

4062 Mullen

4062

Name Arleta Lynn Mullen

By _____

Address 600 Horizon Hills Road
Williams, OR 97544Change in POUDate filed Oct. 4, 1978

Date of hearing _____

Place of hearing _____

Date of order 7-19-79 Vol. 32, page 286Date for application of water 10-1-80

Proof mailed _____

Proof received Right Lost Sp. V 37, p 507A

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Powell CreekTrib. of _____ County of Josephine

Use _____

Quantity of water _____ No. of acres _____

Name of ditch Blodgett DitchDate of priority 1860In name of B. F. BanksRogue River Adjudication, Vol. 4, page 27
Sec Transf. No C-181App. No. _____ Per. No. _____ Cert. No. 16336

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-4-78</u>	<u>30-</u>	<u>6527</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

PAID FOR C NOV 4 1980

W.R.I.S.

Assembled 7-5-85 by JK

Entered _____ by _____

Verified _____ by _____

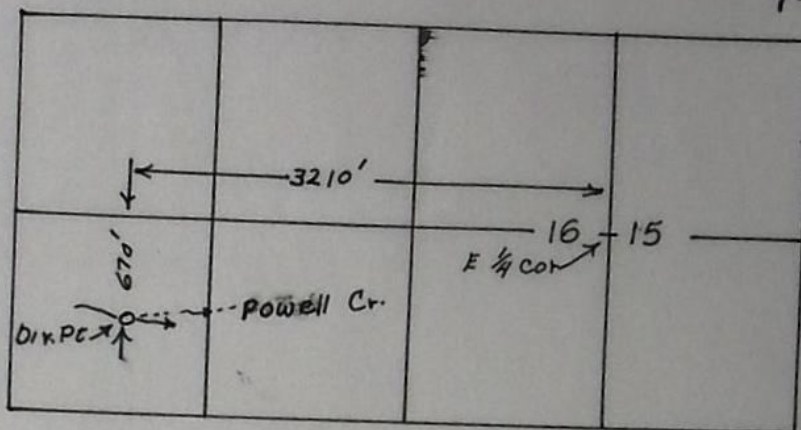
INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/> Name	_____	_____
<input checked="" type="checkbox"/> Stream	_____	_____
<input checked="" type="checkbox"/> Pt. of Div.	_____	_____
<input checked="" type="checkbox"/> Calendar	<u>lg</u>	_____
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/>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

