

Name Steve D. & Lynn E. Barclay  
 By Central Oregon Irrigation Dist.  
 Address 20636 Kandi Court  
Bend, OR 97701

Change in POU  
 Date filed April 19, 1980  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order 5-28-80 Vol. 33, page 248  
 Date for application of water 10-1-81  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

4475

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River  
 Trib. of \_\_\_\_\_ County of Deschutes  
 Use irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 3<sup>0</sup>  
 Name of ditch Pilot Butte Canal  
 Date of priority 10-31-1900 & 12-2-1907  
 In name of T. J. Hughes  
Deschutes Adjudication, Vol. 16, page 79<sup>SRA</sup>  
 App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 29052  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

FEEES PAID

Date	Amount	Receipt No.
<u>4-14-80</u>	<u>30.00</u>	<u>17088</u>
TOTAL . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

To survey 9/70

REMARKS

Surveyed 10/30/85 (Elrod)

W.R.I.S.

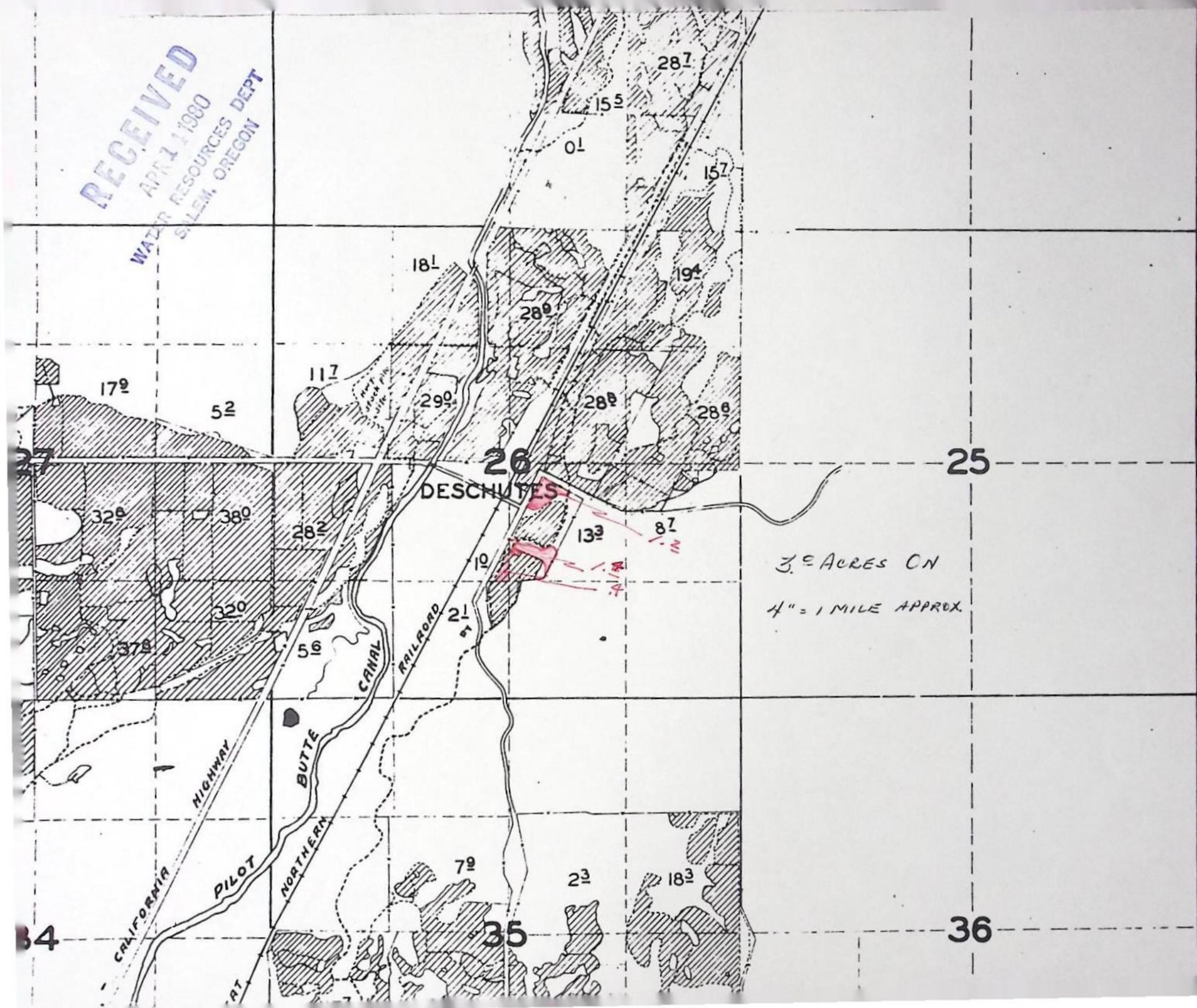
Assembled 2-15-85 by SM  
 Entered \_\_\_\_\_ by \_\_\_\_\_  
 Verified \_\_\_\_\_ by \_\_\_\_\_

