

2055 40100 Tol
P. Box 428 1009
Beaumont, Ore 97005

2695

STATUS OF APPLICATION

Change in Use & Pt of Diversion
Date filed Sept. 1, 1972
Date of hearing Feb. 13, 1973 - 9:30 a.m.
Place of hearing Hillsboro
Date of order Sept. 18, 1973 Vol. 23, page 330
Date for application of water 10-1-74
Proof mailed _____
Proof received SEP 4 1980
Certificate issued 11 Vol. 43, page 49489
49490

DESCRIPTION OF WATER RIGHT

Name of stream Breanon Creek
Trib. of Tualatin River County of Washington
Use Irrigation
Quantity of water _____ No. of acres 24 5
Name of ditch _____
Date of priority MARCH 11, 1955
In name of Estate of Mark P. Miller
Adjudication, Vol. _____, page _____
App. No. R-29791 Per. No. R-1699 Cert. No. 23372
24792 23318 23371
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>9-1-72</u>	<u>25.00</u>	<u>30490</u>
<u>9-1-72</u>	<u>15.00 P.O.N.</u>	<u>30491</u>
<u>11-24-72</u>	<u>10.00</u>	<u>31544</u>
TOTAL . . .		
<u>1-12-73</u>	<u>1.50</u>	<u>From P.O.N.</u>
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
<u>1-12-73</u>	<u>*16.00 P.O.N.</u>	<u>5098</u>

REMARKS

See also Appls R51041 & 51042 (use form of C-186)

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

STATE OF OREGON

COUNTY OF

WASHINGTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That TANASBROOK

of P. O. Box 1009, Beaverton, State of Oregon 97005, has made
proof to the satisfaction of the Water Resources Director, of a right to store the waters of
Bronson Creek, tributary of Tualatin River, appropriated under Permit 23318

recreation for the purposes of

under Reservoir Permit No. R-1699, and that said right to store said waters has been
perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed
dates from March 11, 1955

that the amount of water entitled to be stored each year under such right, for the purposes afore-
said, shall not exceed 7.0 acre feet

The reservoir is located in

SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 30

NE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ NW $\frac{1}{4}$

both as projected within Dustin DLC 60

Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)

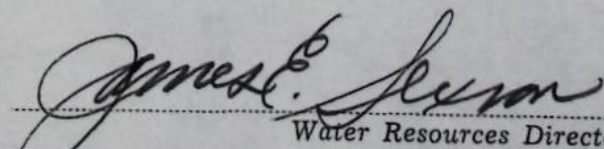
Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)

Section 31

T. 1 N., R. 1 W., W. M.

This certificate is issued to confirm a change in character of use approved
by an order of the Water Resources Director entered September 18, 1973 and
supersedes certificate of water right recorded at page 23372, Volume 16,
State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed
this date. September 4, 1980


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43, page 49489

STATE OF OREGON

COUNTY OF

WASHINGTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That TANASBROOK

of P.O. Box 1009, Beaverton, State of Oregon 97005, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Bronson Creek and reservoir constructed under Permit No. R-1699

a tributary of Tualatin River
recreation

for the purpose of

under Permit No. 23318 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 March 11, 1955

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 0.20 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 NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Dudley Dustin DLC 60, Section 31, T. 1 N., 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 ----- of one cubic foot per second per acre,

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:

SEE NEXT PAGE

SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 30

Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
NE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ NW $\frac{1}{4}$

both as projected within Dustin DLC 60
Section 31
T. 1 N., R. 1 W., W.M.

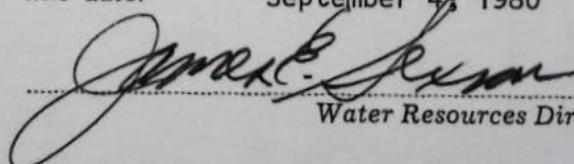
This certificate is issued to confirm a change in character of use approved by an order of the Water Resources Director entered September 18, 1973 and supersedes certificate of water right recorded at page 23371, Volume 16, State Record of Water Right Certificates.

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.

September 4, 1980



Water Resources Director

CERTIFICATE OF
WATER RIGHT

STATE OF OREGON

to

STATE OF OREGON,

County of

} ss.

I CERTIFY, that the within was received
and duly recorded by me in Volume
of Record of Water Right Certificates, at
page on the day
of, 19.....

County Clerk

SP*32957-690

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That ESTATE OF MARK P. MILLER

% Mrs. Mark Miller
of 10930 SW Walker Rd., Beaverton, 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
Bronson Creek and reservoir constructed under Application No. R-29791, Permit No.
R-1699
tributary of Tualatin River for the purpose of
irrigation
under Permit No. 23318 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 March 11, 1955

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
0.20 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 NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Dudley Dustin DLC
#60, Section 31, Township 1 North, 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 from direct flow 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 from direct flow and
storage from reservoir constructed under Permit No. R-1699,

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:

5.3 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
1.9 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 30

0.1 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Dustin DLC #60

1.7 acres in Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)

8.1 acres in Lot 4 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)

7.4 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Dustin DLC #60

Section 31

Township 1 North, Range 1 West, 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 20th day of November, 19 57.

LEWIS A. STANLEY

State Engineer

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ESTATE OF MARK P. MILLER
of Mrs. Mark Miller
 of 10930 SW Walker Rd, Beaverton, State of Oregon, has made proof

to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of
 Bronson Creek, tributary of Tualatin River, to be appropriated under Application
 No. 29792, Permit No. 23318,

irrigation for the purposes of

under Reservoir Permit No. R-1699 of the State Engineer, and that said right to store said
 waters has been perfected in accordance with the laws of Oregon; that the priority of the right
 hereby confirmed dates from March 11, 1955.

that the amount of water entitled to be stored each year under such right, for the purposes afore-
 said, shall not exceed 7.0 acre-feet.

