M.
DESCHUTES COUNTY

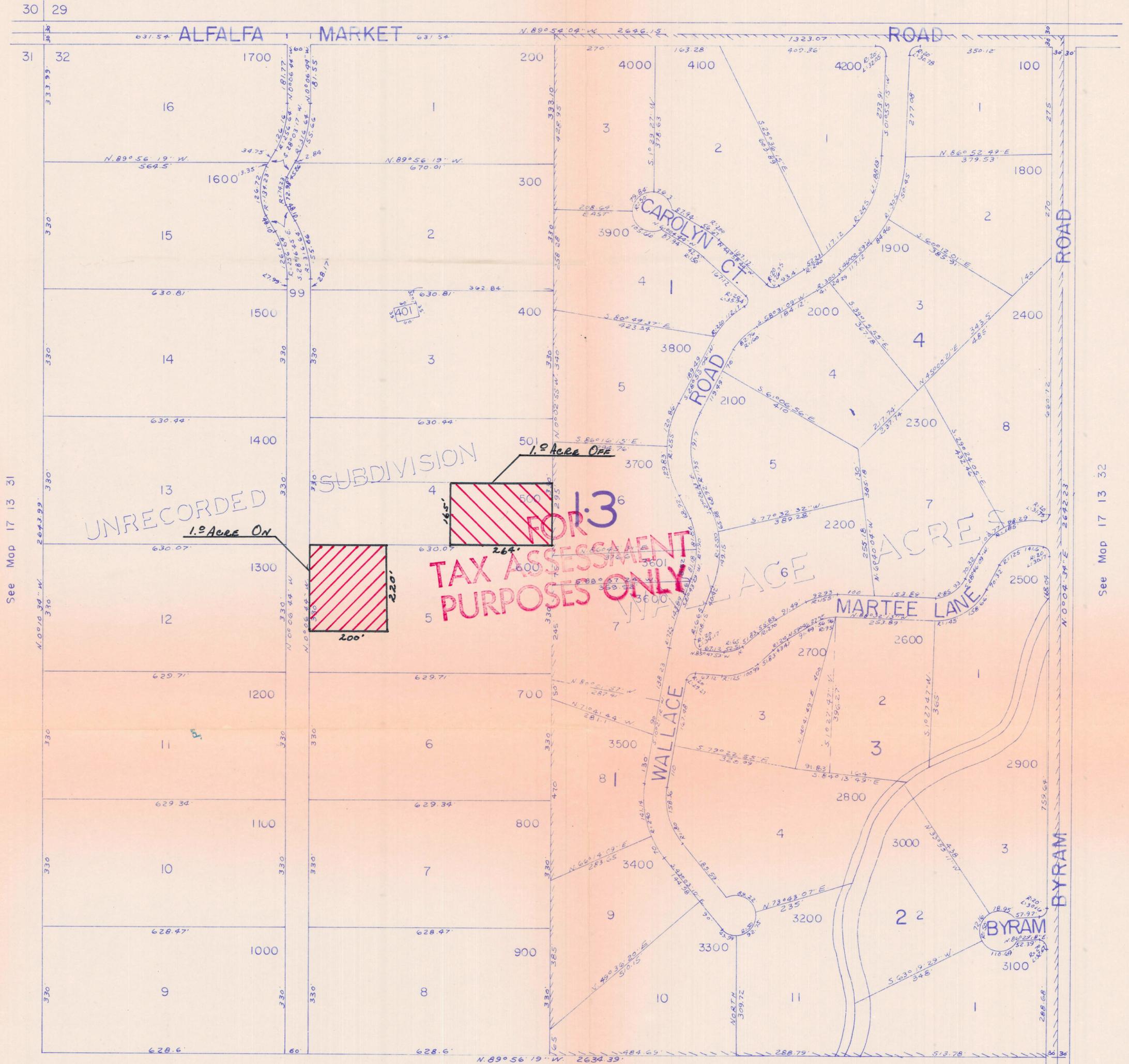
1"=200'

T-4474

17 13 32B

RECEIVED
APR 14 1980
WATER RESOURCES DEPT
SALEM, OREGON

See Map 17 13 29



See Map 17 13 31

See Map 17 13 32

See Map 17 13 32

17 13 32B