545

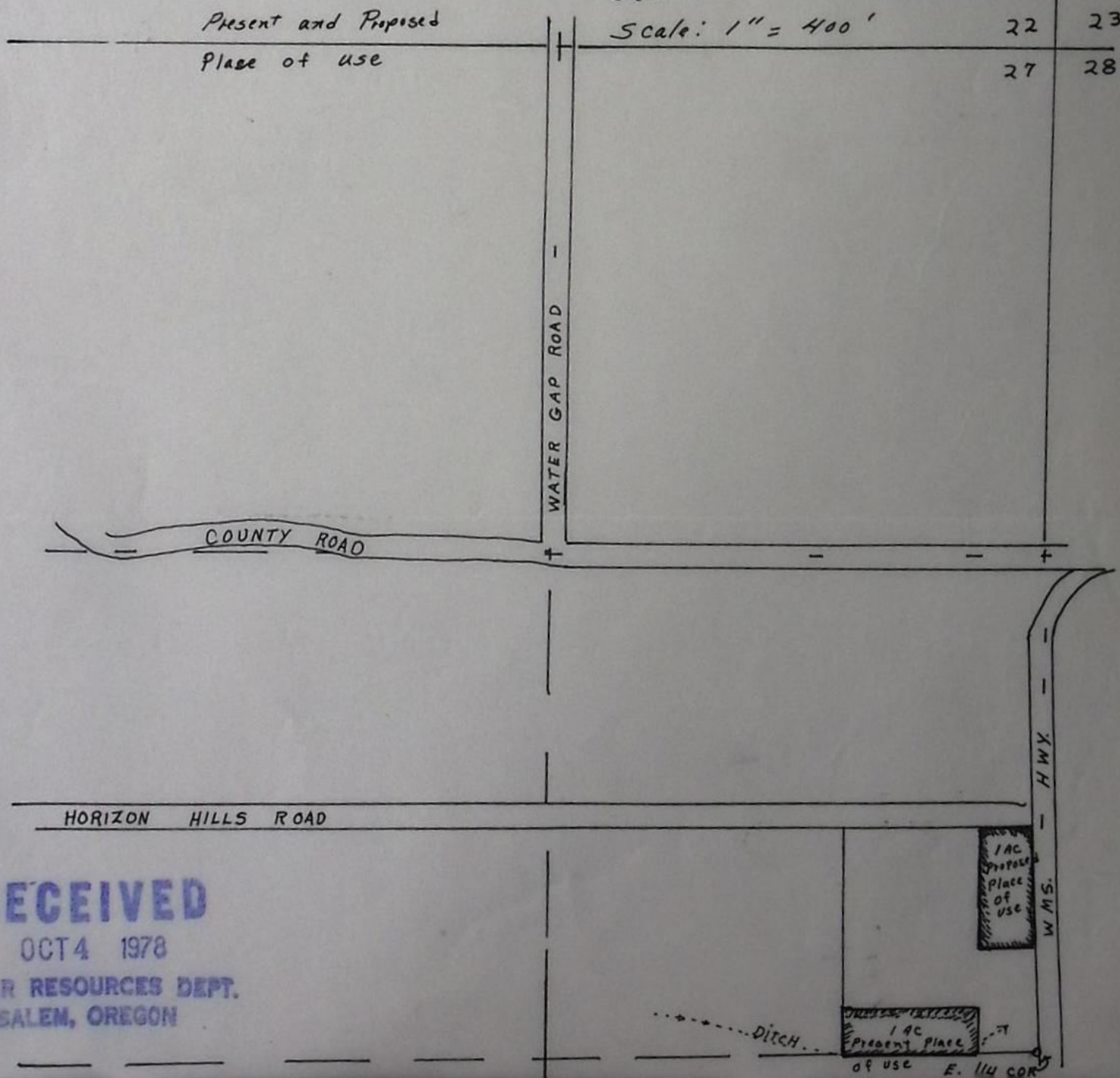
T-4062

T. 385.
R. 5 W. W. M.
Sec 16
Scale: 4" = 1 mi

Diversion Point
for Blodgett Ditch
(Per final Proof on
C-181 done by
L.E. Gould 9-11-75)



Twp. 385., R. 5 W. W. M.
Sec. 27 Josephine County
Scale: 1" = 400'



RECEIVED

OCT 4 1978

WATER RESOURCES DEPT.
SALEM, OREGON

POWELL CR → WILLIAMS CR

WR T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

PAGE 1
 RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. T000040621 PERMIT NO. 004 027 CERTIF. NO.
 ORIG. NO. C000163361 PREV. NO. T0000C1311 SUPER. NO.

NAME: ARLETA LYNN MULLEN

ADDRESS: 600 HORIZON HILLS RD

CITY/STATE/ZIP/COUNTY: WILLIAMS, OR 97544 17

STREAM-ID 15 1680 1540 0340 020

RIV. MI.

WM. DIST. 14 W.R. TYPE SC STATUS V

CANCEL YEAR----	CONSTR. COMPLT-->	YR. LAST USED----->	NEXT ACTION DUE-->
PRIORITY-----> 12 31 1860	PUT TO USE----->	LAST TRANS. DATE-->	LAST TRANS. TYPE-->
APPLICATION--> 10 04 1978	SURVEYED-----> 08 04 1983	EXAM. FEE-----> 20.00	RECORDING FEE-----> 10.00
PERMIT ISSUE--> 07 19 1979	CONCURRENCE----->	CYCLE STATUS----->	REPORTED FLAG----->
CONSTR. STRT.--> 07 19 1979	CERTIFIED----->	CORRES. INIT.----->	CORRES. DATE----->

POINT-OF-DIVERSION DATA:
 TWP/SP RNGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

3805 050W 16 C A 15 1680 1540 0340 020

0.013

C P

** REMARKS; ----->
 ** DATED-->

** POP: 670'S & 3210'W FM E 1/4
 ** COR S 16. CHANGES POV PART
 ** OF C-16336 (C-171). RIGHT

** LOST SP OR V37, P507A

PLACE-OF-USE DATA:

TWP/SP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES

STATUS S OR P

3805 050W 27 A D 17 1R 100 1.00

C P

** ----->
 ** ----->
 ** ----->

W.R.I.S.

