

2876 James D. Long  
Route 1, Box 38  
Mt. Angel, Ore 97138

2876

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 320  
Date for application of water 10-1-74  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued Feb 4 1975 Vol. 33, page 41619<sup>OR</sup>

DESCRIPTION OF WATER RIGHT

Name of stream Butte Creek  
Trib. of \_\_\_\_\_ County of MARION  
Use Irrigation  
Quantity of water \_\_\_\_\_ No. of acres 10<sup>4</sup>  
Name of ditch \_\_\_\_\_  
Date of priority MARCH 3, 1969  
In name of James D. Long  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 45824 Per. No. 34195 Cert. No. Not Issued  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

REMARKS

Priority trade 2-2-75

FEES PAID

Date	Amount	Receipt No.
<u>8-6-73</u>	<u>25.00</u>	<u>35937</u>
TOTAL . . .		
	Cert. Fee	

Use Cert fee from Per. # 34195 Repl. #

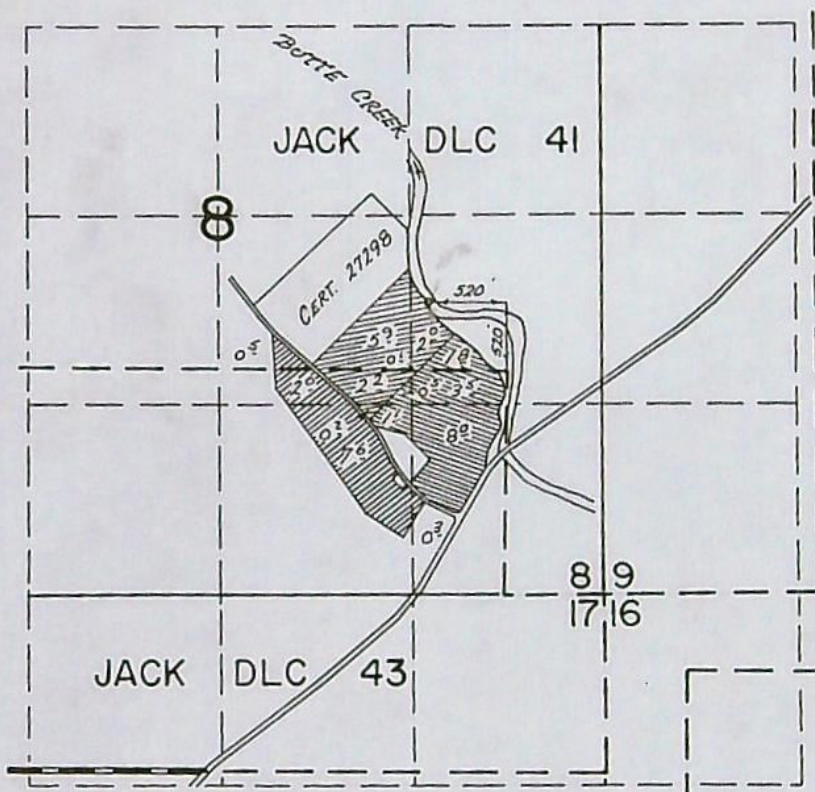
FEES REFUNDED

Date	Amount	Check No.

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



T.6S. R.IE. W.M.



# FINAL PROOF SURVEY

## UNDER

Transfer Nos. 2875 & 2876  
Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
IN NAME OF \_\_\_\_\_

JAMES D. LONG

Surveyed April 10, 1974, by T. J. PAUL.....



BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION )  
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. 2876

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.

Permit number 34195 was issued in the name of James D. Long, for the use of not to exceed 0.13 cubic foot per second of waters from Butte Creek for the irrigation of 2.5 acres in NW¼ SE¼, 7.6 acres in SW¼ SE¼, and 0.3 acre in SE¼ SE¼, Section 8, Township 6 South, Range 1 East, W.M., with a date of priority of March 3, 1969. 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 DLC No. 43, being within the NE¼ SE¼, Section 8, Township 6 South, Range 1 East, W.M. Proof satisfactory to the State Engineer of complete application of water to beneficial use has been submitted.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority to 9.0 acres in NW¼ SE¼, and 1.4 acres in NE¼ SE¼, 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 2.5 acres in NW¼ SE¼, 7.6 acres in SW¼ SE¼, and 0.3 acre in SE¼ SE¼, Section 8, Township 6 South, Range 1 East, W.M., with a date of priority of March 3, 1969, be severed therefrom and simultaneously and without loss of priority transferred to 9.0 acres in NW¼ SE¼, and 1.4 acres in NE¼ SE¼, 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 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.

Dated at Salem, Oregon, this 30th day of August, 1973.

/s/ CHRIS L. WHEELER  
State Engineer



## STATE OF OREGON

COUNTY OF MARION

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That JAMES D. LONG

~~of Mrs. Cora Long~~  
 of Route 1, Box 38, Mt. Angel, State of Oregon 97362, has made proof  
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of  
 Butte Creek

a tributary of Pudding River for the purpose of  
 irrigation of 23.6 acres  
 under Permit No. 23891 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 November 3, 1955

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  
 0.35 cubic foot per second

0.30

or its equivalent in case of rotation, measured at the point of diversion from the stream.  
 The point of diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , as projected within Jeremiah Jack DLC  
 #41, Section 8, Township 6 South, Range 1 East, W.M., 520 ft. N. & 520 ft. W.

from the NE Cor Jack DLC #43

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:

1.8	4.4	acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , as projected within J. Jack DLC #41	} 6.5
3.5	3.5	acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , as projected within T. Jack DLC #43	
2.5	3.4	acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , as projected within T. Jack DLC #43	} 3.5
0.5	5.6	acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , as projected within J. Jack DLC #41	
8.7	1.3	acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , as projected within T. Jack DLC #43	- 8.9
6.6	8.8	acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , as projected within T. Jack DLC #43	- 9.1
		Section 8	
		Township 6 South, Range 1 East, W.M.	

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This certificate is issued to confirm a change in place of use <sup>the remaining right</sup> approved by an  
 order of the State Engineer entered August 30, 1973, and supersedes certificate of  
 water right heretofore issued to James D. Long and recorded at page 23728,  
 Volume 17, State Record of Water Right Certificates.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 23728.