

Jackson

4379

Name Lester G. Jackson
By C.O.T.D.
Address P.O. Box 548
Redmond, OR 97756

DESCRIPTION OF WATER RIGHT

Name of stream Deschutes River
Trib. of _____ County of Deschutes
Use irrigation
Quantity of water _____ No. of acres 10
Name of ditch Pilot Butte
Date of priority 10-31-1900 & 12-2-1907
In name of A.J. Holt
Deschutes Riv Adjudication, Vol. 16, page 86
App. No. _____ Per. No. _____ Cert. No. 29052
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>1-28-80</u>	<u>30'</u>	<u>15831</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Change in POU
Date filed Jan 28, 1980
Date of hearing _____
Place of hearing _____
Date of order 2-14-80 Vol. 33, page 19
Date for application of water 10-1-81
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

to survey 4/80

HB 3111

REMARKS

*Surveyed 10-29-87
Louise & Mary Reed*

W.R.I.S.

Assembled 7-7-85 by SPX

Entered _____ by _____

Verified _____ by _____

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

200

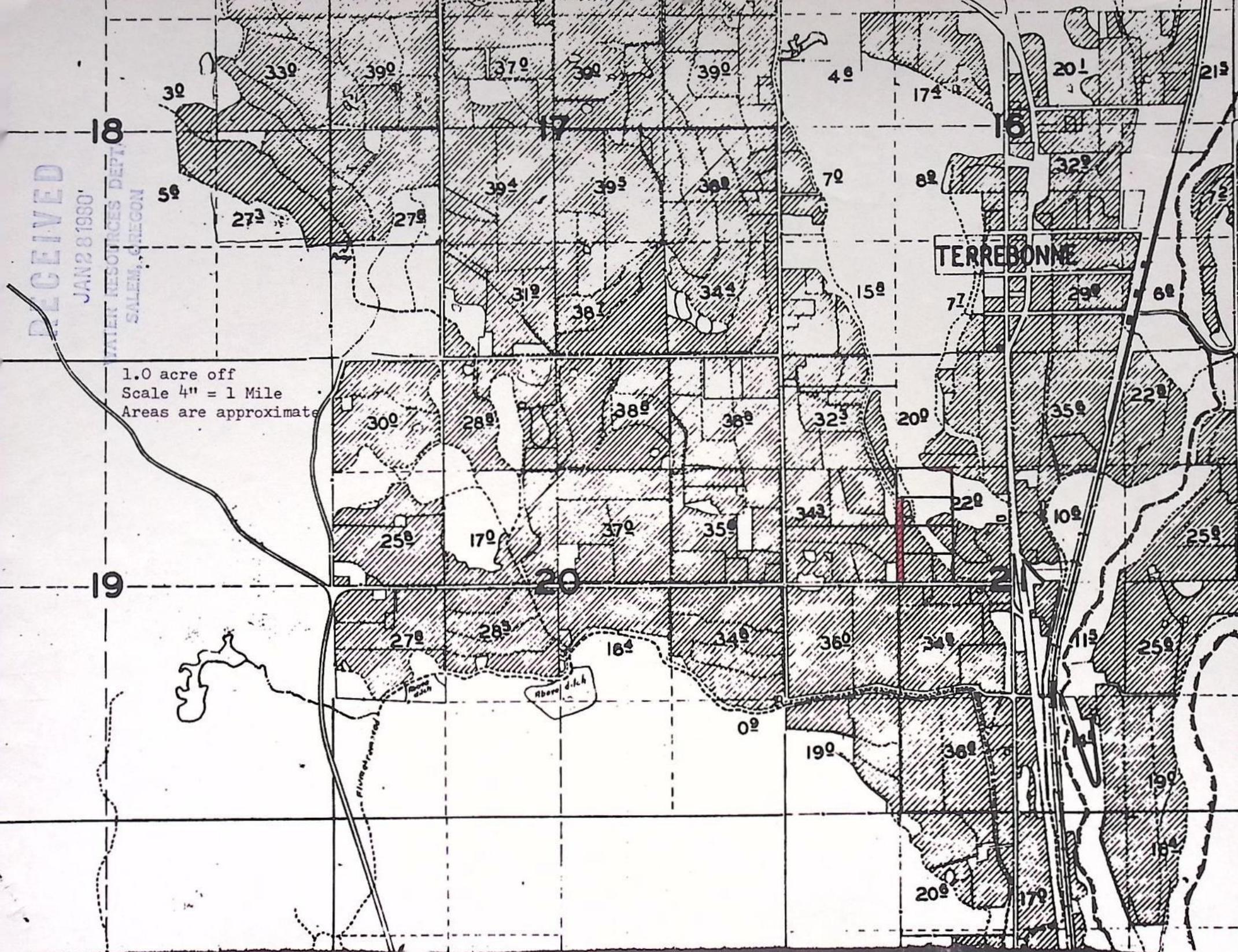
RECEIVED

JAN 28 1980

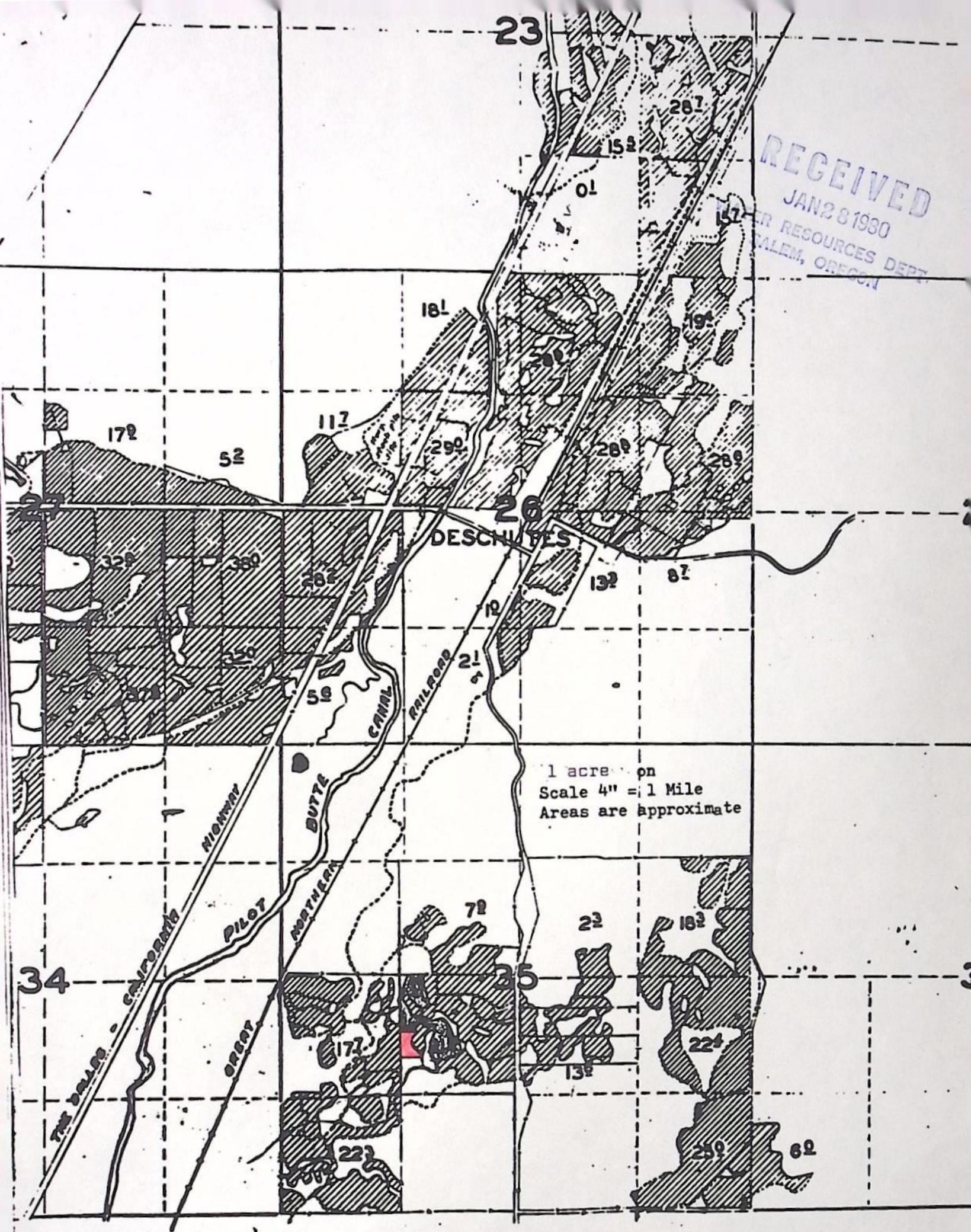
WATER RESOURCES DEPT.
SALEM, OREGON

1.0 acre off
Scale 4" = 1 Mile
Areas are approximate

TERREBONNE



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JAN 28 1980
NATURAL RESOURCES DEPT
SALEM, OREGON



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DESCHUTES COUNTY

IN THE MATTER OF THE APPLICATION OF)
LESTER G. JACKSON (CENTRAL OREGON)
IRRIGATION DISTRICT) FOR APPROVAL OF)
A CHANGE IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4379

On January 28, 1980, an application was filed in the office of the Water Resources Director by Lester G. Jackson 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 waters of Deschutes River and Its Tributaries, a water right was allowed in the name of Central Oregon Irrigation District for the use of waters of Deschutes River for irrigation of, among other lands, a certain 1.0 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 14 South, Range 13 East, W.M., being tabulated in the name of A.J. Holt at Volume 16, page 86, with dates of priority of October 31, 1900 and December 2, 1907, as evidenced by certificate 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 waters are irrigated by means of the Pilot Butte Canal.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to a certain 1.0 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 16 South, Range 12 East, W.M. (Roy Caudell).

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 at a regular meeting held August 14, 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.

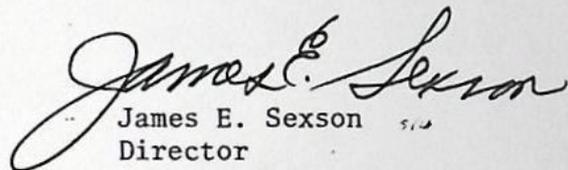
No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

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 14th day of February, 1980.


James E. Sexson
Director

also received water by D111, R4341

Info Mrs Mary Reed

Buying on contract from Mrs Caudell

She has lived here 1 1/2 years and
has continued to irrigate everything
that had been. Flood irrigate pasture