The reservoir is located in Section 31 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) , Tp. 1 N. , R. 1 W. , W.M.
 as projected within Dustin DLC #60

WITNESS the signature of the State Engineer,
 affixed this 20th day
 of November, 1957.

LEWIS A. STANLEY

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 16, page 23372.

BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION
OF APTCO, INC. FOR THE APPROVAL
OF A CHANGE IN USE OF WATER FROM
BRONSON CREEK

ORDER APPROVING
TRANSFER NO. 2695

On September 1, 1972, APTCO, Inc., filed an application in the office of the State Engineer for the approval of a change in use of water from Bronson Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to the Estate of Mark P. Miller and recorded at page 23371, Volume 16, State Record of Water Right Certificates, confirms a right to the use of the waters of Bronson Creek and a reservoir for the irrigation of 5.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 1.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, and 1.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 15.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 1 North, Range 1 West, W.M., with a date of priority of March 11, 1955. These lands are irrigated from a point of diversion located 750 feet South and 50 feet East from the NW corner of Section 31, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 1 North, Range 1 West, W.M.

Certificate of water right issued to the Estate of Mark P. Miller and recorded at page 23372, Volume 16, State Record of Water Right Certificates, confirms a right to storage of 7.0 acre feet of the waters of Bronson Creek in a reservoir in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 1 North, Range 1 West, W.M., with a date of priority of March 11, 1955.

The applicant herein, owners of the rights above described, propose to change the use heretofore made of water to recreational purposes within the Aptco, Inc. reservoirs and to transfer the 7.0 acre feet of storage in said reservoirs to recreation purposes.

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 use, if any there were, namely: at the County Courthouse in Hillsboro, Oregon, on February 13, 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 December 21, 28, 1972 and January 4, 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 use of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the change in use of water is approved and the water right hereinbefore described as appurtenant to 5.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 1.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, and 1.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, and 15.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 1 North, Range 1 West, W.M., for irrigation, with a date of priority of March 11, 1955, be severed therefrom and simultaneously and without loss of priority transferred to recreation purposes within the APTCO, Inc. reservoirs within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, the NE $\frac{1}{4}$ NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 1 North, Range 1 West, W.M.

It is FURTHER ORDERED that the water right hereinbefore described for storage of 7.0 acre feet of the waters of Bronson Creek, for irrigation with a date of priority of March 11, 1955, be severed therefrom and simultaneously and without loss of priority transferred to the storage of 7.0 acre feet of water within APTCO, Inc., reservoirs for recreational purposes.

It is FURTHER ORDERED that the construction work shall be completed and the change in use 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 0.20 cubic foot per second.

It is FURTHER ORDERED that certificates of water right heretofore issued to Estate of Mark P. Miller and recorded at page 23371, and 23372, Volume 16, State Record of Water Right Certificates, are canceled, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in use certificates of water right shall be issued to APTCO, Inc., confirming the change in use.

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

/s/ CHRIS L. WHEELER
STATE ENGINEER

27.50

NOTICE OF FILING
APPLICATION FOR A
CHANGE IN USE OF WATER

Notice is given hereby that Aptco, Inc. has filed an application for the approval of a change in use of water from Bronson Creek and a reservoir.

Certificate of water right issued to the Estate of Mark P. Miller and recorded at page 23371, Volume 16, State Record of Water Right Certificates, confirms a right to the use of the waters of Bronson Creek and a reservoir for the irrigation of 5.3 acres in SW¹/₄, SW¹/₄, 1.9 acres in SE¹/₄, SW¹/₄, Section 30, and 1.8 acres in NE¹/₄, NW¹/₄, 15.5 acres in NW¹/₄, NW¹/₄, Section 31, Township 1 North, Range 1 West, W.M., with a date of priority of March 11, 1955.

Certificate of water right issued to the Estate of Mark P. Miller and recorded at page 23372, Volume 16, State Records of Water Right Certificates, confirms a right to storage of 7.0 acre feet of the waters of Bronson Creek in a reservoir constructed in the NW¹/₄, NW¹/₄, Section 31, Township 1 North, Range 1 West W.M., with a date of priority of March 11, 1955.

The applicant herein, owners of the rights above described, purpose to change the use heretofore made of water to recreation purposes within the Aptco, Inc. reservoir and to transfer the 7.0 acre feet of storage to said reservoir for recreation purposes.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Hillsboro, Oregon, on February 13, 1973, at 9:30 a.m. All objections to the proposed changes, 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 Aptco, Inc., P.O. Box 1126, Beaverton, Oregon 97005, 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 12th day of December, 1972.

Christ L. Wheeler, State Engineer
(Dec. 21, 28, 1972, Jan. 4, 1973)

RECEIVED
JAN 11 1973
STATE ENGINEER
SALEM, OREGON

Affidavit of Publication

STATE OF OREGON, COUNTY OF WASHINGTON, ss.

I, Walter V. McKinney, being first

duly sworn, depose and say that I am the General Manager
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: _____

December 21, 28, 1972, January 4, 1973

Walter V. McKinney

Subscribed and sworn to before me this 4th day

of January, 1973.

Mary E. Petersen
Notary Public for Oregon.

[My commission expires March 2, 1975]