

STATUS OF APPLICATION

Change in Place of Use
 Date filed September 7, 1971
 Date of hearing _____
 Place of hearing _____
 Date of order 4-2-73 Vol. 23, page 54
 Date for application of water October 1, 1973
 Proof mailed _____
 Proof received _____
 Certificate issued NOV 21 1973 Vol. 51, page 39590
DEC 12 1986 50 55224

DESCRIPTION OF WATER RIGHT

Name of stream Big Butte Creek
 Trib. of — County of Jackson
 Use Irrigation
 Quantity of water — No. of acres 3 2
 Name of ditch —
 Date of priority June 8, 1910
 In name of Earl E. Remsen and Robert E. Geraldine Powell
Theresa Doubleday
 _____ Adjudication, Vol. _____, page _____
 App. No. 756 Per. No. 376 Cert. No. 750
 Certificate cancelled 37632
 Notation made on record by sl

FEEES PAID

Date	Amount	Receipt No.
9-7-71	20.00	25390
TOTAL . . .		
3-2-73	1.50 \$ Cert. Fee	32651

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

See also T-2568

to Survey 7-82
 Survey 8-20-73
 memo to BRS 9 July 82
 Surveyed 7-15-82 (Powell)
 "R-68"

W.R.I.S.

Assembled 10/15/84 by CLH
 Entered _____ by _____
 Verified _____ by _____

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

CANCELED

Cert. No. 39590 E OF
Vol. 31
County of JSTATE OF OREGON
COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That EARL E. REMSEN, ROBERT E. POWELL and GERALDINE L. POWELL That

1900 FISH LAKE RD
of Pitt Star Route, Box 20, Butte Falls, 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 Big Butte Creek (South Fork)

South Fork

a tributary of Big Butte Creek (Rogue River) for the purpose of irrigation of 20.0 acres

under Permit No. 376 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 8, 1910

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 0.25 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 12, T. 35 S., R. 2 E., W. M. Diversion point located: 475 feet North and 104 feet West from SW Corner, Section 12.

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 - - - - - of one cubic foot per second per acre,

1/80th

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:

3.9 20.0 acres SE 1/4 SW 1/4
Section 12
T. 35 S., R. 2 E., W. M.0.7 ac. T. 35 S., R. 2 E., W. M. 23 p. 31
3.2 ac. T. 35 S., R. 2 E., W. M. 23 p. 31

THIS CERTIFICATE IS ISSUED TO CONFIRM CHANGES IN PLACE OF USE APPROVED BY ORDERS OF THE STATE ENGINEER ENTERED 3-22-73 & 4-2-73 AND TOGETHER WITH CERTIFICATE OF WATER RIGHT RECORDED AT PAGE 39590 VOL 31 SRWRC, SUPERSEDES CERT 37632

TITE ISSUANCE ETL

State Engineer

Recorded in State Record of Water Right Certificates, Volume 29, page 37632

7642D

Type one certificate for two files
T-2568 & T-2569

BEFORE THE STATE ENGINEER OF OREGON

Jackson County

IN THE MATTER OF THE APPLICATION)
OF ROBERT EARLE POWELL FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM BIG BUTTE CREEK)

ORDER APPROVING
TRANSFER NO. 2569

On September 7, 1971, Robert Earle Powell filed an application in the office of the State Engineer for the approval of a change in place of use of water from Big Butte Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Earl E. Remsen, Robert E. and Geraldine L. Powell, and recorded at page 37632, Volume 29, State Record of Water Right Certificates, confirms a right to the use of 0.25 cubic foot per second of the waters of Big Butte Creek for the irrigation of, among other lands, 3.2 acres in NE¼ NW¼, Section 13, Township 35 South, Range 2 East, W.M., with a date of priority of June 8, 1910.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 3.2 acres in SE¼ SW¼, Section 12, Township 35 South, Range 2 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. David C. Hendrix, Watermaster of District No. 13, 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 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 3.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, Township 35 South, Range 2 East, W.M., with a date of priority of June 8, 1910, be severed therefrom and simultaneously and without loss of priority, transferred to 3.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, Township 35 South, Range 2 East, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1973.

The Order of the State Engineer entered March 22, 1973, approved an application of Earl E. Remsen for a change in place of use for the irrigation of 0.7 acre, and canceled the certificate recorded at page 37632, Volume 29, State Record of Water Right Certificates.

It is FURTHER ORDERED that on receipt of proof satisfactory to the State Engineer of complete application of water to beneficial use on the lands to which the water right is transferred hereby, a certificate of water right shall be issued to Robert Earl Powell confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 2nd day of April, 1973.

/s/ CHRIS L. WHEELER
 State Engineer