

2898

Arthur Rosenblad
P.O. Box 85
Scotts Mills, Ore. 97135

2898

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed Sept. 11, 1973
 Date of hearing 1-23-74
 Place of hearing Salem
 Date of order 1-30-74 Vol. 24, page 88-90
 Date for application of water 10-1-74
 Proof mailed _____
 Proof received _____
 Certificate issued FEB 4 1975 Vol. 33, page 41620

DESCRIPTION OF WATER RIGHT

Name of stream Butte Creek
 Trib. of _____ County of MARION
 Use Irrigation
 Quantity of water _____ No. of acres 115
 Name of ditch _____
 Date of priority July 31, 1962
 In name of Arthur Rosenblad
 _____ Adjudication, Vol. _____, page _____
 App. No. 37876 Per. No. 28228 Cert. No. 33473
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
9-11-73	30.00	36527
9-11-73	40.00 P.O.N.	36528
TOTAL . . .		
1-7-74	3 ⁰⁰ Cert. Fee	from P.O.N.

FEES REFUNDED

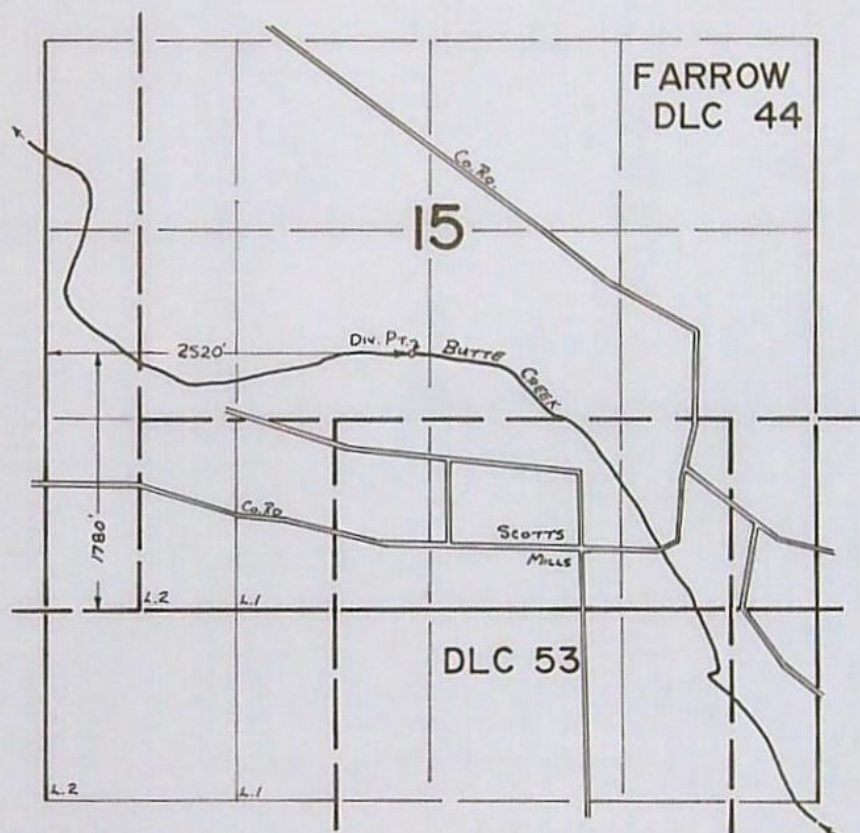
Date	Amount	Check No.
1-7-74	* 5.76 P.O.N.	5583

REMARKS

TO BE ENTERED WHERE CHECKED

INDEX CARDS:	Entered	Checked
Name	WH	---
Stream	WH	---
Pt. of Div.	---	---
Calendar	WH	---
CHECKED TO RECORDS:		
Twp. & Rge.	WKE	---
Decree-vault	---	---
Decree-safe	---	---
Cert. of W/R	WKE	---
Per. Folder	WKE	---
Chainindex	---	---
Cross Ref.	---	---
Power Claim	---	---
Abstracts	---	---

T.6S.,R.1E.,W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2898
Application No. _____ Permit No. _____
IN NAME OF

ARTHUR ROSENBLAD

Surveyed SEPT 4 1974, by L. TOLL

BEFORE THE STATE ENGINEER OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION
OF ARTHUR ROSENBLAD FOR THE APPROVAL
OF A CHANGE IN POINT OF DIVERSION
OF WATER FROM BUTTE CREEK

ORDER APPROVING
TRANSFER NO. 2898

On September 11, 1973, Arthur Rosenblad filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Butte Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Arthur Rosenblad and recorded at page 33473, Volume 25, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.25 cubic foot per second of water from Butte Creek for the irrigation of, among other lands, 10.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, and 0.8 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 6 South, Range 1 East, W.M., with a date of priority of July 31, 1962. These lands are irrigated from a point of diversion located 1600 feet North and 1300 feet East from the Southwest corner of Section 15, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, Township 6 South, Range 1 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 1800 feet North and 2600 feet East from the Southwest corner of Section 15, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, Township 6 South, Range 1 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Salem, Oregon on January 23, 1974 at 9:30 a.m.

