

2965

STATUS OF APPLICATION

Change in place of use
 Date filed 1-25-74
 Date of hearing _____
 Place of hearing _____
 Date of order 2-25-74 Vol. 24, page 127
 Date for application of water 10-1-75
 Proof mailed _____
 Proof received _____
 Certificate issued JAN 31 1978 Vol. _____, page 45193
Survey 12/75

REMARKS

Chas. S. Schlechter

DESCRIPTION OF WATER RIGHT

Name of stream Unnamed
 Trib. of _____ County of Marion
 Use irrigation
 Quantity of water _____ No. of acres 7.3
 Name of ditch _____
 Date of priority March 25, 1952
 In name of Peter Schlechter
 _____ Adjudication, Vol. _____, page _____
 App. No. 27019 Per. No. 21264 Cert. No. 22218
 Certificate cancelled _____
 Notation made on record by _____

DVA Notification

FEES PAID

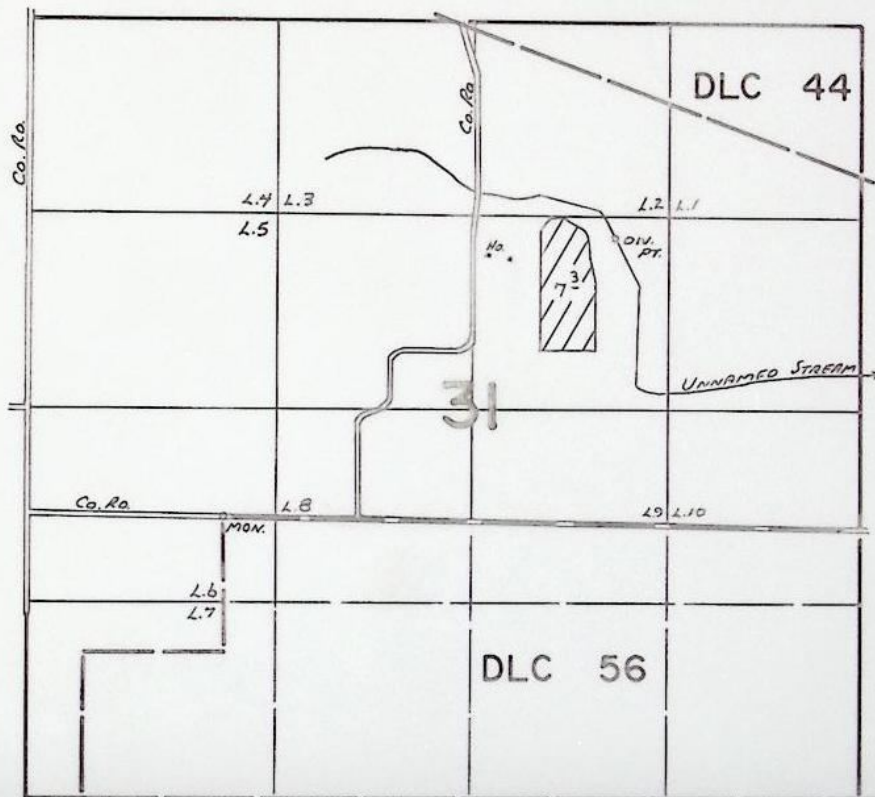
Date	Amount	Receipt No.
<u>1-25-74</u>	<u>25.00</u>	<u>38389</u>
TOTAL . . .	<u>1.50</u>	
<u>1-25-74</u>	Cert. Fee	<u>38390</u>

FEES REFUNDED

Date	Amount	Check No.

INDEX CARDS:	Entered	Checked
<i>WJ</i> Name	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>WJ</i> Stream	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>WJ</i> Pt. of Div.	<input type="checkbox"/>	<input type="checkbox"/>
<i>WJ</i> Calendar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHECKED TO RECORDS:		
<i>WJ</i> Twp. & Rge.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>WJ</i> Decree-vault	<input type="checkbox"/>	<input type="checkbox"/>
<i>WJ</i> Decree-safe	<input type="checkbox"/>	<input type="checkbox"/>
<i>WJ</i> Cert. of W/R	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>WJ</i> Per. Folder	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chaindex	<input type="checkbox"/>	<input type="checkbox"/>
Cross Ref.	<input type="checkbox"/>	<input type="checkbox"/>
Power Claim	<input type="checkbox"/>	<input type="checkbox"/>
Abstracts	<input type="checkbox"/>	<input type="checkbox"/>

T.5S.,R.1W.,W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2965
Application No. _____ Permit No. _____
IN NAME OF

CLARENCE SCHLECHTER

Surveyed APRIL 2 1976, by L. TOLL

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

PETER SCHLECHTER

of Rt. 1, Box 179, Gervais, State of Oregon, 97026, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of an unnamed stream

a tributary of Pudding River
the irrigation of 7.3 acres

for the purpose of

under Permit No. 21264 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 March 25, 1952 that 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 0.09 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 SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, T. 5 S., R. 1 W., W. M., 930 feet North and 1480 feet West, 530 feet North and 1480 feet West, both from the E $\frac{1}{2}$ Corner, Section 31

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 $\frac{1}{2}$ 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:

7.3 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 31
T. 5 S., R. 1 W., W. M.

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered February 25, 1974 and supersedes certificate of water right recorded on page 22218, Volume 16, State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. January 31, 1978

James E. Sexson

Water Resources Director

STATE OF OREGON
COUNTY OF MARION

Sp. Or. V. 4 p. 127
Tr. 2965

CERTIFICATE OF WATER RIGHT

This Is to Certify, That : PETER SCHLECHTER

of Gervais, 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 an unnamed stream a tributary of Pudding River for the purpose of irrigation under Permit No. 21264 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 March 25, 1952

that 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 0.09 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 SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 5 South, Range 1 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 $\frac{1}{2}$ 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:

7.3 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 31
Township 5 South, Range 1 West, W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed
this 7th day of March, 1957.

LEWIS A. STANLEY

State Engineer

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION
OF CLARENCE SCHLECHTER FOR THE
APPROVAL OF A CHANGE IN PLACE OF
USE OF WATER FROM AN UNNAMED STREAM

ORDER APPROVING
TRANSFER NO. 2965

On January 25, 1974, Clarence Schlechter filed an application in the office of the State Engineer for the approval of a change in place of use of water from an unnamed stream, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Peter Schlechter and recorded at page 22218, Volume 16, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.09 cubic foot per second of water from an unnamed stream for the irrigation of, 7.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 5 South, Range 1 West, W.M., with a date of priority of March 25, 1952. These lands are irrigated from points of diversion located (1) 930 feet North and 1480 feet West, and (2) 530 feet North and 1480 feet West from the East $\frac{1}{4}$ corner of Section 31, both being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 5 South, Range 1 West, W.M.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 7.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 5 South, Range 1 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. 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.

ALL COTTON

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 7.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 5 South, Range 1 West, W.M., with a date of priority of March 25, 1952, be severed therefrom and simultaneously and without loss of priority transferred to 7.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, Township 5 South, Range 1 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1975.

It is FURTHER ORDERED that certificate of water right heretofore issued to Peter Schlechter and recorded at page 22218, 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 Clarence Schlechter confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 25th day of February, 1974.

/s/ CHRIS L. WHEELER
State Engineer

Gibraltar Onion Skin

MILLERS FALLS

ALL COTTON