

J. Lee Morgan & Fred W. Peterson
266 S. First St.
Union, Or 97883

3649

MORGAN & PETERSON

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT

FEES PAID

Change in place of use
Date filed 4-27-77
Date of hearing _____
Place of hearing _____
✓ Date of order 9-12-77 Vol. 29, page 302
Date for application of water 10-1-79
Proof mailed _____
Proof received _____
Certificate issued JULY 29 '88 Vol. _____, page 57412

Name of stream Catharine Creek
Trib. of _____ County of Union
Use irrigation
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority _____
In name of _____
_____ Adjudication, Vol. 8, page 70
App. No. _____ Per. No. _____ Cert. No. 6449
Certificate cancelled _____
Notation made on record by _____

Date	Amount	Receipt No.
<u>4-27-77</u>	<u>\$ 35 -</u>	<u>60041</u>
TOTAL . . .		
	No Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

See T#3256 Δ POD - Guild United Ditches

See also T#3647 & B

REMARKS

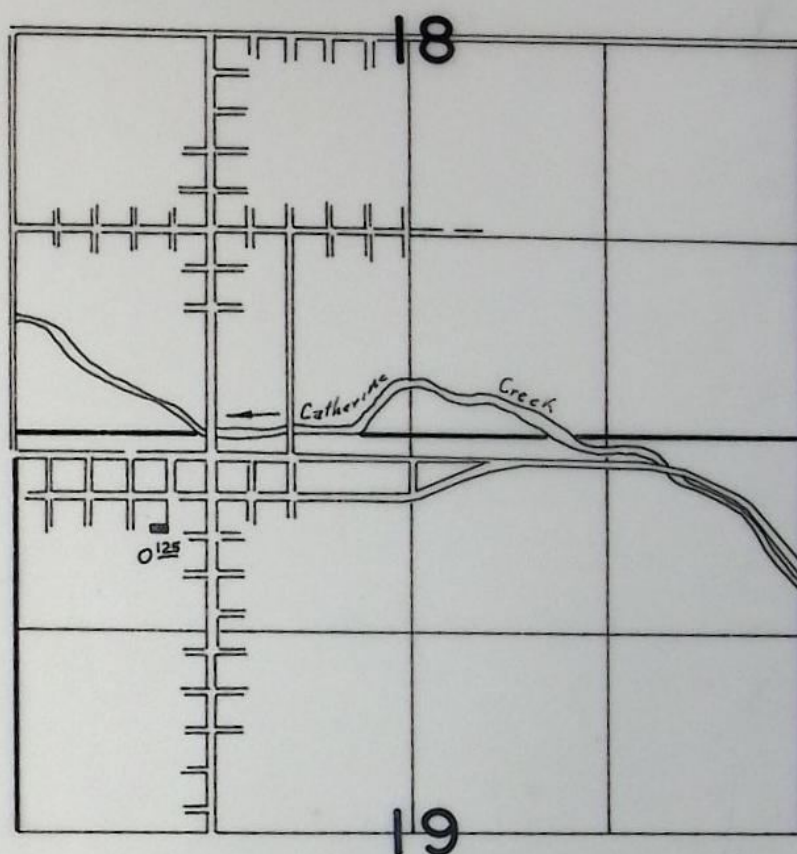
Surveyed 7-9-84 (Smith)

"FINIS"

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

CCB

T. 4S., R. 40E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

TRANSFER 3649

IN NAME OF

.....**M. SMITH**.....

Surveyed ..7-10..... 1984, by V.L. CHURCH...

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF THE APPLICATION OF)
J. LEE MORGAN AND FRED W. PETERSON)
FOR APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM CATHERINE CREEK)

ORDER APPROVING
TRANSFER NO. 3649

On April 27, 1977, an application was filed in the office of the Water Resources Director by J. Lee Morgan and Fred W. Peterson for a change in place of use under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 6449, Volume 6, State Record of Water Right Certificates, in the name of E. L. and Jennie McIntosh, describes a right which includes the use of water from Catherine Creek for irrigation of a certain 0.125 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 4 South, Range 40 East, W.M., with a date of priority of 1891.

The authorized point of diversion, pursuant to the provisions of an order of the Water Resources Director entered on December 23, 1976, approving transfer application No. 3256, is located 157.5 feet South and 1866 feet East from the North quarter corner of Section 19, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 4 South, Range 40 East, W.M.

The applicants herein, one of whom is the owner of the lands above described, propose to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 0.125 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 4 South, Range 40 East, W.M., further described as within Lot 4, Block 9, town of West Union.

Mr. H. Boyd Hadden, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing

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P302-305

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 requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

The order of the Water Resources Director entered on December 23, 1976, approving transfer application No. 3256 for a change in point of diversion of water for this and other water rights served through a common ditch system, provided for the cancellation of the certificate recorded at page 6449, Volume 6, State Record of Water Right Certificates, and for the issuance of a new confirming certificate upon receipt of proof satisfactory of the completion of the works so authorized.

THEREFORE, it is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order and the orders approving transfer applications 3256, 3647 and 3648, a confirming certificate of water right shall be issued.

Dated at Salem, Oregon, this 12th day of September, 1977.

/s/ James E. Sexson
Director

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

This is to Certify, That E. L. and JENNIE McINTOSH

of Union, State of Oregon has a right to the use of
the waters of Catherine Creek
for the purpose of 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 Sept. 6, 1898 for Tract #1; 1891 for
Tract #2;

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;

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:

Tract #1: Five (5) acres in the Northwest Quarter of the Southeast
Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) Section Seven (7), Township 4 South,
Range 40 East of the Willamette Meridian.

Tract #2: One (1) acre in the Southeast Quarter of the Northwest
Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$), Section Nineteen (19), Township 4 South,
Range 40 East of the Willamette Meridian.

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 November, 1926.

..... BUREAU LUPER
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 6, page 6449