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
		<input checked="" type="checkbox"/> Name	<u>SRA</u>
<input checked="" type="checkbox"/> Stream	<u>SRA</u>	_____	
<input type="checkbox"/> Pt. of Div.		_____	
<input checked="" type="checkbox"/> Calendar	<u>SM</u>	_____	
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-sale	<u>SRA</u>	_____	
<input checked="" type="checkbox"/> Cert. of W/R	<u>SRA</u>	_____	
<input type="checkbox"/> Per. Folder		_____	
<input type="checkbox"/> Chainindex		_____	
<input type="checkbox"/> Cross Ref.		_____	
<input type="checkbox"/> Power Claim		_____	
<input checked="" type="checkbox"/> Abstracts	<u>SM</u>	_____	

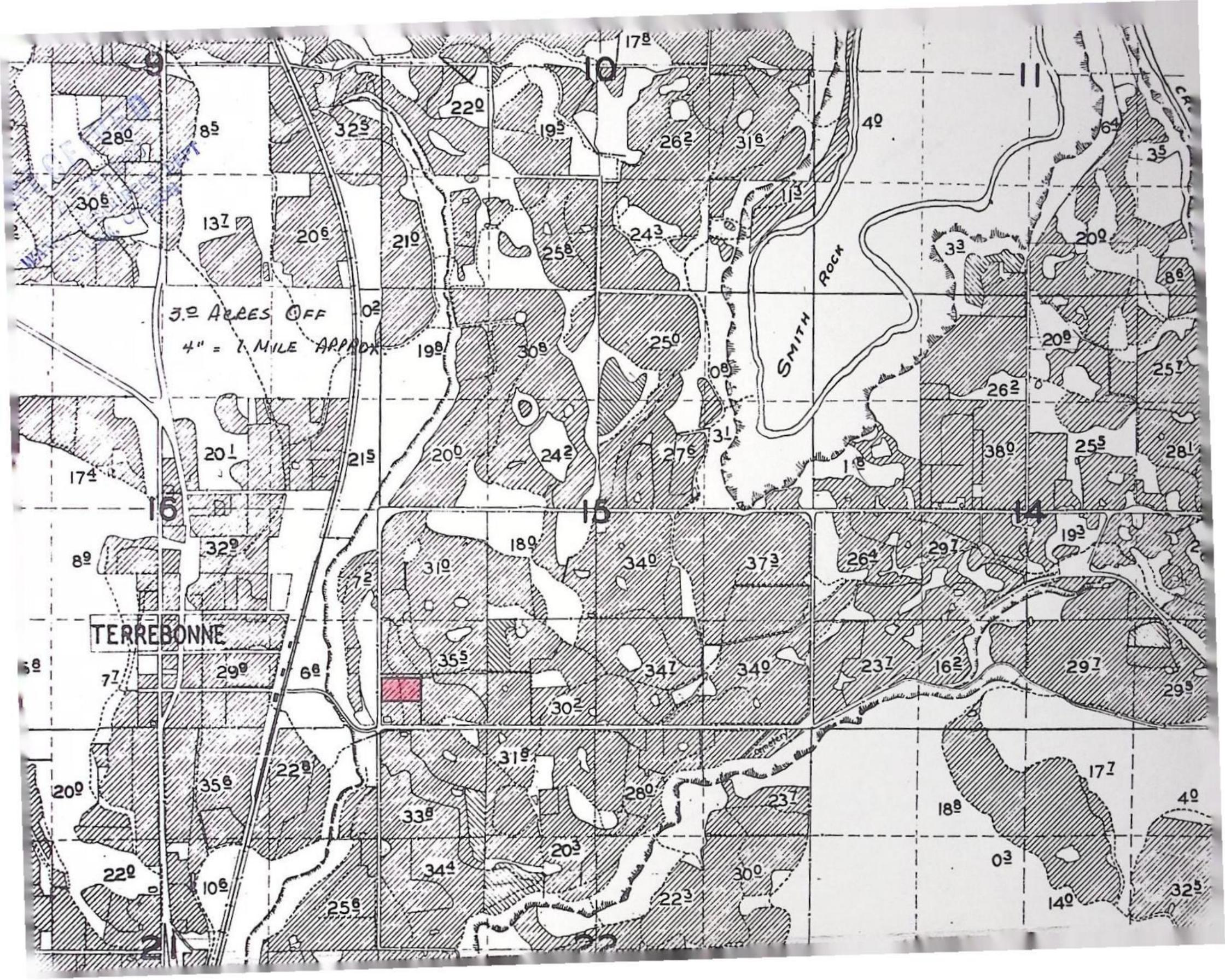
RECEIVED

APR 11 1980

WATER RESOURCES DEPT  
SILEM, OREGON



3.0 ACRES CN  
1" = 1 MILE APPROX



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF )  
STEVE D. AND LYNN E. BARCLAY )  
(CENTRAL OREGON IRRIGATION DISTRICT)  
FOR APPROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 4475

On April 14, 1980, an application was filed in the office of the Water Resources Director by Steve D. and Lynn E. Barclay 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 3.0 acres in SW 1/4 SW 1/4 of Section 15, Township 14 South, Range 13 East, W.M., being tabulated in the name of T. J. Hughes at Volume 16, page 79, 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 Pilot Butte Canal.

The applicants herein, owners of the lands above described, propose to transfer the water right therefrom, without loss of priority, to a certain 0.4 acre in NE 1/4 SW 1/4 and 2.6 acres in NW 1/4 SE 1/4 of Section 26, Township 16 South, Range 12 East, W.M. (William Elrod).

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.

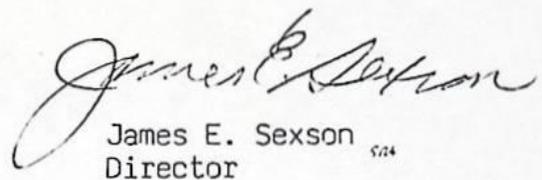
