

2675 Robert T. + Nancy C. Opie

Summerville, Ore. 97876

2675

STATUS OF APPLICATION

Change in Place of UseDate filed July 19, 1972

Date of hearing _____

Place of hearing _____

Date of order 4-6-73 Vol. 23, page 77Date for application of water October 1, 1973 ^{extended} 10-1-74

Proof mailed _____

Proof received _____

Certificate issued DEC 19 1977 Vol. 37, page 45097
May 2, 1980 43 Survey 49220

DESCRIPTION OF WATER RIGHT

Name of stream END CreekTrib. of Willow Creek County of UnionUse IrrigationQuantity of water _____ No. of acres 20Name of ditch Eckstein ditchDate of priority 1902In name of William EcksteinGrande Ronde River Adjudication, Vol. 8, page 34App. No. _____ Per. No. _____ Cert. No. 6252

Certificate cancelled _____

Notation made on record by _____

order vol 23, p 75

REMARKS

FEES PAID

Date	Amount	Receipt No.
<u>7-19-72</u>	<u>25.00</u>	<u>29780</u>
TOTAL . . .		
	\$1 Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

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

BEFORE THE STATE ENGINEER OF OREGON

Union County

IN THE MATTER OF THE APPLICATION)
OF ROBERT T. OPIE AND NANCY C. OPIE)
FOR THE APPROVAL OF A CHANGE IN)
PLACE OF USE OF WATER FROM END CREEK)

ORDER APPROVING
TRANSFER NO. 2675

On July 19, 1972, Robert T. Opie and Nancy C. Opie filed an application in the office of the State Engineer for the approval of a change in place of use of water from End Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Union County, Oregon, entered August 8, 1925, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Grande Ronde River and Its Tributaries, a water right was established in the name of William Eckstein for the use of the waters of End Creek for domestic use with a date of priority of 1900, and the irrigation of, 2.0 acres in SE¼ SW¼, Section 15, Township 1 South, Range 38 East, W.M., with a date of priority of 1902. This right is evidenced by certificate of water right recorded at page 6252, Volume 6, State Record of Water Right Certificates. These lands are irrigated by means of the Eckstein Ditch, the point of diversion being located 200 feet North and 350 feet East from the SW corner of Section 15, being within the SW¼ SW¼ of Section 15, Township 1 South, Range 38 East, W.M.

The applicants herein, owners of the lands above described, propose to transfer the water right from 2.0 acres in SE¼ SW¼, Section 15, without loss of priority, to 2.0 acres in SW¼ SW¼, Section 15, Township 1 South, Range 38 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. Boyd Hadden, Watermaster of District No. 6, has filed a report 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 2.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, Township 1 South, Range 38 East, W.M., with a date of priority of 1902, be severed therefrom and simultaneously and without loss of priority transferred to 2.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, Township 1 South, Range 38 East, W.M.

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

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 William Eckstein and recorded at page 6252, Volume 6, State Record of Water Right Certificates, is canceled and in lieu thereof a new certificate be issued covering the

balance of the rights not involved in this proceeding, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in place of use, a certificate of water right shall be issued to Robert T. and Nancy C. Ople confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 6th day of April, 1973.

/s/ CHRIS L. WHEELER
State Engineer

CANCELED

Superseded by
Cert. No. 4-97
Spec. No. 23-17

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

This is to Certify, That ROBERT T. AND NANCY OPIE
Route 1, Box 25
of Summerville, State of Oregon 97876 has a right to the use of
the waters of End Creek, trib. of Willow Creek
for the purpose of Domestic and Irrigation of 2.0 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Union County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 8, at page 1; that the priority
of the right thereby confirmed dates from 1900 for Domestic; 1902 for Irrigation;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed Three acre feet per
acre in any irrigation season, diverted at a rate of not to exceed one-fortieth
of a cubic foot per second per acre, and a reasonable amount for domestic pur-
poses.

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

~~Two (2) acres in the Southeast Quarter of
the Southwest Quarter (SE SW 1, Section Fif-
teen (15), Township 1 South, Range 33 East
of the Willamette Meridian.~~

2.0 acres SW 1/4 SW 1/4
Section 15
T. 1S, R. 38E, W.M.

