

3729 C. C. D.

3729

STATUS OF APPLICATION

Change in Use
Date filed 7-12-77
Date of hearing 10-25-77
Place of hearing Hillsboro
Date of order 11-3-77 Vol. 30, page 1
Date for application of water 10-1-79
Proof mailed JAN 23 1989
Proof received DEC 19 1977
Certificate issued MAR 29 1989 Vol. 37, page 45123
57 60693

DESCRIPTION OF WATER RIGHT

Name of stream Unn. Trib. of Gales Cr.
Trib. of _____ County of Washington
Use Irr to Dom (5)
Quantity of water 0.012 No. of acres 1 ac.
Name of ditch _____
Date of priority Feb. 24, 1949
In name of Roy W. & Atha B. Ligon
_____ Adjudication, Vol. _____, page _____
App. No. 23630 Per. No. 18630 Cert. No. 21468
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
7-12-77	\$ 35 -	62428
7-25-77	\$ 50	62694
TOTAL . . .		
10-21-77	\$2 Cert. Fee	Transferred from 62428
The Times Publications \$23.00 10/21/77 ck 1676		

FEES REFUNDED

Date	Amount	Check No.
10-21-77	\$ 25.00	1677
Recd	85.00	
Exam	20	
Δ Use	15	
Cert	2	
PON	23	
	60.00	
Refund	25.00	

REMARKS

CARD FOR C DEC 26 1979

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

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BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
WASHINGTON COUNTY

IN THE MATTER OF THE APPLICATION OF)
COMMUNITY CONCEPT DEVELOPERS, INC.)
FOR APPROVAL OF A CHANGE IN USE OF)
WATER FROM AN UNNAMED CREEK)

ORDER APPROVING
TRANSFER NO. 3729

On July 12, 1977, an application was filed in the office of the Water Resources Director by Community Concept Developers, Inc. for a change in use heretofore made of water under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 21468, Volume 15, State Record of Water Right Certificates, in the names of Roy W. and Atha B. Ligon, describes a right which includes the use of not to exceed 0.012 cubic foot per second from an unnamed creek for irrigation of 0.75 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.25 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 1 South, Range 4 West, W.M., with a date of priority of February 24, 1949.

Water for the said right is diverted from a point located 650 feet South and 650 feet East from the Northwest corner of Section 3, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 3.

The applicant proposes to change the use heretofore made and, without loss of priority, to hereafter use the water appropriated for domestic water supply for five residences within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 3.

Notice of the application, pursuant to ORS 540.510, was published in the Valley Times, a newspaper printed and having general circulation in Washington County, Oregon, for a period of three weeks in the issues of August 31, September 7 and 14, 1977.

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

No objections having been filed and it appearing that the proposed change in use heretofore made 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 of water heretofore made from an unnamed creek, as described herein, without loss of priority, is approved.

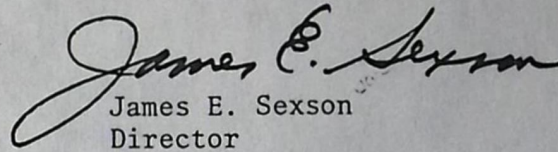
It is FURTHER ORDERED that said water so transferred shall be applied to

V30
PI

beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Roy W. and Atha B. Ligon and recorded at page 21468, Volume 15, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding, and upon proof satisfactory to the Water Right Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 3rd day of November, 1977.


James E. Sexson
Director

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ROY W. AND ATHA B. LIGON

of Rt. 1, Box 220-L, Forest Grove, 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 an unnamed creek

a tributary of Gales Creek for the purpose of domestic ~~and irrigation in one residence for one family~~ under Permit No. 18630 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 February 24, 1949

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 ~~0.022 cubic foot per second, being 0.01 cubic foot per second for domestic and 0.012 cubic foot per second for irrigation~~

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 $\frac{1}{4}$, Section 3, Township 1 South, Range 4 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 - - - - - 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:

~~0.75 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$~~
~~Domestic and 0.25 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$~~
Section 3
Township 1 South, Range 4 West, W.M.

Land on which water is to be used is as follows:

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 21468, Volume 15, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Nov 3, 1977, approving transfer application No. 3729.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

Company to John Swanson in Book 31, page 9, deed records of Washington County, Oregon.

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 8th day of August, 1966

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 15, page 21468

60693

\$23.00

AFFIDAVIT OF PUBLICATION

SALEM, OREGON
WATER RESOURCES DEPT
SEP 20 1977
RECEIVED

STATE OF OREGON,
COUNTY OF WASHINGTON,

ss.

I, Hugh McGilvra

being first duly sworn, depose and say that I am the publisher

of The Valley Times, a newspaper of general circulation, as defined

by ORS 193.010 and 193.020, published at Beaverton, in the aforesaid county and

state; that the legal notice, a printed copy of which is hereto annexed, was

published in the entire issue of said newspaper for 3 successive and

consecutive weeks in the following issues

August 31 and September 7 & 14, 1977

Hugh McGilvra
(Signature)

Subscribed and sworn to before me this 15th day of

September 1977

[Signature]
Notary Public of Oregon

My commission expires October 10 1980

NOTICE OF WATER RIGHT
TRANSFER APPLICATION NO. 3729
Notice is given hereby that an application has been filed in the office of the Water Resources Director by Community Concept Developers, Inc., for approval of a change in use of water heretofore made from an unnamed creek.

The certificate recorded at page 21468, Volume 15, State Record of Water Right Certificates, in the names of Roy W. and Atha B. Ligon, describes a right which includes the use of not to exceed 0.012 cubic foot per second from an unnamed creek for irrigation of 0.75 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.25 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 1 South, Range 4 West, WM, with a date of priority of February 24, 1949.

Water for the said right is diverted from a point located 650 ft S and 650 ft E from the NW corner of Sec 3, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec 3.

The applicant proposes to change the use heretofore made and, without loss of priority, to hereafter use the water appropriated for domestic water supply for five residences located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec 3.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Hillsboro, Oregon, on October 25, 1977, 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 Community Concept Developers, Inc., 1615 22nd Ave, Forest Grove, OR 97116 and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 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 WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 23rd day of August, 1977.

James E. Sexson
Director

V-4564 August 31, September 7, September 14, 1977