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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 28th day of May, 1980.

  
James E. Sexson  
Director

T-4475

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WATER RESOURCES DEPT  
SALEM, OREGON

# Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

We  Steve D. Barclay and Lynn E. Barclay  
(Name of applicant)

of 20636 Kandi Court Bend  
(Mailing address) (City)

State of Oregon 97701  
(Zip Code) (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. T.J. Hughes, Page 79  
(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, 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 .....  
(N. or S.) (E. or W.)  
corner of ..... being within the  $\frac{1}{4}$   $\frac{1}{4}$  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  $\frac{1}{4}$   $\frac{1}{4}$  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
14	13	15	SW¼ SW¼	3

(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
16	12	26	NW¼ SW¼	.4
			NW¼ SW¼	2.6

(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, 1979

Remarks Water rights being transferred to lands owned by William Elrod

Approved by the Board of Directors of Central Oregon Irrigation District at a regular meeting held on April 5, 1978

**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, Steve D. Barclay and Lynn E. Barclay, 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 24th day of March, 1978

x Steve D. Barclay  
x Lynn E. Barclay  
(Name of applicant)

Subscribed and sworn to before me this 28th day of March, 1978

[Notarial Seal]

Robert A. Anderson  
NOTARY PUBLIC FOR OREGON

My commission expires Sept. 14, 1979



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

WATER RIGHT NO. T000044751 PERMIT NO. 016079 CERTIF. NO. 029052  
ORIG. NO. C000290521 PREV. NO. C000290521 SUPER. NO.