Assembled 4-5-85 by SGA
 Entered _____ by _____
 Verified _____ by _____

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF ARLETA LYNN MULLEN FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM POWELL CREEK)
- - - - -

ORDER APPROVING
TRANSFER NO. 4062

On October 4, 1978, an application was filed in the office of the Water Resources Director by Arleta Lynn Mullen for approval of a change in place of use of water from Powell Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By performance under the provisions of an order of the State Engineer entered January 3, 1968, a portion of the water right previously described by the certificate recorded at page 16336, Volume 13, State Record of Water Right Certificates, now exists for use of not to exceed 0.013 cubic foot per second of water from Powell Creek for irrigation of a certain 1.0 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 38 South, Range 5 West, W.M., with a date of priority of 1860.

The authorized point of diversion for said right is located 670 feet South and 3210 feet West from the East Quarter Corner of Section 16, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 38 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain other 1.0 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 38 South, Range 5 West, W.M.

Mr. Robert B. Steimer, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objections 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, as described herein, without loss of priority, is approved.

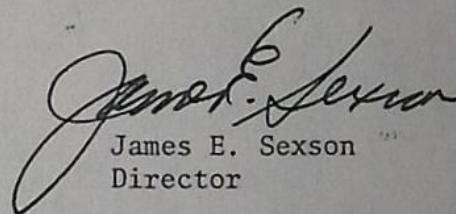
It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

The order of the State Engineer entered January 3, 1968, approving transfer

application No. C-181, provided for cancellation of the certificate recorded at page 16336, Volume 13, State Record of Water Right Certificates, and issuance of new certificates covering the balance of the right NOT involved in that transfer proceeding and confirming the extent to which the water has been applied beneficially under the terms of said order.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered January 3, 1968, approving transfer application No. C-181; and upon receipt of 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 19th day of July, 1979.



James E. Sexson
Director

	SW 1/4 NE 1/4	SE 1/4 NE 1/4	SE NW 1/4
Joe Mullen	1.5		0.2
Noel Manchester			9.0
Darrie A. Bighaus	1.8	0.2	
W. Coast Window Co.		3.5	
Vincent J. Capitani	1.4		
Roy Henry	3.0		
Marjorie S. Cedarwall		9.9	
Gordon Shoemaker		4.0	
Philip J. Cedarwall	2.2		
Miles Bighaus	3.0		
Earle Henry	2.4	0.6	
Andrew Jay & Maria Biggs		1.4	
	15.3	19.6	9.2

Transfer 4062 1.0 ac
(0.013 cfs)

15.3
19.6
9.2
44.1 = (0.552 cfs)

1.0

0.013

T.38S. R.5W. W.M.

Diagram illustrating a surveying layout with a ditch and a division point.

- A horizontal line segment is labeled $3210'$.
- A vertical line segment is labeled $670'$.
- A point is labeled *Div. Pt.* (Division Point) with a small circle.
- A line segment is labeled *E. 1/4 Cor.* (East 1/4 Corner) and connects to a point labeled **16** and **15**.
- A line segment is labeled *Ditch* and connects to the *Div. Pt.*

27 26

State Hwy

Phillip Cederwall

Niles Bighaus

Dan Bighaus

Mrs. L. O. Cederwall

Mr. Biggs

Joe Mullen

Ditch 18.T.

Ditch 18.T.

Ditch 18.T.

Ditch 18.T.

Ditch 18.T.

