

STATUS OF APPLICATION

Change in place of use
 Date filed 9-30-74
 Date of hearing _____
 Place of hearing _____
 Date of order 5-12-75 Vol. 25, page 320
 Date for application of water 10-1-76 10-1-77
 Proof mailed _____
 Proof received _____
 Certificate issued May 2, 1980 Vol. 43, page 49221

OK Cert

to survey 2/78

REMARKS

See 10249

FINAL PROOF MAP IN TRANSFER 2675

DESCRIPTION OF WATER RIGHT

Name of stream End Creek or Tringle Creek
 Trib. of _____ County of Union
 Use irrigation
 Quantity of water _____ No. of acres 10⁰
 Name of ditch _____
 Date of priority June 26, 1925
 In name of Morton W. Whitlark
 _____ Adjudication, Vol. _____, page _____
 App. No. 10249 Per. No. 6855 Cert. No. 6708
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

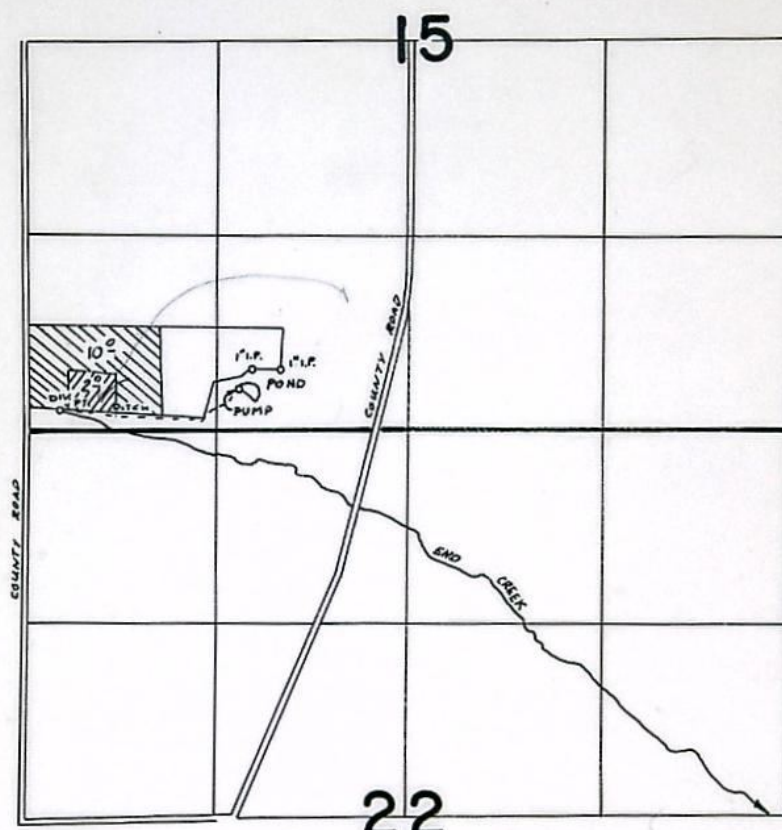
Date	Amount	Receipt No.
<u>9-30-74</u>	<u>25.00</u>	<u>43154</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

INDEX CARDS:	Entered	Checked
<u>WH</u> Name	☒	☐
<u>WH</u> Stream	☒	☐
<u>WH</u> Pt. of Div.	☒	☐
<u>WH</u> Calendar	☒	☐
CHANGED TO RECORDS:		
☒ Type of Age.	☒	☐
☐ Dates valid	☐	☐
☐ Decree case	☐	☐
<u>WH</u> Cert. of W/R	☒	☐
<u>WH</u> Per. older	☒	☐
☐ Calendar	☐	☐
☐ Cert. of	☐	☐
☐ Per. claim	☐	☐
☐ Abstracts	☐	☐

T. 1S. R. 38E. W. M.



DIV. PT. LOC. 140'N & 230'E FROM SW COR. SEC 15



T-3134



T-2675

FINAL PROOF SURVEY
UNDER

TRANSFER 3134
TRANSFER 2675

Application No. Permit No.
IN NAME OF

ROBERT T. & NANCY C. OPIE

Surveyed 8-24..... 1979, by V. CHURCH.....

STATE OF OREGON

COUNTY OF Union

CERTIFICATE OF WATER RIGHT

This is to Certify, That Robert T and Nancy C Drie
~~Morton W. Whitlock~~
 of Route 1 Box 25
Summersville, State of Oregon 97876, has made proof
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
End or Frizzle Creek
 a tributary of Willamette ~~Grande Ronde~~ Watershed for the purpose of Irrigation of 10.0 acres
 under Permit No. 6855 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 26, 1925;

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
.13 cubic foot per second; if available at the original point of diversion

The use hereunder for irrigation shall conform to such reasonable rotation system as may be
 ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
 right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use),
 is as follows: Five (5) acres in the Southeast Quarter of the Southwest Quarter
(SE-SE-1/4) and Five (5) Acres in the Southwest Quarter of the Southwest Quarter
(SW-SW-1/4), of Section Fifteen (15), Township One South, Range Thirty-eight East of
the Willamette Meridian, in Union County, Oregon.

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

This certificate is issued to confirm a change in place of use and point
 of diversion approved by an order of the WRD entered MAY 22, 1975 and supersedes
 certificate of water right recorded on page 6708, Volume 7, SRWRC.

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

Rights to the use of water for power purposes are limited to a period of forty years from
 the date of priority of the right, as herein set forth, subject to a preference right of renewal under
 the laws existing at the date of the expiration of the right for power purposes, as hereby con-
 firmed and limited.

WITNESS the signature of the State Engineer,

affixed this 1st day
 of November, 192 6.

REDA LUPIN
 State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 6708.

Cert 49221

P.O.D. - SW 1/4 SW 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

BEFORE THE STATE ENGINEER OF OREGON

Union County

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

ORDER APPROVING
TRANSFER NO. 3134

On September 30, 1974, Robert T. 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 or Frizzle Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Morton W. Whitlark and recorded at page 6708, Volume 7, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.13 cubic foot per second of water from End or Frizzle Creek for the irrigation of 5.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and 5.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, Township 1 South, Range 38 East, W.M., with a date of priority of June 26, 1925. These lands are irrigated from a point of diversion located 120 feet North, 30 rods East from the Southwest corner of Section 15, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, Township 1 South, Range 38 East, W.M.

The applicants herein, owner of the land above described, propose to transfer the water right therefrom, without loss of priority, to 10.0 acres in South $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, 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 statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.

No objection 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 5.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 5.0 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 June 26, 1925, be severed therefrom and simultaneously and without loss of priority transferred to 10.0 acres in the S $\frac{1}{2}$ 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, 1976.

It is FURTHER ORDERED that certificate of water right heretofore issued to Morton W. Whitlark and recorded at page 6708, Volume 7, 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 Robert T. and Nancy C. Opie confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 12th day of May, 1975.

/s/ CHRIS L. WHEELER
State Engineer