

3484

MULLERLEI  
Route 1, Box 167H  
Hillsboro, OR 97123

## STATUS OF APPLICATION

Change in place of use  
Date filed 10-22-76  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 11-15-76 Vol. 28, page 122  
Date for application of water 10-1-77  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued 11/17/2006 Vol. \_\_\_\_\_, page 82738

## DESCRIPTION OF WATER RIGHT

Name of stream Unnamed  
Trib. of \_\_\_\_\_ County of Washington  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 26<sup>e</sup>  
Name of ditch \_\_\_\_\_  
Date of priority \_\_\_\_\_  
In name of \_\_\_\_\_  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 25876 Per. No. 20532 Cert. No. 26590  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
<u>10-22-76</u>	<u>30.00</u>	<u>56555</u>
TOTAL . . .		
	Cert. Fee	

## FEES REFUNDED

Date	Amount	Check No.

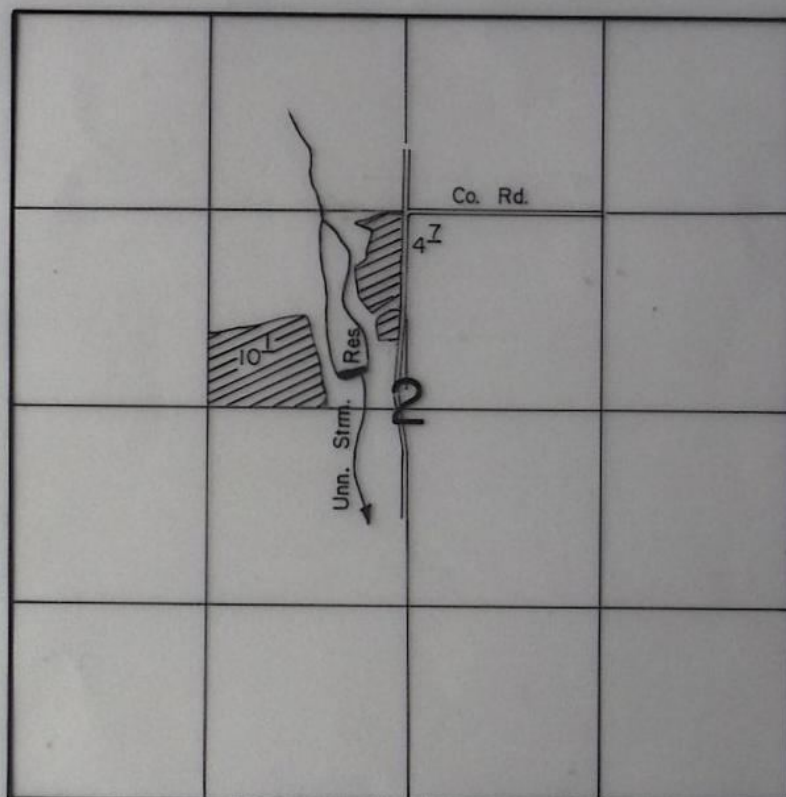
## REMARKS

Sec T-3485 + app 41944 (Loss of Right - Vol 46 P 529 - T-3485)

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



T.1N., R.2W., W.M.



Scale : 1" = 1320'

# FINAL PROOF SURVEY

UNDER

TRANSFER 3484

Application No. .... Permit No. ....

IN NAME OF

FRED BENDER

Surveyed March..31.. 1988., by ..T. Warren.....

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILHELM & ROSA MULLERLEILE  
RT 1, BOX 167A  
HILLSBORO, OREGON 97123

confirms the right to use the waters of AN UNNAMED STREAM AND A RESERVOIR, CONSTRUCTED UNDER PERMIT R-1211, tributaries of the ROCK CREEK, for IRRIGATION OF 14.8 ACRES.

This right was perfected under Permit 20532. The date of priority is APRIL 21, 1951. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.18 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NW 1/4, SECTION 2, T 1 N, R 2 W, W.M.; 2030 FEET SOUTH AND 240 FEET WEST FROM THE N 1/4 CORNER, SECTION 2.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre irrigated from direct flow, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre feet each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-1211.



The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

SE 1/4 NW 1/4 14.8 ACRES  
SECTION 2  
TOWNSHIP 1 NORTH, RANGE 2 WEST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

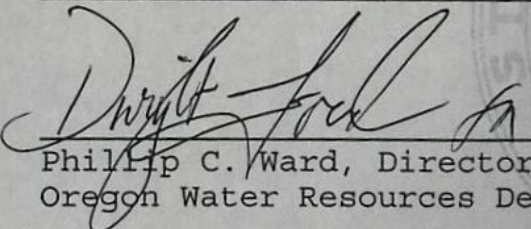
The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

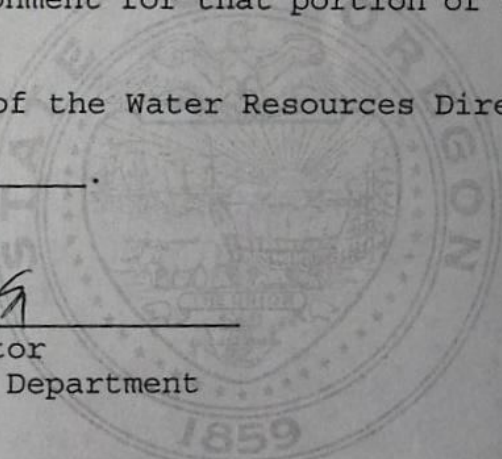
This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered November 15, 1976, approving Transfer Application T-3484, and describes that portion of the water right confirmed by Certificate 26590, State Record of Water Right Certificates, NOT modified by the provisions of the order, and supersedes Certificate 26590, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment for that portion of the right not modified by the order.

WITNESS the signature of the Water Resources Director, affixed

NOV 17 2006

  
Phillip C. Ward, Director  
Oregon Water Resources Department



Recorded in State Record of Water Right Certificates numbered 82738

T-3484.JWG



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

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.

/s/ JAMES E. SEXSON  
Director



## STATE OF OREGON

COUNTY OF WASHINGTON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That WILHELM and ROSA MULLERLEILE

of Route 1, Box 167-A, Hillsboro, 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 unnamed stream & reservoir const. under Appl. No. R-25875, Per. No. R-1211, a tributary of Rock Creek for the purpose of irrigation of ~~30.0~~ <sup>3.4</sup> acres,

under Permit No. 20532 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 April 27, 1951,

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 ~~0.37~~ cubic foot per second,

0.04

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 2, Township 1 North, Range 2 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-1211,

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:

T<sup>N</sup> 3484

<del>16.4 acres</del>	NW $\frac{1}{4}$ NE $\frac{1}{4}$	16 $\frac{1}{2}$
<del>10.0 acres</del>	SW $\frac{1}{4}$ NE $\frac{1}{4}$	10 $\frac{1}{2}$
<del>0.2 acre</del>	NE $\frac{1}{4}$ NW $\frac{1}{4}$	0 $\frac{1}{2}$
3.4 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	

Section 2

Township 1 North, Range 2 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 date.

LEWIS A. STANLEY

State Engineer