

3957

Name US Bureau of Reclamation
 By Regional Director
 Address Federal Bldg & US Courthouse
550 West Fort St.
Boise, Idaho 83724

Change in P.O.D., Use
 Date filed MAY 11, 1978
 Date of hearing July 18, 1978
 Place of hearing Hillsboro
 ✓ Date of order 7-20-78 Vol. 31, page 65
 Date for application of water completed
 Proof mailed APR 3 1989
 Proof received _____
 Certificate issued JUN 12 1989 Vol. _____, page 61646

DESCRIPTION OF WATER RIGHT

Name of stream Sain Creek
 Trib. of _____ County of Washington
 Use _____
 Quantity of water _____ No. of acres _____
 Name of ditch Matteson
 Date of priority Nov 4, 1909
 In name of Rodell Matteson
 _____ Adjudication, Vol. _____, page _____
 App. No. 383 Per. No. 158 Cert. No. 726
 Certificate cancelled _____
 Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>5-11-78</u>	<u>1.00 -</u>	<u>2838</u>
TOTAL . . .		
	No Cert. Fee	
<u>The Times Publications \$39.50 pd 6/22/78 Ch# 2410</u>		

FEEES REFUNDED

Date	Amount	Check No.
<u>6-23-78</u>	<u>16 50</u>	<u>2411</u>
EX	<u>20 -</u>	
POD	<u>15 -</u>	
USE	<u>15 -</u>	
PON	<u>33 50</u>	
	<u>83 50</u>	

REMARKS

— finish —

W.R.I.S.

Assembled 6-9-85 by SP

Entered _____ by _____

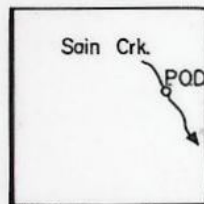
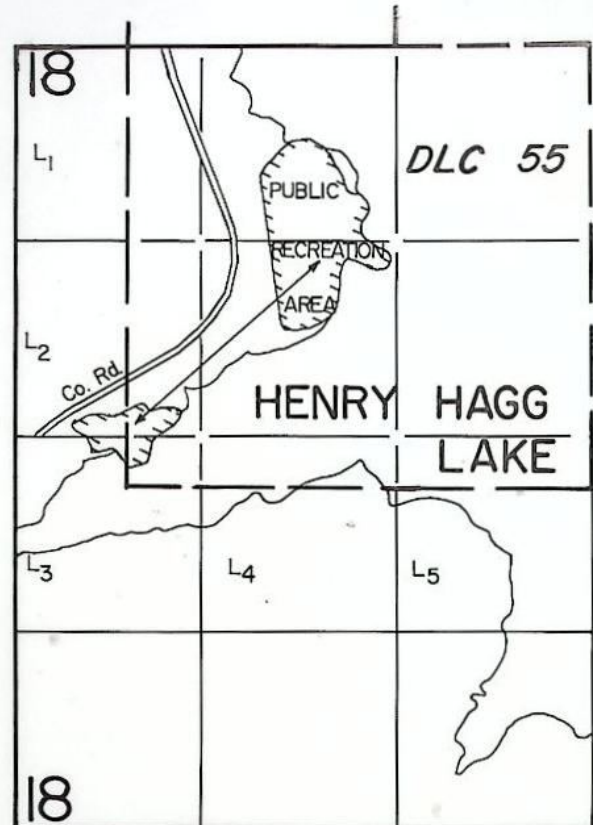
Verified _____ by _____

	INDEX CARDS:	
	Entered	Checked
TO BE ENTERED WHEN CHECKED		
✓ Name	<u>lg</u>	<u>lll</u>
✓ Stream	<u>lg</u>	<u>lll</u>
✓ Pt. & Div.	<u>lg</u>	<u>lll</u>
✓ Calendar	<u>lg</u>	<u>lll</u>
✓ Twp. & Rge.	<u>lg</u>	<u>lll</u>
✓ Dec. & vault	<u>lg</u>	<u>lll</u>
✓ Dec. & sale	<u>lg</u>	<u>lll</u>
✓ Cert. & W/R	<u>lg</u>	<u>lll</u>
✓ Per. order	<u>lg</u>	<u>lll</u>
✓ Chalk box	<u>lg</u>	<u>lll</u>
✓ Cross ref.	<u>lg</u>	<u>lll</u>
✓ Power Claim	<u>lg</u>	<u>lll</u>
✓ Abstracts	<u>lg</u>	<u>lll</u>

T.1 S., R. 4W., W.M.



T.1 S., R.5W., W.M.

 SEC. 14
 NW⁴ SW⁴

 P.O.D. Loc. : 560' S. &
 270' W. from E. 1/4
 Cor. Sec. 14.


Scale: 1" = 1320'

FINAL PROOF SURVEY

UNDER

Transfer 3957

Application No. Permit No.

IN NAME OF

U. S. BUREAU of RECLAMATION

Surveyed AUG. 29. 1988., by J. WARREN.....