This certificate is issued to confirm a change in place of use and point
of diversion approved by an order of the Water Resources Director entered
APRIL 6, 1973 and together with certificate of water right recorded on page
45097, Volume 37, SRWRC supersedes certificate of water right recorded on
page 6252, Volume 6, SRWRC.

And said right shall be subject to all other conditions and limitations
contained in said decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer,
affixed this 1st day
of July, 1973.

HEA SUPER
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 6, page 6252.

P.O.D. - SW 1/4 SW 1/4 Section 15, T. 1S, R. 38E, W.M.
140 feet North and 230 feet East from the SW corner Section 15

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

This is to Certify, That **WM. ECKSTEIN** of **Summerville**, State of **Oregon**, has a right to the use of the waters of **End Creek Trib Willow Creek** for the purpose of **Domestic and Irrigation** and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for **Union** County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume **8**, at page **1**; that the priority of the right thereby confirmed dates from **1900 for Domestic, 1902 for Irrigation**;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **Three acre feet per acre in any irrigation season, diverted at a rate of not to exceed one-fortieth of a cubic foot per second per acre, and a reasonable amount for domestic purposes**; 0.01 cfs

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Two (2) acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 24, T₁S, R₃₈E of the Willamette Meridian.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page **6252**, Volume **6**, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on **April 6**, 1973, approving transfer application No. **2675**.

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

And said right shall be subject to all other conditions and limitations contained in said decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer,

affixed this **1st** day of **July**, 19**8**.

RHEA LUPER

State Engineer.

Recorded in State Record of Water Right Certificates, Volume **6**, page **6252**.

(Fee from WRD funds)

74681

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That WM. ECKSTEIN

of Summerville, State of Oregon, 97876, has
a right to the use of the waters of End Creek

a tributary of Willow Creek for the purpose of
domestic

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Union County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 8, at page 1; that the priority of the right thereby confirmed dates from 1900

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.01 cubic foot per second

The point of diversion is located in the

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 15
T. 1 S., R. 38 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 6252, Volume 6, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on April 6, 1973, approving transfer application No. 2675.

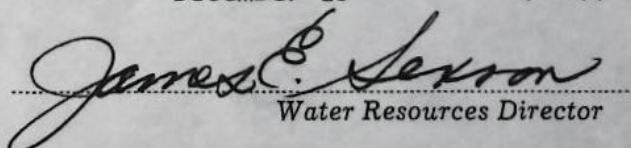
The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree.

And said right shall be subject to all other conditions and limitations contained in said decree. 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 Water Resources Director, affixed

this date December 19, 1977.


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 45097

CERTIFICATE OF WATER RIGHT

STATE OF OREGON

to

74681

STATE OF OREGON,

County of Union

ss.

I CERTIFY, that the within was received
and duly recorded by me in Volume _____
of Record of Water Right Certificates, at
Page _____, on the 2 day
of February, 1978.

Marilyn Miller Deputy
County Clerk.

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ROBERT T. AND NANCY OPIE

of Route 1, Box 25, Summerville, State of Oregon 97876, has
a right to the use of the waters of End Creek

a tributary of Willow Creek for the purpose of
irrigation of 2.0 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Union County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 8, at page 1; that the priority of the right thereby confirmed dates from 1902

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed three acre feet per acre in any irrigation season, diverted at a rate of not to exceed one-fortieth of a cubic foot per second per acre

The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, T. 1 S., R. 38 E., W.M.; 140 feet North and 230 feet East from the SW Corner, Section 15

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

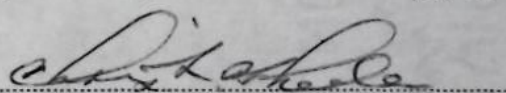
2.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 15
T. 1 S., R. 38 E., W.M.

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered April 6, 1973, and together with certificate of water right recorded on page 45097, Volume 37, State Record of Water Right Certificates supersedes certificate of water right recorded on page 6252, Volume 6, State Record of Water Right Certificates.

And said right shall be subject to all other conditions and limitations contained in said decree. 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 Water Resources Director, affixed

this date May 2, 1980.


Deputy Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43, page 49220