

2612 Done Mary
Rt. 4, Box 418
Sherwood, Ore. 97140

2612

STATUS OF APPLICATION

Change in Point of Diversion
Date filed March 20, 1972
Date of hearing July 17, 1973 - 9:30
Place of hearing Hillsboro, Ore.
Date of order 9-18-73 Vol. 22 page 342
Date for application of water Oct 1, 1974
Proof mailed _____
Proof received _____
Certificate issued **SEP 12 1977** Vol. 36 page 44789

DESCRIPTION OF WATER RIGHT

Name of stream Tualatin River
Trib. of _____ County of Washington
Use Irrigation
Quantity of water _____ No. of acres 24 6
Name of ditch _____
Date of priority January 22, 1956
In name of Steinhoff, Heirs &
_____ Adjudication, Vol. _____, page _____
App. No. 30869 Per. No. 24369 Cert. No. 28508
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-20-72</u>	<u>25.00</u>	<u>27727</u>
<u>5-7-73</u>	<u>40.00 P.O.N.</u>	<u>33660</u>
TOTAL . . .		
<u>6-26-73</u>	<u>\$1.50</u> \$1 Cert. Fee	<u>From P.O.N.</u>

FEES REFUNDED

Date	Amount	Check No.
<u>6-26-73</u>	<u>\$10.50 P.O.N.</u>	<u>5340</u>

REMARKS

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

STATE OF OREGON

COUNTY OF Washington

CERTIFICATE OF WATER RIGHT

Dene Mallory

This Is to Certify, That ~~STEINHOFF HEIRS~~
~~e/o E. P. Steinhoff~~ of Route 1, Box 118 Sherwood, State of Oregon ⁹⁷¹⁴⁰, has made proof
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
 Tualatin River
 a tributary of Willamette River for the purpose of
 irrigation of 24.6 acres

under Permit No. 24369 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 June 22, 1956

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
 0.31 cubic foot 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 Lot ~~2~~ (NW¹/₄ NW¹/₄), Sec. 20, ~~SE¹/₄ SW¹/₄, Sec. 17,~~
 T. 2 S., R. 1 W., W.M. ² (NE¹/₄ NW¹/₄) ^{SE} 250' S & 2850' W from the ~~SW~~ cor Sec 17

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 2¹/₂ 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:

11.8 acres SW¹/₄ SW¹/₄
 12.8 acres SE¹/₄ SW¹/₄
 Section 17
 T. 2 S., R. 1 W., W.M.

This certificate is issued to confirm a change in ~~place of use and~~ point of diversion
 approved by an order of the Water Resources Director entered Sept 18, 1973,
 and supersedes certificate of water right issued to 28508

this date. APRIL 5 1961

LEWIS A. STANLEY
 State Engineer

Recorded in State Record of Water Right Certificates, Volume 20, page 28500

BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICA-)
TION OF DENE MALLORY FOR THE)
APPROVAL OF A CHANGE IN POINT)
OF DIVERSION OF WATER FROM)
TUALATIN RIVER)

ORDER APPROVING
TRANSFER NO. 2612

On March 20, 1972, Dene Mallory filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Tualatin River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Steinhoff Heirs and recorded at page 28508, Volume 20, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.31 cubic foot per second of water from the Tualatin River for the irrigation of 11.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 12.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, Township 2 South, Range 1 West, W.M., with a date of priority of January 22, 1956. These lands are irrigated by means of pumps located at points of diversion; 50 feet South and 1500 feet West from the South $\frac{1}{4}$ corner of Section 17, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, and 1250 feet North and 1050 feet West from the South $\frac{1}{4}$ corner of Section 17, being within SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 2 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to divert the water for irrigation by means of a pump from a point located South 37° West 320 feet from the North $\frac{1}{4}$ corner of Section 20, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 2 South, Range 1 West, W.M.

