

3432

STATUS OF APPLICATION

Change in point of diversion
Date filed 7-7-76
Date of hearing _____
Place of hearing _____
Date of order 9-7-76 Vol. 27, page 384
Date for application of water 10-1-77
Proof mailed _____
Proof received _____
Certificate issued OCT 18 1976 Vol. 35, page 41

ed OCT 18 1976 Vol. 35, page 43798
AUG 23 1979 42 48493

to survey 9/77

DESCRIPTION OF WATER RIGHT

Name of stream Deauverton Creek
Trib. of _____ County of Washington
Use irrigation
Quantity of water _____ No. of acres 0 ³⁷/₁₀₀
Name of ditch _____
Date of priority May 22, 1958
In name of Lysle Brock

Adjudication, Vol. _____, page _____
App. No. 32339 Per. No. 25544 Cert. No. 29460
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
7-7-76	35.00	54216
TOTAL . . .		
8-10-76	\$4 Cert. Fee	55447

FEES REFUNDED

Date	Amount	Check No.
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REMARKS

#3

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/>	Name	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Stream	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Pt. of Div.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	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-safe	<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 checked="" type="checkbox"/>	Power Claim	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Abstracts	<input type="checkbox"/>	<input type="checkbox"/>

MAP TO ACCOMPANY APPLICATION FOR WATER RIGHT BY

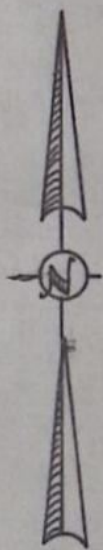
ROBERT S. AND IRMA E. HARDIN
LYSLE AND BURNELL BROCK

IN SECTION 1, T1S, R2W, W.M.
AND SECTIONS 6 AND 7, T1S, R1W, W.M.

TOTAL ACREAGE COVERED BY THIS
APPLICATION = 0.83

APRIL

1958



SE $\frac{1}{4}$ of the SE $\frac{1}{4}$

SCALE 1" = 100'

RECEIVED

JUL 7 1976

WATER RESOURCES DEPT.

SALEM, OREGON

S.W. PHEASANT LANE

AVENUE

SUBDIVISION

16

14

Beaver Creek

MEKE'S

SW $\frac{1}{4}$ of the SW $\frac{1}{4}$

Lysle and Burnell Brock

Proposed Point
of Diversion
located 190 ft. N.
& 145 ft. E. from
the SW corner
of Sec. 6

Existing
POINT OF
DIVERSION
1" x 36" iron pipe

.37 Acre

15

W.S. & Virginia L.
Quackenbush

LOT 39 OF
JOHNSON ESTATE ADDITION

Robert S. and
Irma E. Hardin

.46 Acre

329.6

T1S
R2W

T1S
R1W

Application No. 32339
Permit No. 25544

T-3432

Inspection
6-26-78
SAA, D-100

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR

County WASHINGTON

1. Name Max K. Wolfe Address 1950 SW 185th Ave, Aloha
2. Source of Supply Beaverton Creek, Trib. of _____
3. Amount of Water 0.004 cfs Priority Date May 22, 1958
4. Use irrigation
5. Proposed Point of Diversion 190 ft N and ^{150'}145 ft E from SW cor Sec 6, within
SW SW, Sec 6, T 1 S, R 1 W, W.M.

6. Place of Use

[illegible]

INFO: OWN OBSERVATION & NEIGHBOR, MRS. BAZZOL. REASONS FOR
CHANGE IN DIV. PL. POSSIBLE CONFLICT w/ MR. HARDIN, WHO
STILL USES ORIGINAL pt. MR. WOLFE JUST ESTABLISHED HIS
OWN PUMP AS AN ADD'L pt.

SOURCE: BEAVERTON CR.

DIV. PL.: DIRECT

MOTOR: SEARS $\frac{3}{4}$ HP @ 3450

PUMP: " C.D.D. $1" \times \frac{3}{4}"$

PIPE: UNKNOWN - ~~RE~~ SOME BURIED LINES
GARDEN HOSES

HDS: ? LAWN SPR.

