

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICA- )  
TION OF JAMES D. LONG FOR THE )  
APPROVAL OF A CHANGE IN PLACE )  
OF USE OF WATER FROM BUTTE CREEK )  
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ORDER APPROVING  
TRANSFER NO. 2875

On August 6, 1973, James D. Long, filed an application in the office of the State Engineer for the approval of a change in place of use of water from Butte Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to James D. Long and recorded at page 23728, Volume 17, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.35 cubic feet per second of water from Butte Creek, for the irrigation of, among other lands, 9.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and 1.4 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 6 South, Range 1 East, W.M., with a date of priority of November 3, 1955. These lands are irrigated from a point of diversion located 460 feet North and 520 feet West from the northerly NE corner of T. Jack D.L.C. #43, being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 6 South, Range 1 East, W.M..

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 2.5 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 7.6 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , and 0.3 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 6 South, Range 1 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. E. Michael Ricks, Watermaster of District No. 16, has

filed a statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.

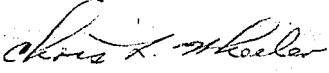
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to 9.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and 1.4 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 6 South, Range 1 East, W.M., with a date of priority of November 3, 1955, be severed therefrom and simultaneously and without loss of priority transferred to 2.5 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 7.6 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , and 0.3 acre in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 8, Township 6 South, Range 1 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1974.

It is FURTHER ORDERED that certificate of water right heretofore issued to James D. Long and recorded at page 23728, Volume 17, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate of water right shall be issued to James D. Long confirming the extent to which the water has been applied beneficially, and covering the balance of the lands not involved in this proceeding.

Dated at Salem, Oregon, this 30th day of August, 1973.

  
CHRIS L. WHEELER  
State Engineer