

Washington County

IN THE MATTER OF THE APPLICATION }
OF WILHELM & ROSA MULLERLEILE FOR }
THE APPROVAL OF A CHANGE IN PLACE }
OF USE OF WATER FROM AN UNNAMED }
STREAM AND RESERVOIR }

ORDER APPROVING
TRANSFER NO. 3484

On October 22, 1976, Wilhelm and Rosa Mullerleile filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from an unnamed stream and reservoir pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 26590, Volume 18, State Record of Water Right Certificates, in the name of Wilhelm and Rosa Mullerleile, describes an existing right of record which includes the use of not to exceed 0.33 cubic foot per second from an unnamed stream and reservoir for irrigation of 16.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 10.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.2 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, Township 1 North, Range 2 West, W.M., with a date of priority of April 27, 1951.

Water for the said right is diverted from a point located 2030 feet South and 240 feet West from the North quarter-corner of Section 2, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, Township 1 North, Range 2 West, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the place of use and to sever the right therefrom and in lieu thereof irrigate 18.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 8.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, Township 1 North, Range 2 West, W.M.

Mr. Clayton J. Gardner, Watermaster of District No. 1, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

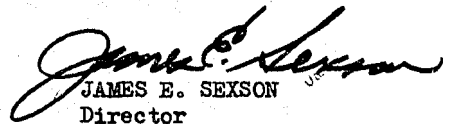
No objection having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use 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, 1977.

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, the certificate of water right heretofore issued to Wilhelm and Rosa Mullerleile and recorded at Page 26590, Volume 18, State Record of Water Right Certificates, is canceled, and in lieu thereof a new confirming certificate of water right shall be issued to Fred Bender.

Dated at Salem, Oregon, this 15th day of November, 1976.


JAMES E. SEXSON
Director