CROP: L & G

TIB: INSPECTION. FD. SEC. COR IN MIDDLE OF 185th AVE. Appl map
LOOKS GOOD

Steve Replogle
FIELD ENG.
6-26-78

MAP TO ACCOMPANY
APPLICATION FOR WATER RIGHT
BY

ROBERT S. AND IRMA E. HARDIN
LYSLE AND BURNELL BROCK

IN SECTION 1, T1S, R2W, W.M.
AND SECTIONS 6 AND 7, T1S, R1W, W.M.

TOTAL ACREAGE COVERED BY THIS
APPLICATION = 0.83

APRIL

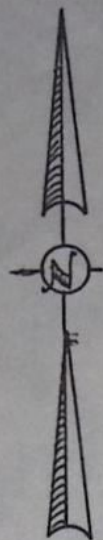
1958

RECEIVED

JUL 7 1976

WATER RESOURCES DEPT.

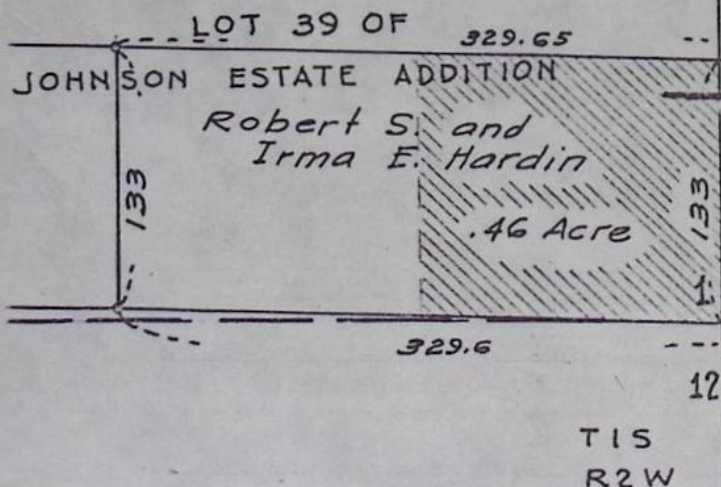
W.M. OFFICE



SE $\frac{1}{4}$ of the SE $\frac{1}{4}$

SE $\frac{1}{4}$ of the SE $\frac{1}{4}$
C.D.D. 1" x 3/4"

SCALE 1" = 100'



S.W. — 185 th. — AVENUE

S.W. PHEASANT LANE

14

16

Beaver
Creek

SUBDIVISION

MEKE'S

SW $\frac{1}{4}$ of the SW $\frac{1}{4}$

Lysle and Burnell Brock

Proposed Point
of Diversion
located 190 ft. N.
& 145 ft. E. from
the SW corner
of Sec. 6

Existing
POINT OF
DIVERSION
1" x 36" iron pipe

.37 Acre

15

W.S. & Virginia L.
Quackenbush

Section Line

Application No. 32339
Permit No. 25544

T-3432

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SEP 12 1977
WATER RESOURCES DEPT
SALEM, OREGON

Transfer No. 3432

NOTICE OF COMPLETION OF CONSTRUCTION

I, MAX K. WOLFE hereby certify

that the construction work has been completed and the change in point
of diversion of water made as set forth in the order of the Water Resources
Director dated SEPTEMBER 7, 1976, approving an application
for a change in point of diversion of water from BEAVERTON CREEK
_____.

SEPTEMBER 6, 1977

Date

Max K. Wolfe

Name

on file

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION }
OF MAX K. WOLFE FOR THE APPROVAL }
OF A CHANGE IN POINT OF DIVERSION }
OF WATER FROM BEAVERTON CREEK }

ORDER APPROVING
TRANSFER NO. 3432

On July 7, 1976, Max K. Wolfe filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion under an existing right of record to appropriate not to exceed 0.004 cubic foot per second of water from Beaverton Creek, with a date of priority of May 22, 1958, at a point of diversion located 110 feet North and 145 feet East from the Southwest corner of Section 6, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 1 South, Range 1 West, W.M., for the irrigation of .37 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, Township 1 South, Range 1 West, W.M., being a portion of the right evidenced by the certificate recorded at Page 29460, Volume 21, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to irrigate this land from a point of diversion to be located 190 feet North and 145 feet East from the Southwest corner of Section 6, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, Township 1 South, Range 1 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there is no intervening diversion.