The notice was published in the Silverton Appeal Tribune, a newspaper printed and having general circulation in Marion County, Oregon, for a period of three weeks in the issues of December 13, 20 and 27, 1973. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. E. Michael Ricks, Watermaster of District No. 16, 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 Butte Creek, to wit:

From a point located 1600 feet North and 1300 feet East from the Southwest corner of Section 15, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 1 East, W.M.

To a point to be located 1800 feet North and 2600 feet East from the Southwest corner of Section 15, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 1 East, W.M.

for the irrigation of 10.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, and 0.8 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 6 South, Range 1 East, W.M., with a date of priority of July 31, 1962, 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, 1974.

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 0.14 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 Arthur Rosenblad and recorded at page 33473, Volume 25, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding 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 Arthur Rosenblad confirming the change in point of diversion.

Dated at Salem, Oregon, this 30th day of January, 1974.

/s/ CHRIS L. WHEELER
State Engineer

NOTICE OF FILING APPLICATION FOR A CHANGE IN
POINT OF DIVERSION OF WATER

Notice is given hereby that Arthur Rosenblad has filed an application for the approval of a change in point of diversion of water from Butte Creek.

Certificate of water right issued to Arthur Rosenblad and recorded at page 33473, Volume 25, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.25 cubic foot per second of waters from Butte Creek for the irrigation of, among other lands, 10.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, and 0.8 of an acre in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, Township 6 South, Range 1 East, W.M., with a date of priority of July 31, 1962. Water for this use is diverted from a point located 1600 feet North and 1300 feet East from the SW corner of Section 15, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 1 East, W.M.

The applicant herein, owner of the land above described, proposes to irrigate these lands from a point of diversion to be located 1800 feet North and 2600 feet East from the SW corner of Section 15, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 1 East, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Salem, Oregon, on January 23, 1974, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Arthur Rosenblad, P. O. Box 85, Scotts Mills, Oregon, 97375, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved, by the State Engineer without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request.

Dated at Salem, Oregon, this 20th day of November, 1973.

CHRIS L. WHEELER
State Engineer

NOTICE OF FILING
APPLICATION FOR A CHANGE
IN POINT OF DIVERSION OF
WATER

Notice is given hereby that Arthur Rosenblad has filed an application for the approval of a change in point of diversion of water from Butte Creek.

Certificate of water right issued to Arthur Rosenblad and recorded at page 33473, Volume 25, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.25 cubic foot per second of waters from Butte Creek for the irrigation of, among other lands, 10.7 acres in SE1/4 SW1/4, and 0.8 of an acre in the SW1/4 SE1/4, Section 15, Township 6 South, Range 1 East, W.M., with a date of priority of July 31, 1962. Water for this use is diverted from a point located 1600 feet North and 1300 feet East from the SW corner of Section 15, being within the NW1/4 SW1/4 of Section 15, Township 6 South, Range 1 East, W.M.

The applicant herein, owner of the land above described, proposes to irrigate these lands from a point of diversion to be located 1800 feet North and 2600 feet East from the SW corner of Section 15, being within the NE1/4 SW1/4 of Section 15, Township 6 South, Range 1 East, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Salem, Oregon, on January 23, 1974, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Arthur Rosenblad, P.O. Box 85, Scotts Mills, Oregon, 97375, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved, by the State Engineer without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request.

Dated at Salem, Oregon, this 20th day of November, 1973.
CHRIS L. WHEELER

State Engineer

First Publication: Dec. 13, 1973
Last Publication: Dec. 27, 1973

AFFIDAVIT OF PUBLICATION

STATE OF OREGON, COUNTY OF MARION, ss:

I, CAROLYN DUER, being first duly sworn, depose and say that I am office manager of The Silverton Appeal-Tribune, a newspaper of general circulation as defined by Section 58, Oregon Laws, as amended by Chapter 445 General Laws of Oregon, 1929, printed and published at Silverton, in the aforesaid county and state; that

the ~~Not. of App. for Div. of Water~~, a printed copy of which is hereto annexed, was published in the entire issue of said

newspaper for three (3) successive and consecutive

weeks in the following issues: _____

Dec. 13, 20, 27, 1973

Carolyn Duer

Subscribed and sworn to before me this 3rd day

of January, 1974

[Signature]
Notary Public for Oregon.

My commission expires My Commission Expires March 19, 1976