

Antine, C. L.
Rt. 1, Box 12
Yoncallo, Ore 97499

2429

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT

FEES PAID

Change in Place of Use
Date filed August 7, 1970
Date of hearing _____
Place of hearing _____
Date of order 2-8-71 Vol. 20, page 393
Date for application of water 10-1-71
Proof mailed _____
Proof received _____
Certificate issued MAR 27 1975 Vol. 33, page 41915

Name of stream Elk Creek
Trib. of — County of Douglas
Use Irrigation
Quantity of water — No. of acres 6⁶
Name of ditch —
Date of priority August 15, 1949
In name of C. R. Wilson
Adjudication, Vol. _____, page _____
App. No. 24009 Per. No. 19149 Cert. No. 22480
Certificate cancelled _____
Notation made on record by slu

Date	Amount	Receipt No.
<u>8/7/70</u>	<u>20.00</u>	<u>20362</u>
TOTAL . . .		
<u>3-3-75</u>	<u>\$1⁵⁰ Cert. Fee</u>	<u>45473</u>

FEES REFUNDED

Date	Amount	Check No.

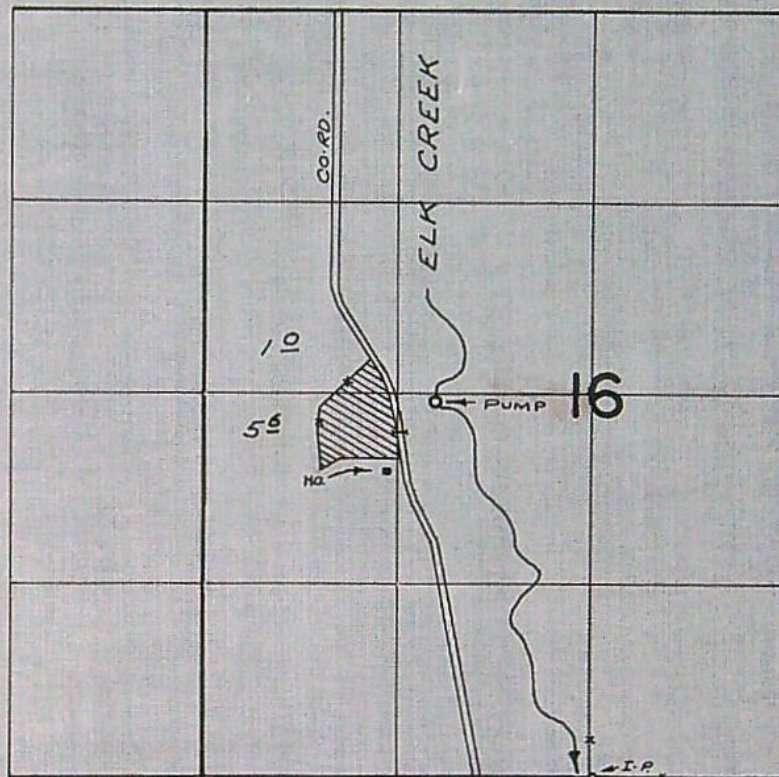
To Survey 7/9/71
3-21-75 ves

REMARKS

fnis

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		
		Entered	Checked
	☒ Name	<u>slu</u>	
	☒ Stream	<u>slu</u>	
	☒ Pt. of Div.	<u>slu</u>	
	☒ Calendar	<u>slu</u>	
	CHECKED TO RECORDS:		
	☒ Twp. & Rge.	<u>slu</u>	
	☐ Decree-vault		
	☐ Decree-sale		
	☒ Cert. of W/R	<u>slu</u>	
	☒ Per. Folder	<u>slu</u>	
	☐ Chainindex		
	☐ Cross Ref.		
	☐ Power Claim		
	☐ Abstracts		

T.23S.R.4W.W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER No. 2429

Application No. _____ Permit No. _____
IN NAME OF

_____ANTHINE OTTEN_____

Surveyed OCT. 17, 1974, by R. MUCKEN

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Antoine Otten
~~C. R. Wilson~~of Route 1, Box 18, Yoncalla, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Elk Creeka tributary of Umpqua River for the purpose of
irrigation of 70.1 acres
under Permit No. 19149 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from August 15, 1949that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.88 cubic foot per second -or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE 1/4 SW 1/4, Section 9, NE 1/4 NW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4,
SE 1/4 SW 1/4, Section 16, Township 23 South, Range 4 West, W. M.The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
per acre or its equivalent for each acre irrigated and shall be further limited
to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated
during the irrigation season of each year,and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.A description of the place of use under the right hereby confirmed, and to which such right is
appurtenant, is as follows:

1.8 acres in the SW 1/4 SW 1/4
 8.4 acres in the SE 1/4 SW 1/4
 Section 9
 8.0 acres in the NE 1/4 NW 1/4
 9.7 acres in the NW 1/4 NW 1/4
11.2 - 10.2 acres in the SW 1/4 NW 1/4
 13.4 acres in the SE 1/4 NW 1/4
 12.0 acres in the NE 1/4 SW 1/4
5.6 - 6.6 acres in the SE 1/4 SW 1/4
 Section 16
 Township 23 South, Range 4 West, W. M.

This certificate is issued to confirm a change in place of use ^{+ remaining right} approved by an order
of the State Engineer entered Feb. 8, 1971, and supersedes certificate of water
right issued to C. R. Wilson and recorded at page 22480, Volume 16,
State Record of Water Right Certificates.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 16, page 22480.

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION)
OF ANTOINE OTTEN FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM ELK CREEK)

ORDER APPROVING
TRANSFER NO. 2429

On August 7, 1970, Antoine Otten filed an application in the office of the State Engineer for the approval of a change in place of use of water from Elk Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to C. R. Wilson and recorded at page 22480, Volume 16, State Record of Water Right Certificates, confirms a right to the use of 0.88 cubic foot per second of the waters of Elk Creek for the irrigation of, among other lands, 6.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 23 South, Range 4 West, W.M., with a date of priority of August 15, 1949.

The applicant herein, mortgagor of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 1.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 5.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 23 South, Range 4 West, 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. M. John Youngquist, Watermaster of District No. 15, 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.

Olive E. Holden, mortgagee of the land involved, has submitted written approval of the change in place of use.

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 proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 6.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 23 South, Range 4 West, W.M., with a date of priority of August 15, 1949, be severed therefrom and simultaneously and without loss of priority, transferred to 1.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 5.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 23 South, Range 4 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1971.

It is FURTHER ORDERED that certificate of water right heretofore issued to C. R. Wilson and recorded at page 22480, Volume 16, 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 ~~Antoine Otter~~ 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 8th day of February, 1971.

/s/ CHRIS L. WHEELER
State Engineer