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

No objection 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 requested change in point of diversion of water 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, 1977.

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 0.004 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates and measuring devices.

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 the certificate of water right heretofore issued to Robert S. Hardin and Lyslie Brock and recorded at Page 29460, Volume 21, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Max K. Wolfe confirming the change in point of diversion.

Dated at Salem, Oregon, this 7th day of September, 1976.

/s/ JAMES E. SEXSON
Director

Tr 3432



WATER RESOURCES DEPARTMENT

WASHINGTON COUNTY COURTHOUSE • HILLSBORO, OR • 97123 • Phone 648-8791

August 6, 1976

ROBERT W. STRAUB
GOVERNOR

JAMES E. SEXSON
Director

Water Resources Dept.
1178 Chemeketa St. N. E.
Salem, Oregon 97310

Attn: Mr. James Carver

Dear Mr. Carver:

I made an inspection on August 5, 1976, of the proposed transfer of diversion point applied for by Max K. Wolfe under permit No. 25544 for the use of water from Beaverton Creek.

I don't believe that this change will injure any existing right. Provision No. 1 should be used in the order.

The 0.46 acres located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T1S, R2W belongs to Robert S. and Irma E. Hardin, 1965 S. W. 185th Ave., Aloha, Oregon 97005. This is still being irrigated from the original diversion point. Mr. Hardin stated that he doesn't wish any changes for his property.

There are homes and driveways located on both properties. I believe this should be surveyed to arrive at the correct area covered by Permit No. 25544.

Yours truly,

Clayton J. Gardner
Clayton J. Gardner
Watermaster District No. 1

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AUG-9-1976
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED
AUG-9-1976
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

JUL 7 1976

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

Water Resources Director
To the STATE ENGINEER OF OREGON:I, MAX K. WOLFE

(Name of applicant)

1950 S.W. 185th Aveof ALOHA

(Postoffice)

County of WASH.State of OREGONdo hereby make application for change OLD DIVERSIONIN POINT OF NEW
DIVERSIONPOINT REMAINSADDITIONAL DIVERSION POINT 80 FT DOWN
STREAM

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is BEAVERTON CREEK

(Name of stream)

2. The use to which the water is applied is IRRIGATION

(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is

4. The point of diversion is located 110 ft N and 145 ft E from the SW

(N. or S.)

(E. or W.)

corner of SECTION 6

(Section or subdivision)

being within the SW 1/4 OF THE SW 1/4of Section 6 Tp. 15 R. 1W W. M., in the County of WASH.

(No. N. or S.)

(No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
15	1W	6											.37					

part

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

0.004 cfs

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? YES

(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? YES8. What is the date of priority of your water right? MAY 22 19589. Was your water right acquired by State Engineer's Permit? YES If so, give number

(Yes or No)

of permit 25544

10. Do you hold a water right certificate? YES If so, give number of certificate 29460
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

NO If so, give title of proceedings
(Yes or No)

12. Is the water right recorded in your name? NO LYSLE BROOK
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 190 ft. N and 145 ft. E from the SW corner of SECTION 6 being within the SW 1/4 of Section 6 Tp. 15 R. 1W W. M.,
(Smallest legal subdivision) (N. or S.) (E. or W.)
in the county of WASH The name of the ditch to be used is NONE

15. Are you the owner of the land on which the proposed point of diversion is to be located? YES

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? NO

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? YES
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are MORE CONVENIENT - DESIRE TO PUT IN SPRINKLING SYSTEM - LESS COSTLY TO START A NEW

RECEIVED

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of MARION

} ss.

I, MAX K. WOLFE, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 7 day of JULY, 1976

Max K. Wolfe
(Name of applicant)

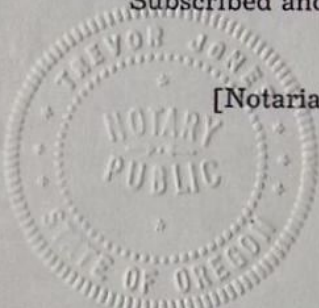
Subscribed and sworn to before me this 7 day of July, 1976

[Notarial Seal]

[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires Aug 11 1976

Remarks



THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.