

3982 Mulholland

3982

Name John Mulholland

By \_\_\_\_\_

Address Route 3, Box 285 BGaston, OR 97119Change in UseDate filed June 21, 1978Date of hearing Sept. 27, 1978Place of hearing HillsboroDate of order 10-31-78 Vol. 31, page 373Date for application of water 10-1-80

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued DEC 21 1978 Vol. 40, page 47120  
DEC 21 1978 40, page 47121OCT 13 1986 50 54977OCT 13 1986 50 54978

REMARKS

## DESCRIPTION OF WATER RIGHT

Name of stream unnamed stream + reservoirTrib. of \_\_\_\_\_ County of Washington

Use \_\_\_\_\_

Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

Date of priority Dec. 3, 1964

In name of \_\_\_\_\_

Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 40455 Per. No. 30155 Cert. No. 36452

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
<u>6-21-78</u>	<u>35.00</u>	<u>4204</u>
<u>6-28-78</u>	<u>50-</u>	<u>4477</u>
<u>10-30-78</u>	<u>15.00</u>	<u>7065</u>
TOTAL		
<u>10-30-78</u>	<u>\$2 cert fee</u>	<u>7065</u>
<u>8-24-78</u>	<u>2 Cert. Fee</u>	<u>Transfer fee 4204</u>
<u>Hillsboro Argus \$30.95 pd 8-24-78 ck# 2562</u>		

## FEES REFUNDED

Date	Amount	Check No.
<u>8-24-78</u>	<u>17.05</u>	<u>2563</u>

EX 20-  
USE 15-  
CERT 2-  
POU 30.95  
67.95

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

W.R.I.S.

Assembled 6-12-83 by SM

Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_



STATE OF OREGON  
COUNTY OF WASHINGTON

# CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN MULHOLLAND

of Route 1, Box 285-B, Gaston, 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 stream and reservoir constructed under Appl. No. R-40454, Permit No. R-4519, a tributary of Tualatin River for the purpose of irrigation of 16.6 acres

under Permit No. 30155 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 December 3, 1964

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 0.21 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 SE $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Hineman DLC 59, Section 31, T. 1 S., R. 4 W., W. M.; Diversion point located 350 feet North and 310 feet East from SW Corner, Hineman DLC 59.

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-4519,

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-3982

~~7.2 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$~~   
~~1.2 3.2 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$~~  - 2 $\frac{1}{2}$   
~~6.2 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$~~   
all as projected within Hineman DLC 59  
Section 31  
T. 1 S., R. 4 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 Oct 31, 1978 and together with certificate of water right recorded at page 47121, Volume 40, State Record of Water Right Certificates, supersedes certificate of water right recorded at page 36452, Volume \_\_\_\_\_, 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.

CHRIS L. WHEELER  
State Engineer

Recorded in State Record of Water Right Certificates, Volume 68, page 36452 54978

T# 3982



## STATE OF OREGON

COUNTY OF

WASHINGTON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN MULHOLLAND

of Route 1, Box 285-B, Gaston

, State of Oregon<sup>97719</sup>, has made proof

to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of  
 unnamed stream, tributary of Tualatin River appropriated under Appl. No. ~~40455~~,  
 Permit No. 30155

irrigation

for the purposes of

under Reservoir Permit No. R-4519 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 December 3, 1964

that the amount of water entitled to be stored each year under such right, for the purposes afore-  
 said, shall not exceed <sup>1.75</sup>~~4.25~~ acre feet

The reservoir is located in

SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
 SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>

both as projected within Hineman DLG 59<sup>20</sup>  
 Section 31  
 T. 1 S., R. 4 W., W. M.

This certificate describes that portion of the water right confirmed by the prior  
 certificate recorded at page 36451, Volume 28, State Record of Water Right  
 Certificates, NOT modified by the provisions of an order of the Water Resources  
 Director entered on Oct 31, 1978, approving transfer application No. 3982.

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

WITNESS the signature of the State Engineer, affixed

this date. October 13, 1969

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 687, page 36451



STATE OF OREGON  
COUNTY OF WASHINGTON

# CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN MULHOLLAND

of Route 1, Box 285-B, Gaston, State of Oregon<sup>97719</sup>, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of an unnamed stream and reservoir constructed under Appl. No. R-40454, Permit No. R-4519, a tributary of Tualatin River for the purpose of irrigation of ~~16.6~~<sup>14.6</sup> acres

under Permit No. 30155 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 December 3, 1964

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 ~~0.21~~<sup>0.18</sup> 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 SE $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Hineman DLC 59, Section 31, T. 1 S., R. 4 W., W. M. ~~Diversion point located 350 feet North and 310 feet East from SW Corner, Hineman DLC 59.~~

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-4519,

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-3982

7.2 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
1.2 ~~3.2~~ acres SW $\frac{1}{4}$  SE $\frac{1}{4}$  - 2 $\frac{1}{2}$   
6.2 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
all as projected within Hineman DLC 59  
Section 31  
T. 1 S., R. 4 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 36452, Volume 28, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Oct 31, 1978, approving transfer application No. 3982.

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

WITNESS the signature of the State Engineer, affixed

this date.

October 13, 1969

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36452

T# 3982



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 )  
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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.

U21, 0273



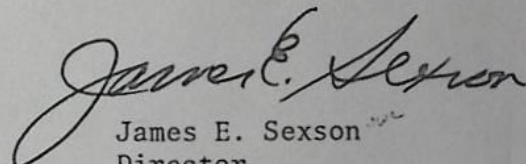
No objections having been filed and it appearing that the proposed change in use heretofore made of water may be made without injury to existing rights, the application should be approved.

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

3092

NOTICE OF WATER RIGHT TRANSFER  
APPLICATION NO. 3982

NOTICE IS HEREGY GIVEN that an application has been 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 ac ft 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 ac in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec 31, T 1S, R 4W, WM, with dates of priority of Dec. 3, 1964.

The authorized point of diversion for said rights is located 350 ft N & 310 ft E from the SW Corner of Hineman DLC No. 59, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec 31, T 1S, R 4W, WM.

The applicant herein, owner of the lands above described, proposes to change the use for which 2.5 ac ft of water has been stored, the use heretofore made of said 2.5 ac ft of stored water and the 0.03 cfs from the unnamed stream and, without loss of priority, to hereafter store and to use said 2.5 ac ft of stored water and 0.03 cfs from the unnamed stream for stock supplies and operation of a dairy barn in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec 31, T 1S, R 4W, WM, use of said waters to be limited to the irrigation season of each year.

All persons interested are notified hereby that a hearing will be held at the County Courthouse at Hillsboro, Oregon, on September 27, 1978, 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 John Mulholland, Rt. 3, Box 285B, Gaston, OR 97119; and one copy filed with the Water Resources Department, 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 28th day of July, 1978.  
James E. Sexson, Director.

(Aug. 3, 10, 17, 1978)

ok  
log

## Affidavit of Publication

STATE OF OREGON, COUNTY OF WASHINGTON, ss.

I, Maynard F. Jensen, being first

duly sworn, depose and say that I am the City Editor  
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 OF WATER RIGHT TRANSFER APPLICATION,  
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:

August 3, 10, 17, 1978 *ok*

*Maynard F. Jensen*  
Subscribed and sworn to before me this 18th day

of August, 1978.

*Garrett H. Pardon*  
Notary Public for Oregon.

[My commission expires September 18, 1981]