

# STATUS OF APPLICATION

Change in Place of Use  
 Date filed August 6, 1973  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order Aug 30, 1973 Vol. 23, page 318  
 Date for application of water 10-1-74  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued Feb 6, 1975 Vol. 33, page 41645

2875

# DESCRIPTION OF WATER RIGHT

Name of stream Butte Creek  
 Trib. of \_\_\_\_\_ County of Marion  
 Use Irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 10<sup>+</sup>  
 Name of ditch \_\_\_\_\_  
 Date of priority Nov. 3, 1955  
 In name of James D. Long  
 \_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
 App. No. 30407 Per. No. 23891 Cert. No. 23728  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

# FEES PAID

Date	Amount	Receipt No.
<u>8-6-73</u>	<u>25.00</u>	<u>35935</u>
<b>TOTAL . . .</b>		
<u>8-6-73</u>	<u>1.50</u> Cert. Fee	<u>35936</u>

# FEES REFUNDED

Date	Amount	Check No.

# REMARKS

Priority trade sec 2876  
T-6766/6767 V. 61 p. 577

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

**BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON**

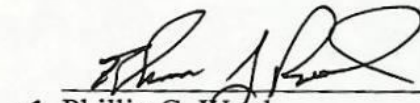
In the Matter of Transfer Applications	)	ORDER WITHDRAWING TWO
T-6766 and T-6767,	)	TRANSFER APPLICATIONS
Marion County, Oregon	)	

Transfer Applications T-6766 and T-6767, in the name of Kraemer Farms, Lessee, were filed June 26, 1992. On September 27, 2004, the applicant requested, in writing, that Transfer Applications 6766 and 6767 be withdrawn.

**Now, therefore, it is ORDERED:**

Transfers 6766 and 6767, in the name of Kraemer Farms, Lessee, are withdrawn and of no further force or effect. Any unearned fees will be refunded.

Dated at Salem, Oregon this 30<sup>th</sup> day of SEPTEMBER, 2004.

  
\_\_\_\_\_  
Phillip C. Ward  
Acting Director

Mailing date: OCT 21 2004

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**  
This is an order other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).  
  
Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order



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.

/s/

CHRIS L. WHEELER  
State Engineer