Darrel Trojahn

Bergeran

John Ekholm

Roy Henry

Earl Henry

Searcy

Mr. Shacsmith

Lynn Hergert

Private Road


SE $\frac{1}{4}$ NW $\frac{1}{4}$

π
0.2
0.1
0.9
4.5
3.5
<hr/> 9.2

See PTS 1974-14-A
for not used b6 b7c

FINAL PROOF SURVEY

UNDER

Sprinkling 
Flooding

TRANSFER No. C-181

Application No. _____ Permit No. _____

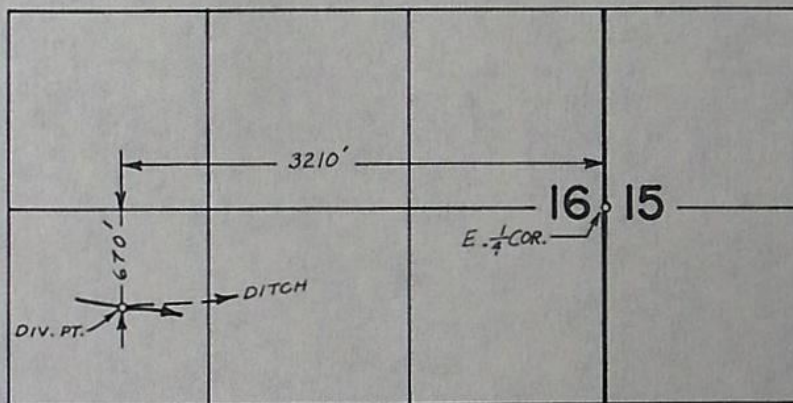
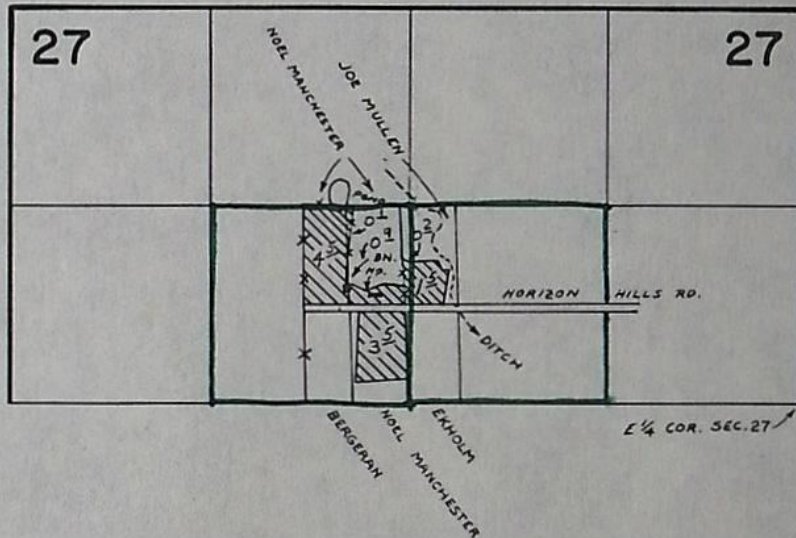
IN NAME OF

ESTATE OF L. O. CEDERWALL

Surveyed Sept. 11, 1975, by L. E. Gould

Map II

T. 38 S., R. 5 W., W.M.



**FINAL PROOF SURVEY
UNDER**

Transfer No. C-181
Application No. Permit No.
IN NAME OF

ESTATE OF L. O. CEDERWALL

Surveyed MAR. 30 1979, by B. SUND

See PTS 1975-41
for other lots

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN: PO

POD
POU
USE
Add'1 POD

Transfer No. 4062

County

Old Certificate No. 16336 (C-181)

1. Name Arleta Lynn Muller

Address 600 Horizon Hills Rd, Williams, OR 97544 ^{14533 NM. HICK}

2. Source of Supply Powell Cr., Trib of Williams Cr.

3. Use $m / 1^{\circ} ac$

4. Amount of Water 0.013 cfs

5. Priority Date 1860

6. Proposed Point of Diversion

7. Completion Date 10-1-80

8. Place of Use:

[illegible]