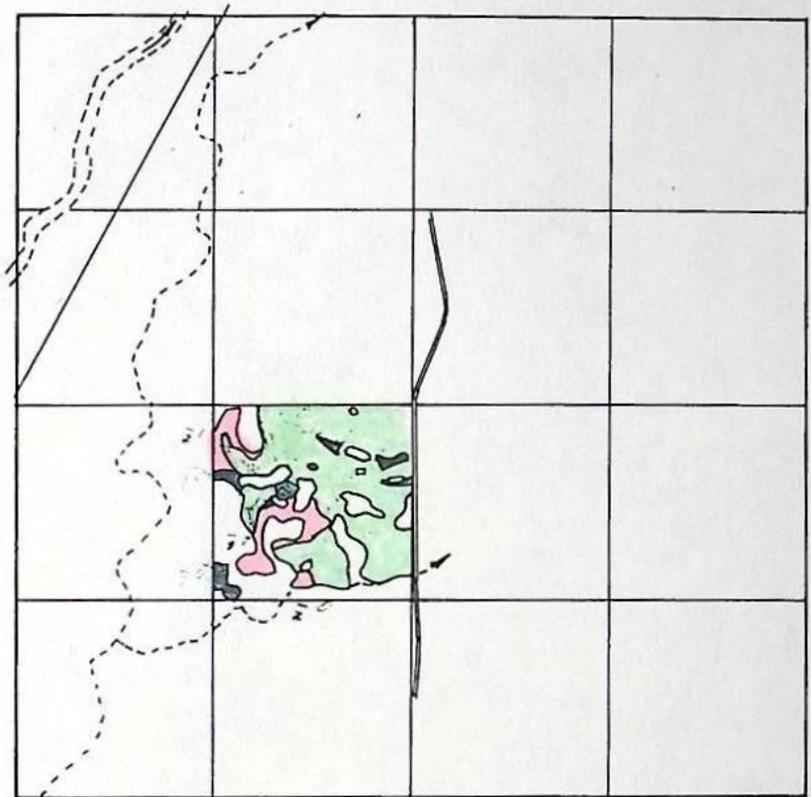
I mapped all lands irrigated in 40

TIE: 179-75R

10/29/87

Michael J. Matlock

NOTE: DURING DRAFTING OF VARIOUS TRANSFERS
INVOLVED ON THIS LAND, IT WAS DETERMINED THAT
EXISTING RIGHTS TOGETHER WITH LANDS UNDER TRANSFERS
#D-111 & 4341 TOTAL LESS THAN AREA APPLIED FOR.
THEREFORE NO LAND COULD BE ALLOWED UNDER THIS
TRANSFER. 1/10/89
BWB



ALL COLORED AREAS ARE IRRIGATED.
 GREEN = DECREE 10-1-1
 RED = DECREE 10-1-1 D-III = 40
 BLUE IS TENTATIVE UNDER T-4341 = 2⁴
 TOTAL AREA IRRIGATED = 27⁴ ac.

FINAL PROOF SURVEY
 UNDER

Application No. Permit No.
 IN NAME OF

.....

Surveyed 19....., by

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

WATER RIGHT NO. T0000 PERMIT NO. 016 CERTIF. NO. 029052 NAME: LESTER G. JACKSON
ORIG. NO. C000290521 PREV. NO. C000290521 SUPER. NO. ADDRESS: COID PO BOX548
CITY/STATE/ZIP/COUNTY: REDMOND, OR 97756
STREAM-ID 05 1980 RIV.MI. 0.0 WM.DIST. 11 W.R.TYPE SC STATUS V

CANCEL YEAR----> CONSTR.COMPLT--> 04 21 1980 YR.LAST USED-----> NEXT ACTION DUE-->
PRIORITY-----> 10 31 1900 PUT TO USE-----> 04 21 1980 LAST TRANS.DATE--> LAST TRANS.TYPE-->
APPLICATION---> 01 28 1980 SURVEYED-----> EXAM.FEE-----> 20.00 RECORDING FEE----> 10.00
PERMIT ISSUE--> 02 14 1980 CONCURRENCE-----> CYCLE STATUS-----> REPORTED FLAG---->
CONSTR.STRT.--> 02 14 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	rb	164.9		V			P
180S	120E	13	A C	05 1980	co	171.0		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 A. J.
** Holt.
**
**
**

PLACE-OF-USE DATA:												
TWNSP	RNGE	SECT	QTR/QTR	CNTY	USE	%	CNSMTV	ACRES	STATUS	S	OR	P
160S	120E	35	C A	09	IR	100.00		1.00	V			P

W.R.I.S.

Assigned: 4-4-85 by SJA

Entered _____ by _____

Verified _____ by _____

RECEIVED
JAN 28 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

T-4379

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Lester G. Jackson (Name of applicant)
of P.O. 304 (Mailing address), Terrebonne (City),
State of Oregon, 97760 (Zip Code), 548-2359 (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. A.J. Holt, page 86
(If not, give name)
2. Was your water right determined by Decree of Court? yes (Yes or No) If so, give title of proceedings
adjudication of the Deschutes River number of certificate 29052
3. Was your water right acquired by Water Right Permit? No (Yes or No) If so, give number
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. (N. or S.) and ft. (E. or W.)
from the 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. (N. or S.) and ft. (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
14	13	21	SE¼ NW¼	1.0

(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
16	12	35	NE¼ SW¼	1.0

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are more beneficial use. This application
was filed and approved prior to any activities altering the use of the land
and construction of road within the deeded property. Delays in processing
this application by the District was other than the fault of the applicant.

