

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASHINGTON COUNTY

IN THE MATTER OF THE APPLICATION )  
OF JOHN MULHOLLAND FOR APPROVAL )  
OF A CHANGE IN USE OF WATER )  
- - - - -

ORDER APPROVING  
TRANSFER NO. 3982

On June 21, 1978, an application was filed in the office of the Water Resources Director by John Mulholland for approval of a change in use heretofore made of water from an unnamed stream and reservoir, pursuant to the provisions of ORS 540.510 to 540.530.

The certificates recorded at pages 36451 and 36452, Volume 28, State Record of Water Right Certificates, in the name of John Mulholland, describe rights which include the storage of 2.5 acre feet of water from an unnamed stream in an unnamed reservoir for irrigation; and the use of 0.03 cubic foot per second from the unnamed stream and stored water for irrigation of a certain 2.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Township 1 South, Range 4 West, W.M., with dates of priority of December 3, 1964.

The authorized point of diversion of record for said rights is located 350 feet North and 310 feet East from the Southwest Corner of Hineman D.L.C. No. 59, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Township 1 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the use for which 2.5 acre feet of water has been stored; and the use heretofore made of said 2.5 acre feet of stored water and the 0.03 cubic foot per second from the unnamed stream and, without loss of priority, to hereafter store and to use said 2.5 acre feet of stored water and 0.03 cubic foot per second from the unnamed stream for stock supplies and operation of a dairy barn in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 31, Township 1 South, Range 4 West, W.M., use of said waters to be limited to the irrigation season of each year.

Notice of the application, pursuant to ORS 540.520(2), was published in the Hillsboro Argus, a newspaper printed and having general circulation in Washington County, Oregon, for a period of three weeks in the issues of August 3, 10 and 17, 1978.

Mr. Clayton J. Gardner, Watermaster, has filed a statement to the effect that the proposed change in use heretofore made of water may be made without injury to existing rights.

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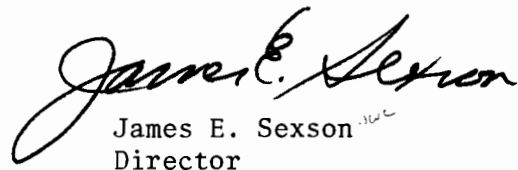
No objections having been filed and it appearing that the proposed change in use heretofore made of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made of water, 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, 1980.

It is FURTHER ORDERED that said certificates of water right recorded at pages 36451 and 36452, Volume 28, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights NOT involved in this proceeding; and 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 31st day of October, 1978.

  
James E. Sexson  
Director