

2994 Mrs. Delta F. Case  
317 Pruitt Road  
Eagle Park 97524

2994

STATUS OF APPLICATION

Change in point of diversion  
Date filed 3-8-74  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 5-6-74 Vol. 24, page 285  
Date for application of water 10-1-75  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued JAN 21 1980 Vol. 42, page 48875

DESCRIPTION OF WATER RIGHT

Name of stream Little Butte Creek  
Trib. of \_\_\_\_\_ County of Jackson  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 14.0  
Name of ditch \_\_\_\_\_  
Date of priority June 1, 1937  
In name of Howard C. & Thelma M. Short  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 16914 Per. No. 12672 Cert. No. 15242  
Certificate cancelled 1974  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>3-8-74</u>	<u>30.00</u>	<u>38967</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Final proof map in File 51723

CHS/ES

INDEX CARDS:		Entered	Checked
<u>WC</u>	Name	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WC</u>	Stream	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WH</u>	Pt. of Div.	<input type="checkbox"/>	<input type="checkbox"/>
<u>WH</u>	Calendar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHECKED TO RECORDS:			
<u>WH</u>	Twp. & Rge.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WH</u>	Deeds-vault	<input type="checkbox"/>	<input type="checkbox"/>
<u>WC</u>	Deeds-safe	<input type="checkbox"/>	<input type="checkbox"/>
<u>WC</u>	Cert. of W/R	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WC</u>	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"/>



OK  
JW

## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That DELTA F. CABLE  
~~HOWARD G. SHORT AND THELMA M. SHORT~~  
 of 319 PRUETT ROAD, State of Oregon 97524, has made proof  
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of  
Little Butte Creek  
 a tributary of Rogue River for the purpose of  
 Irrigation of 14.0 acres  
 under Permit No. 12672 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 June 1, 1937

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

0.13 cubic foot per second, if available at the original point of  
diversion, NE 1/4 NW 1/4 Section 8, T. 36 S., R. 1 W., W. M., 4300  
feet North and 2300 feet East from the SW Corner,  
Section 8.

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 NW 1/4, Section 8, Township 36 South,

Range 1 West, W. M., 1920 feet South and 1220 feet West  
from the N 1/4 Corner, Section 8

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:

14 acres in the NW 1/4 SW 1/4  
Section 8

T. 36 S., R. 1 W., W. M.

Land on which water is to be used is a part of the property more explicitly  
 described by appropriator as follows:

This certificate is issued to confirm a change in point of diversion approved  
 by an order of the WRD entered MAY 6, 1974 and supersedes certificate of water right  
 recorded on Page 15242, Volume 13, SRWRC.

The issuance of this superseding certificate does not confirm the status of  
 the water right in reference to ORS 540.610.

84 degrees 10' West 213.8 feet; thence South 82 degrees 59' 15" West 1160.8 feet  
to the place of beginning.

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 15th day of March, 194 8.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 15242

48875



BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION OF }  
DELTA F. CABLE FOR THE APPROVAL OF }  
A CHANGE IN POINT OF DIVERSION OF }  
WATER FROM LITTLE BUTTE CREEK }  
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ORDER APPROVING  
TRANSFER NO. 2994

On March 8, 1974, Mr. Delta F. Cable filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Little Butte Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Howard C. and Thelma M. Short and recorded at page 15242, Volume 13, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.18 cubic foot per second of water from Little Butte Creek for the irrigation of 14.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, Township 36 South, Range 1 West, W.M., with a date of priority of June 1, 1937. These lands are irrigated from a point of diversion located 1190 feet South and 380 feet West from the North  $\frac{1}{4}$  corner of Section 8, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 8, Township 36 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 600 feet North and 1430 feet East from the West  $\frac{1}{4}$  corner of Section 8, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 8, Township 36 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 said Section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. David C. Hendrix, Watermaster of District No. 13, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.



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

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Little Butte Creek, to wit:

From a point located 1190 feet South and 380 feet West from the North  $\frac{1}{4}$  corner of Section 8, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 8, Township 36 South, Range 1 West, W.M.

To a point to be located 600 feet North and 1430 feet East from the West  $\frac{1}{4}$  corner of Section 8, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 8, Township 36 South, Range 1 West, W.M.

for the irrigation of 14.0 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, Township 36 South, Range 1 West, W.M., with a date of priority of June 1, 1937, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1975.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 0.18 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to Howard C. and Thelma M. Short and recorded at page 15242, Volume 13, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized



change in point of diversion, a certificate of water right shall be issued to Mr. Delta F. Cable confirming the change in point of diversion.

Dated at Salem, Oregon, this 6th day of May, 1974.

/s/ CHRIS L. WHEELER  
State Engineer