NAME: STEVE & LYNN BARCLAY  
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-->0827 1980 YR.LAST USED-----> NEXT ACTION DUE-->  
PRIORITY-----> 10 31 1900 PUT TO USE----->0827 1980 LAST TRANS.DATE--> LAST TRANS.TYPE-->  
APPLICATION--->0414 1980 SURVEYED-----> EXAM.FEE----->20.00 RECORDING FEE----> 10.00  
PERMIT ISSUE-->0528 1980 CONCURRENCE-----> CYCLE STATUS-----> REPORTED FLAG----->  
CONSTR.STRT.-->0528 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	DB	164.0	0.075	V			P
<del>180S</del>	<del>120E</del>	<del>13</del>	<del>A C</del>	<del>05 1980</del>	<del>CO</del>	<del>171.0</del>		<del>V</del>			<del>P</del>
						0.0					

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

PLACE-OF-USE DATA:												
TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE	%	CNSMTV	ACRES	STATUS	S	OR	P
160S	120E	26	CA	09	IR	100.00		0.90	V			P
			DB					2.60				

W.R.I.S.

Approved 2-15-85 by SDA

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

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

*Elrod*

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AUG 27 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. 4475

I, William Elrod, 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 8/23., 1980

8/23.1980  
Date

William Elrod  
Signature

64990 Deschutes Nkt Rd  
Bend, OR 97701

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

*OK  
EJ*

Central Oregon Irrigation District -

Name and Address of Proprietor

Date of Relative Priority

Amount Cubic Feet Per Second

Number Acres

Use

Name of Ditch

Stream

Description of Land or Place of Use

T. J. Hughes

(1) T-4475 A P.W. 30.76  
(2) T-4476 D P.W. 30.76

65.0

(2) 31.0 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ ,  
34.0 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ ,  
Section 15,  
T. 14 S., R. 13 E., W.M.

Alex H. Anderson

30.0

30.0 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ ,  
Section 15,  
T. 14 S., R. 13 E., W.M.

Hewell Van Taselo

3.74

particularly described as Blocks 101 and 102, and part of Block 98 east of Dalles-California Highway, in Hillman Townsite.

3.74 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ ,  
Section 16,  
T. 14 S., R. 13 E., W.M.

Harvey Drew Estate

14.0

14.0 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ ,  
Section 16,  
T. 14 S., R. 13 E., W.M.  
Within the tract more particularly described as Blocks 136, 152-155 inc., 168 and 169, Hillman Townsite and proportionate share of adjacent unopened streets.

Ed Burhoop

1.92

1.92 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ ,  
Section 16,  
T. 14 S., R. 13 E., W.M.  
Within the tract more particularly described as Block 151, Hillman Townsite and proportionate share of adjacent unopened streets.

Hattie Jacobs

9.66

7.42 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ ,  
Section 16,  
T. 14 S., R. 13 E., W.M.  
Within the tract more particularly described as Blocks 115, 116, 117, 118, 119, 120, 133, 134, and 135 in Hillman Townsite.

0 $\frac{1}{4}$  A. Tr. S. P. O. V. 21 p. 105

2.24 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ ,  
Section 16,  
T. 14 S., R. 13 E., W.M.  
Within the tract more particularly described as Blocks 137 and 138, Hillman Townsite and proportionate share of adjacent unopened streets.

