

Wm Phillips  
Box 512 Ph: 562-5869  
Union, Oregon 97883

MORGAN & PHILLIPS

3647

### STATUS OF APPLICATION

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 298  
Date for application of water 10-1-79  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued JULY 29, '88 Vol. \_\_\_\_\_, page 57412

to survey 11/77

See T# 3256 ΔPOD - Guild United Ditches

See also T# 3648 & 9

### REMARKS

"FINIS"

Surveyed 7/10/84

### DESCRIPTION OF WATER RIGHT

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 \_\_\_\_\_

### FEES PAID

Date	Amount	Receipt No.
<u>4-27-77</u>	<u>\$ 35-</u>	<u>60045</u>
TOTAL . . .		
	<u>N<sub>2</sub> Cert. Fee</u>	

### FEES REFUNDED

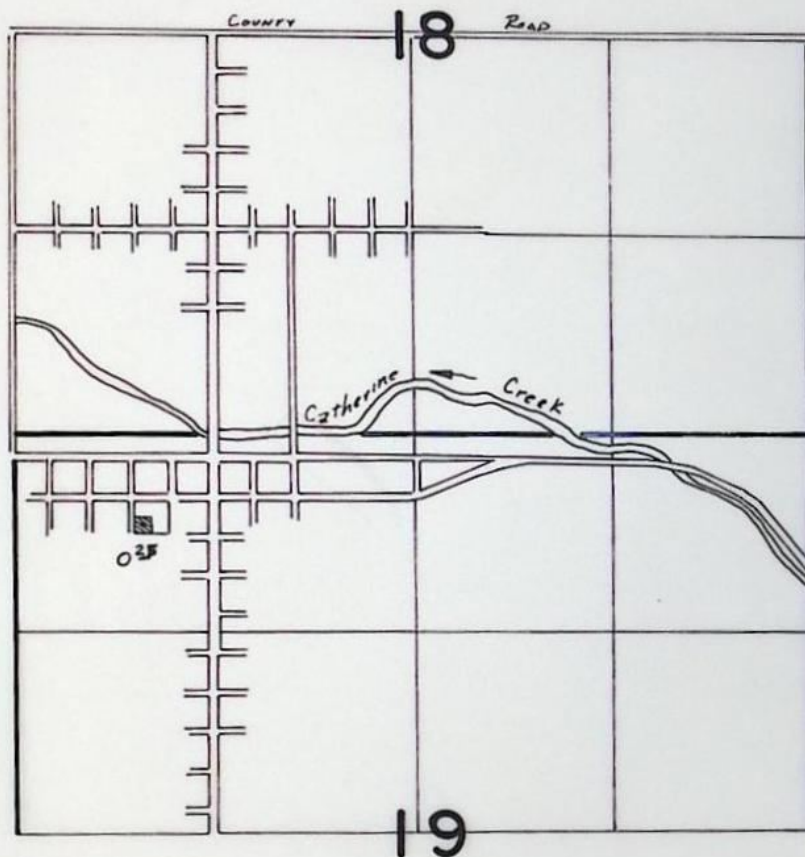
Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
✓	Name		<u>li</u>	_____
✓	S. a		<u>li</u>	_____
✓	F. Div.		_____	_____
✓	C. Div.		<u>li</u>	_____
✓	CLERK TO RECORDS:			
✓	T. go.		<u>li</u>	_____
✓	L. go.		<u>li</u>	_____
✓	Deed State		<u>li</u>	_____
✓	Cert. of W. R.		<u>li</u>	_____
✓	Per. order		_____	_____
✓	Chain of		_____	_____
✓	Cross Ref.		_____	_____
✓	Power Claim		_____	_____
✓	Abstracts		<u>li</u>	_____

CCB



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



SCALE: 1" = 1320'

**FINAL PROOF SURVEY**  
UNDER

TRANSFER 3647

IN NAME OF

.....WM. P. PHILLIPS.....

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 WILLIAM P. PHILLIPS )  
FOR APPROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER FROM CATHERINE CREEK )  
-----

ORDER APPROVING  
TRANSFER NO. 3647

On April 27, 1977, an application was filed in the office of the Water Resources Director by J. Lee Morgan and William P. Phillips 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 0.25 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 0.25 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 Lots 5 and 6, 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

U27  
1298-299



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, 3648 and 3649, 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.

5<sup>00</sup> Ac in NWSE  
 Sec 7

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.

0<sup>50</sup> + 9 Ac in SE NW  
 Sec 19

APOU  
 T#3647 T#3648 T#3649  
 0<sup>25</sup> 0<sup>125</sup> 0<sup>125</sup>

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.

BUEA LUPER  
 State Engineer.

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

T#3256 T#3531 T#3647, 8 & 9

Order dated 12-23-76  
 canceled C#6449 and provided for  
 RR Cert for tract 1, and new cert re tract 2 upon proof.