

ROSS IVERSON

IVERSON

3661

STATUS OF APPLICATION

Change in POU  
Date filed 5-6-77  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 9-15-77 Vol. 29, page 335  
Date for application of water 10-1-79  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

DESCRIPTION OF WATER RIGHT

Name of stream Butte Creek  
Trib. of \_\_\_\_\_ County of Clackamas  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 24<sup>0</sup>  
Name of ditch \_\_\_\_\_  
Date of priority \_\_\_\_\_  
In name of \_\_\_\_\_  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 18826 Per. No. 14464 Cert. No. T#3100  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEEES PAID

Date	Amount	Receipt No.
<u>5-6-77</u>	<u>\$ 30<sup>00</sup></u>	<u>60307</u>
<u>9-13-77</u>	<u>10.00</u>	<u>63826</u>
TOTAL . . .		
	No. Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.
<u>9-6-77</u>	<u>10<sup>00</sup></u>	<u>Part 4</u> <u>1495</u>

REMARKS

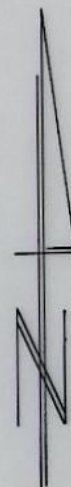
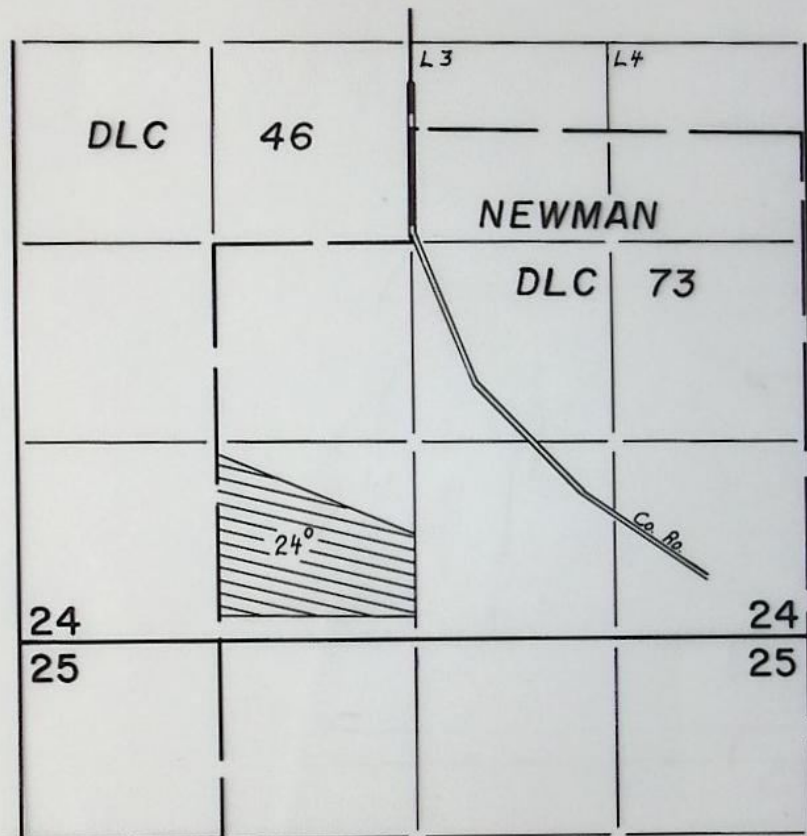
Re transfer of lands under T#3100 (Need proof under T#3100)

CARD FOR C DEC 26 1979

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



T5S, RIW, WM



SCALE  
1" = 1320'

# FINAL PROOF SURVEY UNDER

Transfer 3661

Application No. .... Permit No. ....  
IN NAME OF

.....ROSS IVERSON.....

Surveyed JUNE 28, 1985, by T.M. WARREN...

RLK  
DFK 211 25



STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BUTTE CREEK ORCHARDS, INC.

of Mt. Angel, State of Oregon, 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 for the purpose of Irrigation under Permit No. 11464 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 July 3, 1940 for 0.76 c.f.s. and July 22, 1940 for 0.77 c.f.s.; 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 1.53 cubic feet 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 NE $\frac{1}{4}$ NW $\frac{1}{4}$  & SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 25, Township 5 South, Range 1 West, W.M.