TR. NO. 4062

INFO: TALKED TO MR. MULLEN, 600 HORIZON HILL RD.,
HE SOLD PROPERTY WITH WATER RIGHT IN 1979.
TALKED TO KENNETH QUIDING, 19560 WILLIAMS HWY,
TAX LOT 316, PROPERTY WHERE PROPOSED PLACE OF USE
IS LOCATED. KENNETH QUIDING BOUGHT PROPERTY
IN SUMMER 1979 FROM MULLEN. MR. QUIDING WAS
AWARE OF THE WATER RIGHT FROM THE DITCH.
MR. QUIDING HAS NEVER USED ANY WATER FROM
THE DITCH AND STATED HE WOULD NOT BE IN THE
FUTURE. HE SAID HE HAS A VERY ADEQUATE WELL SUPPLY
FOR ALL OF HIS IRRIGATION NEEDS.

B. Dugli-James

WATER RIGHTS EXAMINER

8-4-83

RECEIVED

AUG 8 1983

**WATER RESOURCES DEPT.
SALEM, OREGON**

RECEIVED

NOV 18 1980

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

PURSUANT TO TRANSFER APPLICATION NO. T-4062

I, Arlita Lynn Muelen, hereby certify that completion of works and use of water to the extent intended within the provisions of the order of the Water Resources Director approving said water right transfer application was accomplished by Sept. 30, 1980.

Nov 16, 1980
Date

Arlita Lynn Muelen
Signature

OK
Fij

(Mail to the Water Resources Department, Salem, Oregon 97310.)

600 Horizon Hills Rd
Williams, OR 97544

OCT 4 1978

RECEIVED

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Arleta Lynn Mullen (formerly Lynn Hergert)
(Name of applicant)
of 600 Horizon Hills Road, Williams
(Mailing address) (City)
State of Oregon, 97544, 846-6148, do hereby make application for change
(Zip Code) (Phone number)
Place of use
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? no - B. F. Banks
(If not, give name)
2. Was your water right determined by Decree of Court? yes If so, give title of proceedings
(Yes or No) Rogue River Decree
number of certificate 16336 (Tr C-181)
3. Was your water right acquired by Water Right Permit? If so, give number
(Yes or No)
of permit Number of certificate

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Powell Creek
5. What is the date of priority of your water right? 1860
6. The authorized point of diversion is located 670 ft. S and 3210 ft. W from the E $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of Sec. 16 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16 Tp. 38 S. 5 W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Josephine The name of the ditch used is Blodgett

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the $\frac{1}{4}$ $\frac{1}{4}$ of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of The name of the ditch to be used is

8. The use to which the water is applied is irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
38 S	5 W	27	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? no
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
38 S	5 W	27	SE $\frac{1}{4}$ NE $\frac{1}{4}$	1

(If more space required, attach separate sheet)

Permit No. _____

Transfer No. C-181

County Josephine

PROOF OF APPROPRIATION OF WATER

1. Name - Marjorie S. Cederwall 2. Address - c/o Alan L. Cederwall
19355 Williams Hwy.
Williams, OR 97544
3. Source of Supply - Powers Creek Powell Creek
Tributary of Williams Creek
4. Amount of Water - 0.12 cubic foot per second 5. Priority date 1860
6. Use - irrigation of 9.9 acres
7. Location of point of diversion - NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, T. 38 S., R. 5 W.,
W. M., 670 feet South and 3210 feet West from the E $\frac{1}{4}$ Corner of Section 16.

8. The description of land given below and as shown on the attached map correspond to that found to be irrigated:

9.9 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27
T. 38 S., R. 5 W., W. M.

T-4062 APPU
- 1.0 Ac (in Lot 5)

I have sold this property. On the attached map, I have outlined in red the property which I sold to Mr. Biggs, 6897 Estrella Ave., San Diego, California 92120; I have outlined in blue the property which I sold to Lynn Hergert, 19360 Williams Highway, Williams, Oregon 97544. Would you please issue the certificates accordingly.

RECEIVED
NOV 17 1976
WATER RESOURCES DEPT
SALEM, OREGON

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of place of use _____ approved by the order of the State Engineer entered January 3, 1968; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 15 day of November, 1976.

