

3039 George G. White
Route 1, Box 61
Mt. Pleasant, Mo. 64562

3039

STATUS OF APPLICATION

Change in place of use
Date filed 5-13-74
Date of hearing _____
Place of hearing _____
Date of order 9-8-75 Vol. 26, page 69
Date for application of water completed
Proof mailed APR 19 1977
Proof received _____
Certificate issued MAY 24 1977 Vol. 36, page 44419

OK Cert

DESCRIPTION OF WATER RIGHT

Name of stream Butte Creek
Trib. of _____ County of Marion
Use irrigation
Quantity of water _____ No. of acres 13⁰⁰
Name of ditch _____
Date of priority June 29, 1967
In name of George G. White
_____ Adjudication, Vol. _____, page _____
App. No. 43764 Per. No. 32150 Cert. No. 41617
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5/13/74</u>	<u>25⁰⁰</u>	<u>40028</u>
TOTAL		
<u>4/21/77</u>	<u>\$2</u> Cert. Fee	<u>59883</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

See also: 2761, 2762, & 303B

chkd SES

INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name	<u> </u>	<u> </u>
<input checked="" type="checkbox"/>	Stream	<u> </u>	<u> </u>
<input type="checkbox"/>	Pt. of Div.	<u> </u>	<u> </u>
<input checked="" type="checkbox"/>	Calendar	<u> </u>	<u> </u>
CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.	<u> </u>	<u> </u>
<input type="checkbox"/>	Decree-vault	<u> </u>	<u> </u>
<input type="checkbox"/>	Decree-sale	<u> </u>	<u> </u>
<input checked="" type="checkbox"/>	Cert. of W/R	<u> </u>	<u> </u>
<input checked="" type="checkbox"/>	Per. folder	<u> </u>	<u> </u>
<input type="checkbox"/>	Cheindex	<u> </u>	<u> </u>
<input type="checkbox"/>	Cross Ref.	<u> </u>	<u> </u>
<input type="checkbox"/>	Power Claim	<u> </u>	<u> </u>
<input type="checkbox"/>	Abstracts	<u> </u>	<u> </u>

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION
OF GEORGE G. WHITE FOR THE APPROVAL
OF A CHANGE IN PLACE OF USE OF
WATER FROM BUTTE CREEK

ORDER APPROVING
TRANSFER NO. 3039

On May 13, 1974, George G. White filed an application in the office of the Water Resources Director 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 George G. White and recorded at Page 41617, Volume 33, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.36 cubic foot per second of water from Butte Creek for the irrigation of, among other lands, 13.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, Township 6 South, Range 1 East, W.M., with a date of priority of June 29, 1967. These lands are irrigated from a point of diversion located 1800 feet North and 530 feet East from the Southwest corner of Section 5, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, 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 0.8 acre in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 12.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, 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.

The Federal Land Bank, as mortgage holder, has submitted written approval of this proposed change in place of use.

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 13.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, Township 6 South, Range 1 East, W.M., with a date of priority of June 29, 1967, be severed therefrom and simultaneously and without loss of priority transferred to 0.8 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$, and 12.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, Township 6 South, Range 1 East, W.M.

It is FURTHER ORDERED that no time need be fixed for completion as the change in place of use is completed.

It is FURTHER ORDERED that certificate of water right recorded at Page 41617, Volume 33, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the Water Resources Director of application of water to beneficial use, a certificate of water right shall be issued to George G. White 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 8th day of September, 1975.

/s/ JAMES E. SEXSON
Director

Superseded by

Cert. No. _____

Trs. Sp. Or. V. 33 p. 1

STATE OF OREGON
COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That GEORGE G. WHITE

of Route 1, Box 61, 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
the irrigation of 28.8 acres

for the purpose of

under Permit No. 32150 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 29, 1967

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 0.36 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T. 6 S., R. 1 E., W. M. ; ~~Diversion point located~~ 1800 feet North and 530 feet East from ~~SW~~ Corner, Section 5.

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:

~~14.5 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$~~
15.3 ~~13.0~~ acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
13.5 ~~4.3~~ acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6
T. 6 S., R. 1 E., W. M.

This certificate is issued to confirm a change in place of use as well as to describe that portion of the water right confirmed by the prior certificate recorded on page 41617, Volume 33, SRWRC, not modified by the provisions of an order entered September 8, 1975

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