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:

24 = U. 922  
28.9 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected on D.L.C. 73  
12.1 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected on D.L.C. 73  
Section 24  
35.1 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on D.L.C. 73  
12.3 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected on D.L.C. 73  
32.6 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on D.L.C. 73  
1.3 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on D.L.C. 73  
Section 25  
T. 5 S., R. 1 W., W.M.

Land on which water is to be used is a part of the property more explicitly described by appropriator as follows: Beginning at the most Westerly north-west corner of the John W. Newman D.L.C. No. 73 in sections 24 and 25, T. 5 S., R. 1 W. of the Willamette Meridian in Clackamas County, Oregon; thence East along the North line of said claim 20.20 chains to an angle in said claim, thence S. 21° 19' E. along the center line of the County road 8.195 chains, thence S. 43° 52' E. still along the center line of said road 16.35 chains to an iron pipe; thence S. 23° E. 52.45 chains to the center line of Butte Creek; thence following down the center of said creek to where it crosses the West line of said Newman D.L.C. thence North along the West line of said D.L.C. 59.50 chains to the place of beginning, containing 224.6 acres of land more or less.

CR  
30 cfs  
24 acres

cert  
43544

Dep. No. 43544  
L.S. Ct. Vol. 187  
(7-3100)



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CLACKAMAS COUNTY

IN THE MATTER OF THE APPLICATION )  
OF ROSS IVERSON FOR APPROVAL OF A )  
CHANGE IN PLACE OF USE OF WATER )  
FROM BUTTE CREEK )  
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ORDER APPROVING  
TRANSFER NO. 3661

On May 6, 1977, an application was filed in the office of the Water Resources Director by Ross Iverson 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.

As modified under the provisions of the order of the Water Resources Director entered on November 13, 1975 approving transfer application No. 3100, a water right previously described by the certificate recorded at page 15111, Volume 12, State Record of Water Right Certificates, exists for the appropriation of not to exceed 0.30 cubic foot per second from Butte Creek for irrigation of a certain 24.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 24, Township 5 South, Range 1 West, W.M., with a date of priority of July 3, 1940 for 0.15 cubic foot per second and a date of priority of July 22, 1940 for 0.15 cubic foot per second.

Water for the said right is diverted from two points located (1) 1100 feet South and 800 feet West and (2) 1600 feet South and 50 feet East from the North quarter corner of Section 25, being within the (1) NE $\frac{1}{4}$  NW $\frac{1}{4}$  and (2) SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 25, Township 5 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 24.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 24, Township 5 South, Range 1 West, W.M.

Mr. Keith M. Palmer, Watermaster, has filed a statement to the effect

U29  
1335-354



that the proposed change in place of use 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 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.

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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 15th day of September, 1977.

/s/ James E. Sexson  
Director



STATE OF OREGON  
COUNTY OF CLACKAMAS

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That BUTTE CREEK ORCHARDS, INC.

of Mt. Angel, State of Oregon, 97362, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Butte Creek

a tributary of Pudding River  
irrigating 98.3 acres

for the purpose of

under Permit No. 14464 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 July 3, 1940 for 0.61 c.f.s. and July 22, 1940 for 0.62 c.f.s.

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 1.23 cubic feet 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 NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 25, T. 5 S., R. 1 W., W. M.

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:

4.9 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$	35.1 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
12.1 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$	12.3 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
Both projected within John W. Newman DLC 73	32.6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 24	1.3 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
	All projected within John W. Newman DLC 73
	Section 25
	T. 5 S., R. 1 W., W. M.

An order of the Water Resources Director entered November 13, 1975 approved a change in place of use for the irrigation of 24.0 acres. This certificate is issued to confirm the remaining right not involved in the change and supersedes the certificate heretofore issued to Butte Creek Orchards, Inc. recorded at Page 15111, Volume 12, State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. August 30, 1976

James K. Saxson  
Water Resources Director

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 State Engineer, affixed

this 15th day of May , 19 47 .

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 12 , page 15111