Notice of the filing of the application was given by

publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse at Hillsboro, Oregon, on July 17, 1973, at 9:30 a.m. The notice 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 May 24, 31 and June 7, 1973. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

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

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Tualatin River, to-wit:

From a point located 50 feet South and 1500 feet West from the South $\frac{1}{4}$ corner of Section 17, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 2 South, Range 1 West, W.M., and from a point located: 1250 feet North and 1050 feet West from the South $\frac{1}{4}$ corner of Section 17, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, Township 2 South, Range 1 West, W.M.

To a point to be located South 37 degrees West 320 feet from the North $\frac{1}{4}$ corner of Section 20, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 2 South, Range 1 West, W.M.

for the irrigation of 11.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 12.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, Township 2 South, Range 1 West, W.M., with a date of priority of January 22, 1956, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1974.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at

the old point of diversion, and shall not exceed 0.31 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed.

That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to Steinhoff Heirs and recorded at page 28508, Volume 20, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Dene Mallory confirming the change in point of diversion.

Dated at Salem, Oregon, this 18th day of September, 1973.

/s/ CHRIS L. WHEELER
State Engineer

STATE OF OREGON

COUNTY OF Washington

CERTIFICATE OF WATER RIGHT

This Is to Certify, That STEINHOFF HEIRS

c/o E. F. Steinhoff

of Route 4, Box 418

Sherwood

, 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 Tualatin River

a tributary of Willamette River

for the purpose of

irrigation of 24.6 acres

under Permit No. 24369 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 June 22, 1956

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 0.31 cubic foot 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 Lot 3 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 20, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, T. 2 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:

11.8 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
 12.8 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 17
 T. 2 S., R. 1 W., W.M.

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 date. APRIL 5 1961

.....LEWIS A. STANLEY.....

State Engineer

28.00

NOTICE OF FILING
APPLICATION FOR A
CHANGE IN POINT OF
DIVERSION OF WATER

Notice is given hereby that Dene Mallory has filed an application for the approval of a change in point of diversion of water from Tualatin River.

Certificate of water right issued to Steinhoff Heirs and recorded at page 28508, Volume 20, State Record of Water Right Certificates, confirms a right to the use of 0.31 cubic foot per second of the waters of Tualatin River for the irrigation of 11.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 12.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, Township 2 South, Range 1 West, W.M., with a date of priority of January 22, 1956.

These lands are irrigated by pumps located 1250 feet North and 1050 feet West from South $\frac{1}{4}$ corner of Section 17, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 2 South, Range 1 West, W.M., and, 50 feet South and 1500 feet West from the South $\frac{1}{4}$ corner of Section 17, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 2 South, Range 1 West, W.M.

The applicant herein, owner of the lands above described, proposes to convey water to these lands by means of a pump to be located at a point of diversion South 37 degrees West 320 feet from the North $\frac{1}{4}$ corner of Section 20, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 2 South, Range 1 West, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Hillsboro, Oregon, on July 17, 1973, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Dene Mallory, Route 4, Box 418, Sherwood, Oregon, 97140, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee, at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request.

Dated at Salem, Oregon, this 15th day of May, 1973.

Chris L. Wheeler, State Engineer.
(May, 24, 31, June 7, 1973)

Affidavit of Publication

STATE OF OREGON, COUNTY OF WASHINGTON, ss.

I, W. Verne McKinney, being first

duly sworn, depose and say that I am the Publisher
of the HILLSBORO ARGUS, a newspaper of general circulation as defined
by ORS 193.010 and 193.020; printed and published at Hillsboro, in the afore-
said county and state; that the

NOTICE

a printed copy of which is hereto annexed, was published in the entire issue
of said newspaper for three ~~successive~~ ~~and~~ consecutive
weeks in the following issues:

May 24, 31, June 7, 1973

Subscribed and sworn to before me this 7th day

of June, 1973.

Mary E. Petersen
Notary Public for Oregon.

RECEIVED
JUN 11 1973
STATE ENGINEER
SALEM, OREGON

(My commission expires March 2, 1975)