Marjorie S. Cederwall
Legal owner of the above described lands
Marjorie S. Cedarwall

14. Reasons for the proposed changes are dividing property, want to have
water right on both parcels

15. Construction work will be completed on or before October 1, 1979

16. The water will be completely applied to the proposed use on or before October 1, 1980

Remarks _____

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, Arleta Lynn Mullen, 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 29 day of September, 1978.

Arleta Lynn Mullen
(Name of applicant)

Subscribed and sworn to before me this 29 day of September, 1978.

[Notarial Seal]

Dee J. Campbell
NOTARY PUBLIC FOR OREGON

My commission expires March 20, 1981





STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: October 12, 1978.FROM: ** Robert B. Steimer, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4062IN THE NAME OF Arleta Lynn Mullen**RECEIVED**

OCT 17 1978

WATER RESOURCES DEPT.
SALEM, OREGON

In my opinion the proposed change in place of use from Powell Creek
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY~~* to an existing water right.

Headgate notices HAVE ~~HAVE NOT~~ been issued for diversion from the sources which
serves this right.

If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? NA
(yes or no)

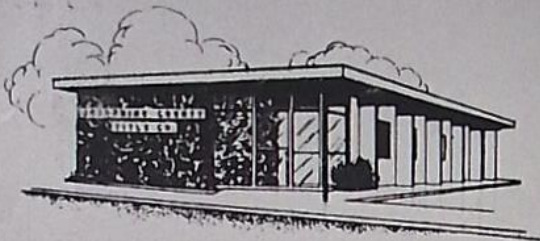
In my opinion, the order approving the subject transfer application should include
the following in regard to the appropriator installing suitable measuring devices
in the diversion works:

- ____ (1) PRIOR to the diverting of water at the new point of diversion . . .
____ (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water
rights because _____

**

BBS
Watermaster's signature or initials



T-4062
GRANTS PASS: 476-6884
CAVE JCT: 592-2131

JOSEPHINE COUNTY TITLE CO.

TITLE INSURANCE - ESCROWS
507 N. E. SIXTH STREET • P. O. BOX 71 • GRANTS PASS, OREGON 97526

April 3, 1978

DESCRIPTION FOR ARLETA LYNN FISHER
formerly Arleta Lynn Hergert

PARCEL I:

A parcel of land located in the South Half of the Northeast Quarter of Section 27, Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon, described as follows:

Commencing at the Southwest Corner of the Northeast Quarter of said Section 27; thence North $0^{\circ} 32'$ West, 615 feet to the South right of way line of Horizon Hills Road; thence along said right of way line, South $89^{\circ} 54' 23''$ East, 2124.90 feet to an iron pipe which is the true point of beginning; thence continue along said right of way line, South $89^{\circ} 54' 23''$ East, 354.15 feet to an iron pipe; thence South $0^{\circ} 32'$ East, 615 feet, more or less, to the South line of the Northeast Quarter of said Section; thence North $89^{\circ} 54' 23''$ West along said line, 354.15 feet to a point South $0^{\circ} 32'$ East of the true point of beginning; thence North $0^{\circ} 32'$ West, 615.0 feet to the true point of beginning.

PARCEL II:

A parcel of land located in the South Half of the Northeast Quarter of Section 27, Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon, described as follows:

Commencing at the Southwest Corner of the Northeast Quarter of said Section 27; thence North $0^{\circ} 32'$ West, 615 feet to the South right of way line of Horizon Hills Road; thence along said right of way line, South $89^{\circ} 54' 23''$ East, 2479.05 feet to an iron pipe which is the true point of beginning; thence continue South $89^{\circ} 54' 23''$ East, 151.22 feet to an iron pipe on the Westerly right of way line of Williams Highway; thence South $1^{\circ} 58'$ East along said right of way line, 615.0 feet, more or less, to the South line of the Northeast Quarter of said Section; thence North $89^{\circ} 54' 23''$ West along said line, 173.37 feet to a point South $0^{\circ} 32'$ East of the true point of beginning; thence North $0^{\circ} 32'$ West 615.0 feet to the true point of beginning.

38-5-27 TL 315 Code Nos. 5 & 6

PHT/slh

RECEIVED

OCT 4 1978

WATER RESOURCES DEPT.
SALEM, OREGON