Wayne Jenkins

0.3

0.3 acre in that part of -  
the SE $\frac{1}{4}$  NW $\frac{1}{4}$ ,  
Section 16,  
T. 14 S., R. 13 E., W.M.  
described as Lots 1-9 and 13-18 inc., Block 82 of the platted townsite of Hillman, now called Terrebonne.

John Duval

23.92

3.32 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ ,  
20.6 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ ,  
Section 16,  
T. 14 S., R. 13 E., W.M.

See Modifying Decree Vol. 16 p. 396 for more particular description of Lots and Blocks involved herein. "Hillman Townsite"



TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Apr 30, 1980

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

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4475

IN THE NAME OF Steve D. & Lynn E. Barclay

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MAY 2 1980

WATER RESOURCES DEPT  
SALEM, OREGON

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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\* *Robert F. Main, Jr.*  
Watermaster's signature or initials

9161

KNOW ALL MEN BY THESE PRESENTS, That  
LUCILLE SHROYER,

MARY

hereinafter called the grantor, for the consideration hereinafter stated,  
to grantor paid by STEPHEN DEAN BARCLAY and LYNN ELLEN BARCLAY

hereinafter called the grantee,  
does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that  
certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, sit-  
uated in the County of Deschutes and State of Oregon, described as follows, to-wit:

The west half of the southwest quarter (W1/2 SW 1/4) in Section  
15, Township 14 South, Range 13 East of the Willamette Meridian,  
Deschutes County, Oregon, together with an appurtenant water right  
of 65 acres under the system of Central Oregon Irrigation District.

Subject to existing roads, highways, easements, rights of way  
and reservations contained in state deeds and federal patents,  
and specifically subject to an easement for irrigation ditch  
usage as shown by Instrument recorded October 27, 1947, in Book  
83, Page 354, Deed Records of said county and state and the  
right of way easement for an electric transmission line recorded  
8-8-60 in Book 125, Page 474, Deed Records of said county and  
state.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.  
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that  
grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

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SALEM, OREGON

and that  
grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the law-  
ful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$24,500.<sup>00</sup>  
However, the actual consideration consists of or includes other property or value given or promised which is  
part of the consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 18th day of December, 1974.

(Lucille Shroyer) Mary Lucille Shroyer

STATE OF OREGON, County of Deschutes ) ss.

Personally appeared the above named

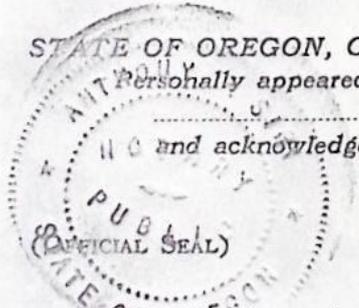
MARY LUCILLE SHROYER

and acknowledged the foregoing instrument to be HER voluntary act and deed.

Before me

*Anthony P. ...*  
Notary Public for Oregon

My commission expires My Commission Expires May 13, 1977



NOTE: The space between the symbols ①, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

WARRANTY DEED

JOHN H. SHROYER

MARY LUCILLE SHROYER

TO

STEPHEN DEAN BARCLAY

LYNN ELLEN BARCLAY

AFTER RECORDING RETURN TO

DESCHUTES COUNTY TITLE INSURANCE CO.  
P. O. BOX 323 - BEND, OREGON 97701

STATE OF OREGON

9161

INDEX

(DON'T USE THIS  
SPACE; RESERVED  
FOR RECORDING  
LABEL IN COUN-  
TIES WHERE  
USED.)

County of Deschutes ) ss.

I certify that the within instru-  
ment was received for record on the  
3 day of Jan, 1975,  
at 11:25 o'clock A.M., and recorded  
in book 214 on page 747 or as  
file number, Record of  
Deeds of said County.

Witness my hand and seal of  
County affixed.

*R. ...*  
County Clerk Title  
By *...* Deputy

No.