15. Construction work will be completed on or before Oct. 31, 1980

16. The water will be completely applied to the proposed use on or before Oct. 31, 1980

Remarks Water rights being transferred to the lands of Roy Caudell, titleholder.

Approved by the Board of Directors of the Central Oregon Irrigation District at
regular meeting held August 14, 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

I, Lester G. Jackson, 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 31st day of July, 1979

Lester G. Jackson
(Name of applicant)

Subscribed and sworn to before me this 31st day of July, 1979

[Notarial Seal]

Robert G. Anderson
NOTARY PUBLIC FOR OREGON

My commission expires Sept. 14, 1979



RECEIVED

APR 21 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. 4379

I, Roy Candell, 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 4-8, 1980.

4-18-80
Date

Roy Candell
Signature

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

ok
Roy



TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Jan 3 6, 1980.

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

RECEIVED

FEB 8 1980
WATER RESOURCES DEPT.
SALEM, OREGON

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4379
IN THE NAME OF Lester G. Jackson/COID

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 Note: the .65 acres is now a cinder road but it appeared to be irrigated on 1966 photo.

** Duane Clark
Watermaster's signature or initials

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS, That Bart Kirk

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Lester G. Jackson, 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, situated in the County of Deschutes and State of Oregon, described as follows, to-wit:

IN TOWNSHIP 14 SOUTH, RANGE 13 EAST OF WILLAMETTE MERIDIAN
Section 21; N $\frac{1}{2}$, NW $\frac{1}{4}$; SE $\frac{1}{4}$; NW $\frac{1}{4}$;
West 30 feet S $\frac{1}{2}$; NW $\frac{1}{4}$; SE $\frac{1}{4}$; NW $\frac{1}{4}$;
West 30 feet SW $\frac{1}{4}$; SE $\frac{1}{4}$; NW $\frac{1}{4}$;
2 $\frac{1}{2}$ acres Central Oregon Irrigation water right.

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SALEM, OREGON

(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
Existing easments of record.

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful 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 \$ 11,000.00.
However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols (H), if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 30 day of April, 1979; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Bart Kirk

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,)
County of Deschutes) ss.
April 30, 19 79

STATE OF OREGON, County of Deschutes) ss.
19 79

Personally appeared the above named Bart Kirk

Personally appeared _____ and _____ who, being duly sworn, each for himself and not one for the other, did say that the former is the _____ president and that the latter is the _____ secretary of _____

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

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.
Before me:

Notary Public for Oregon
My commission expires: 4/22/83

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS
GRANTEE'S NAME AND ADDRESS
After recording return to:
DESCHUTES COUNTY TITLE CO.
P. O. BOX 323
BEND, OREGON 97701
NAME, ADDRESS, ZIP
Until a change is requested all tax statements shall be sent to the following address.
NAME, ADDRESS, ZIP

INDEX
31169

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,)
County of Deschutes) ss.
I certify that the within instrument was received for record on the 16 day of May, 1979, at 4:14 o'clock AM, and recorded in book 299 on page 152 or as file/reel number _____, Record of Deeds of said county.
Witness my hand and seal of County affixed.
Rosemary Patterson
Recording Officer
By Rhonda Lantz Deputy