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASHINGTON COUNTY

IN THE MATTER OF THE APPLICATION)
OF U.S. BUREAU OF RECLAMATION FOR)
APPROVAL OF CHANGES IN POINT OF)
DIVERSION AND USE OF WATER)

ORDER APPROVING
TRANSFER NO. 3957

On May 11, 1978, an application was filed in the office of the Water Resources Director by the United States of America, acting through the Regional Director of the Bureau of Reclamation, for approval of changes in point of diversion and use heretofore made of water from Sain Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 726, Volume 1, State Record of Water Right Certificates, in the name of Rodell Matteson, describes a right for the use of not to exceed 0.34 cubic foot per second from Sain Creek for irrigation of 19.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 8.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 1 South, Range 4 West, W.M., with a date of priority of November 4, 1909.

The authorized point of diversion for said right is located 250 feet South and 250 feet West from the Northeast Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 1 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described, is seeking approval of changes from the said point of diversion and use theretofore made, without loss of priority, to the existing use of the water for operation and maintenance of a public recreation area in NW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 7; and NW $\frac{1}{4}$ of Section 18, Township 1 South, Range 4 West, W.M., by diversion from a point located 210 feet South and 415 feet West from the Northeast Corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 1 South, Range 4 West, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Washington County News-Times, a newspaper printed and having general circulation in Washington County, Oregon, for a period of three weeks in the issues of May 24 and 31; and June 7, 1978.

Mr. Clayton Gardner, Watermaster, has filed a statement to the effect that the proposed changes in point of diversion and use heretofore made of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in point of diversion and 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 changes in point of diversion and use heretofore made of water, as described herein, without loss of priority, are approved.

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 under the subject right, and shall be limited to the irrigation season of each year.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed: -

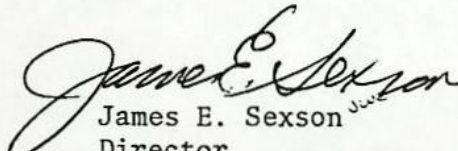
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the changes in point of diversion and use heretofore made of water are completed.

It is FURTHER ORDERED that the certificate of water right recorded at page 726, Volume 1, State Record of Water Right Certificates, is canceled; 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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 20th day of July, 1978.


James E. Sexson
Director

AFFIDAVIT OF PUBLICATION

RECEIVED

JUN 12 1978

STATE OF OREGON,
COUNTY OF WASHINGTON, }

ss.

WATER RESOURCES DEPT.
SALEM, OREGON

I, Paul McGilvra

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

of The News Times, a newspaper of general circulation, as defined
by ORS 193.010 and 193.020, published at Forest Grove, 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

May 24 & 31 and June 7, 1978

(Signature)

8th

Subscribed and sworn to before me this day of

June 1978.

Notary Public of Oregon

COMMISSION EXPIRES

My commission expires FEB. 16, 1982

NOTICE OF WATER RIGHT
TRANSFER APPLICATION NO. 3957

Notice is given hereby that an appli-
cation has been filed in the office of the
Water Resources Director by The United
States of America, acting through
the Regional Director of the Bureau of
Reclamation, for approval of changes
in point of diversion and use heretofore
made of water from Sain Creek, pursu-
ant to the provisions of ORS 540.510 to
540.530.

The certificate recorded at page 726,
Volume 1, State Record of Water Right
Certificates, in the name of Rodell Mat-
teson, describes a right for the use of
not to exceed 0.34 cubic foot per second
from Sain Creek for irrigation of 19.0
ac in SW $\frac{1}{4}$ NE $\frac{1}{4}$ & 8.0 ac in SE $\frac{1}{4}$ NW $\frac{1}{4}$
of Sec 18, T 1S, R 4W, WM, with a date
of priority of Nov. 4, 1909.

The authorized point of diversion for
said right is located 250 ft S & 250 ft
W from the NE Corner of the NW $\frac{1}{4}$
SW $\frac{1}{4}$ of Sec 18, being within the NW $\frac{1}{4}$
SW $\frac{1}{4}$ of Sec 18, T 1S, R 4W, WM.

The applicant herein, owner of the
lands above described, is seeking ap-
proval of changes from the said point
of diversion and use theretofore made,
without loss of priority, to the existing
use of the water for operation and
maintenance of a public recreation
area in NW $\frac{1}{4}$ SW $\frac{1}{4}$ & S $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec
7; and NW $\frac{1}{4}$ of Sec 18, T 1S, R 4W, WM,
by diversion from a point located 210
ft S & 415 ft W from the NE Corner
of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 14, being with-
in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 14, T 1S, R
5W, WM.

All persons interested are notified
hereby that a hearing will be held at
the county courthouse at Hillsboro,
Oregon, on July 18, 1978, 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 The USA, Bureau of
Reclamation, Federal Bldg & US Court-
house, 550 W. Fort St, Boise, ID 83724;
and one copy filed with the Water Re-
sources Department, Salem, OR 97310,
together with a \$10 filing fee, at least
10 days prior to the date set for hear-
ing. IF NO OBJECTIONS ARE FILED,
THE APPLICATION MAY BE AP-
PROVED BY THE WATER
RESOURCES DIRECTOR WITHOUT
A HEARING. Instructions regarding
the filing of a protest will be furnished
by the Water Resources Department
upon request.

Dated at Salem, Oregon this 17th day
of May, 1978.

James E. Sexson
Director

#2981 — Publish May 24, 31, June 7,
1978.