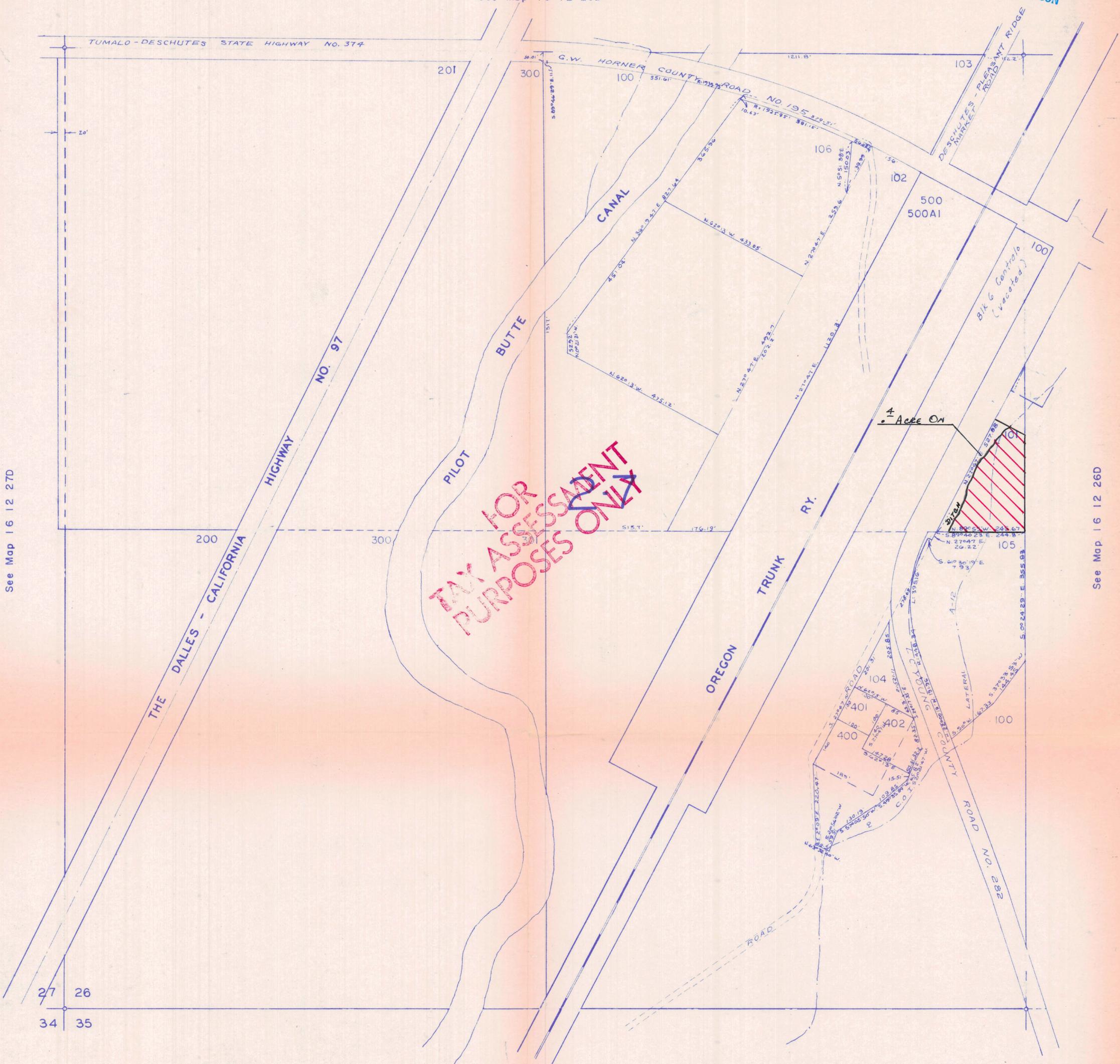
DESCHUTES COUNTY

SCALE: 1" = 200'