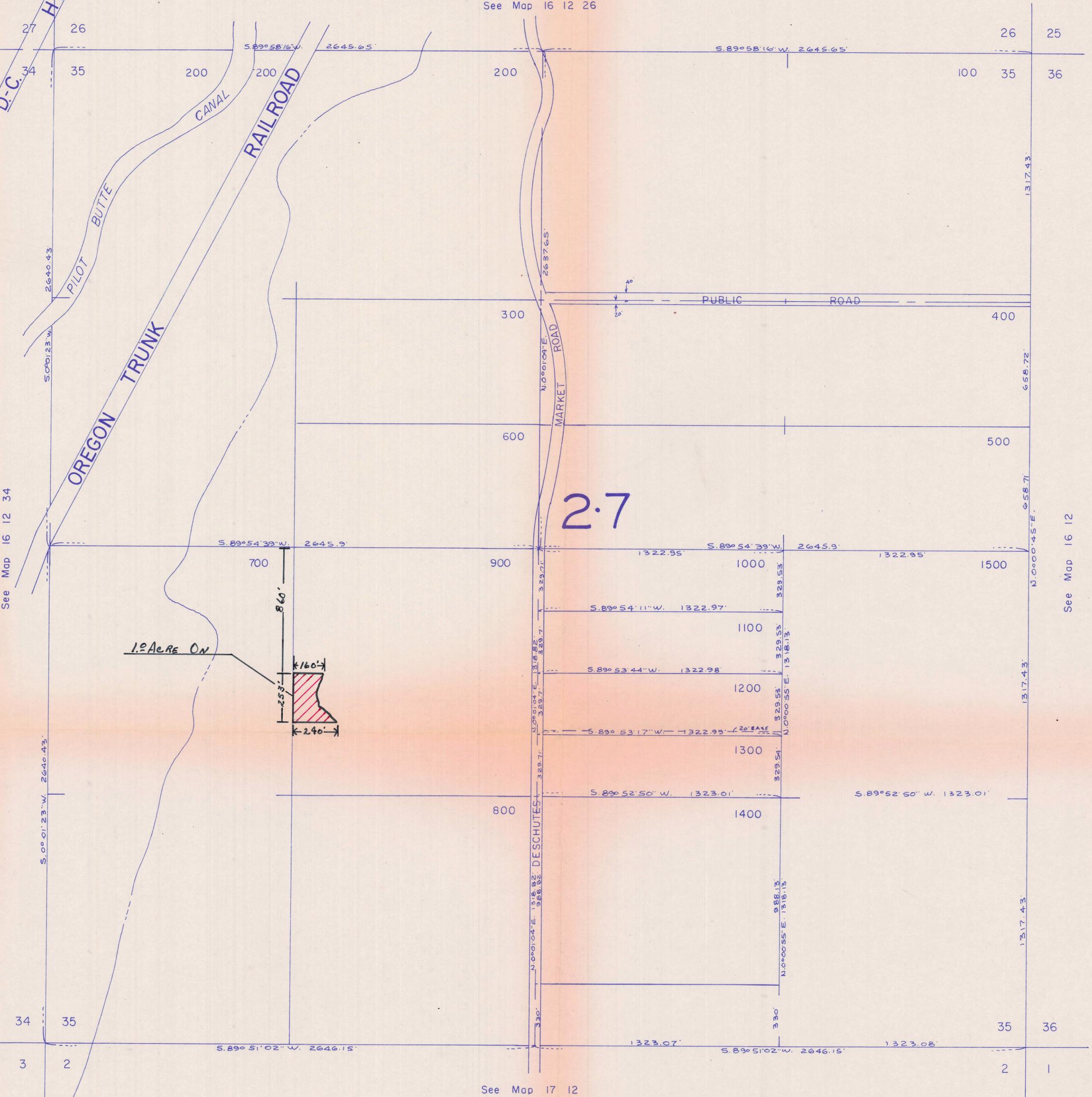
DESCHUTES COUNTY

1"=400'

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WATER RESOURCES DEPT
SALEM, OREGON