T-4475

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SALEM, OREGON

See Map 16 12 26B



See Map 16 12 27D

See Map 16 12 26D

See Map 16 12 35

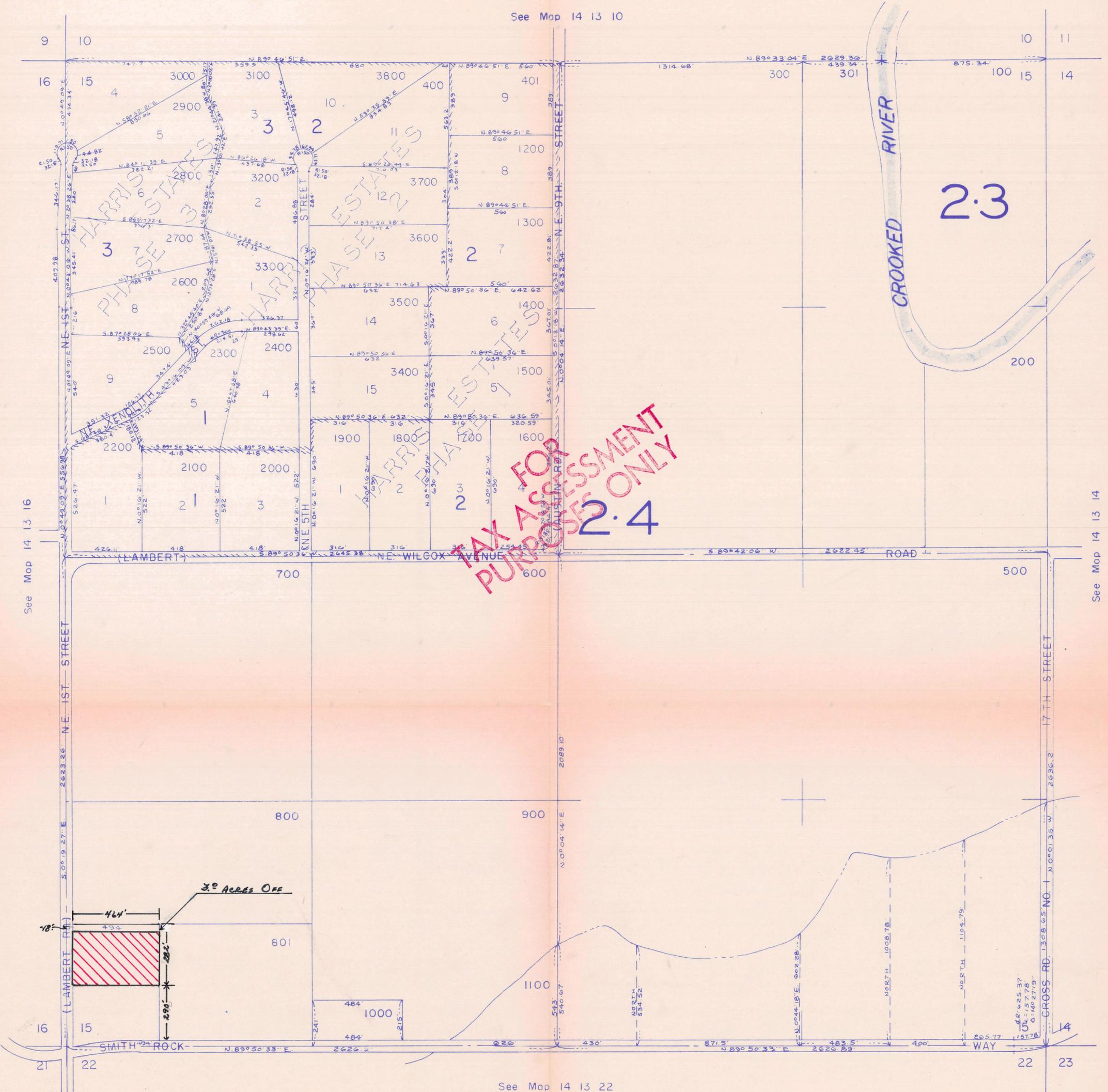
SECTION 15 T.14S. R.13E.W.M.  
DESCHUTES COUNTY

1"=400'

14 13 15  
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APR 14 1980  
WATER RESOURCES DEPT  
SALEM, OREGON

T-4475

See Map 14 13 10



See Map 14 13 22