T-4379

See Map 16 12 26



See Map 16 12 34

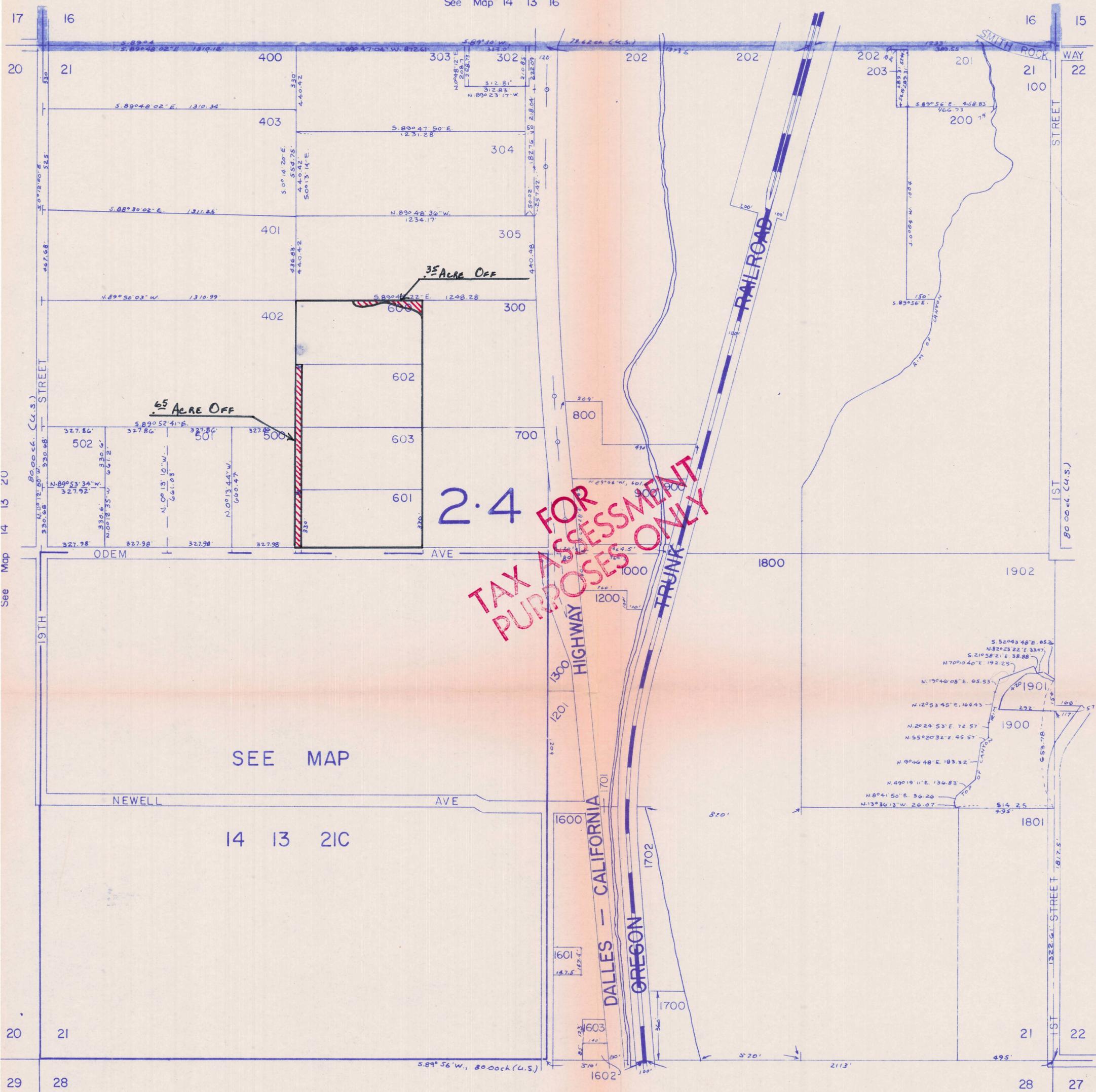
See Map 16 12

See Map 17 12

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WATER RESOURCES DEPT.
SALEM, OREGON

T-4379

See Map 14 13 16



2.4

TAX ASSESSMENT
PURPOSES ONLY

SEE MAP

14 13 21C

See Map 14 13 28

See Map 14 13 22