

STATUS OF APPLICATION

DESCRIPTION OF WATER RIGHT

FEES PAID

Change in point of diversion
 Date filed 1-16-76
 Date of hearing 3-25-76
 Place of hearing Tillamook
 Date of order 4-6-76 Vol. 27, page 80
 Date for application of water 4-6-76 ~~10-1-77~~ ~~10-1-78~~
 Proof mailed _____
 Proof received _____
 Certificate issued AUG 30 1976 Vol. 35, page 43618
AUG 30 1976 V. 35 p. 43619

Name of stream Tualatin R.
 Trib. of _____ County of Washington
 Use irrigation
 Quantity of water _____ No. of acres 13.9
 Name of ditch _____
 Date of priority March 14, 1941 & April 21, 1952
 In name of Ira Mulleburg
 Adjudication, Vol. _____, page _____
 App. No. 19209 Per. No. 14802 Cert. No. 15125
27101 21325 23594
 Certificate cancelled _____

Date	Amount	Receipt No.
1-16-76	35.00	51095
1-16-76	4500 p.o.n.	51096
TOTAL . . .		
3-30-76	\$8.00 Cert. Fee	51096

FEES REFUNDED

Date	Amount	Check No.
3-30-76	\$6.67	471

Notation made on record by _____
5-23-90

Adverse Report 7/30/85

REMARKS

No proof made for change in point of diversion -
this should be considered as a right of use
that has undergone 5 or more successful years
non-use.

TO BE ENTERED IN INDEX CARDS	INDEX CARDS:	
	Entered	Checked
<u>WA</u> Name	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WA</u> Stream	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WA</u> Pt. of Div.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>WA</u> Calendar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHECKED TO INDEX		
<input checked="" type="checkbox"/> Top & Bottom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> D. System	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Inflow	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Gov. of W/2(2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Pt. of Div.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Chain Index	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Cross Ref.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Power Claim	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Abstracts	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1983



Resurvey

*

Contact Owners of land.

Mr. Noles stated Tony Amstad Amstad farms, Sherwood has irrigated land.

2
2" POC
POD
USED
OLD
ONE

Also contact Sheperd's in portland OR J & J Farms in Junction city.

See attached tax statement.

★ 7/27/88

POSSIBLE LAND SALE
MIGHT CONVEY LAND TO
ONE OWNER ORIGINAL P.O.D.

[Signature]
9-7-85

Adverse Report

00100

MAILING ADDRESS-----
ES, OMAR J JR AND
TONG JA
ROUTE 1 BOX 916A
BEAVERTON OR 97005
0000

-----LEGAL DESCRIPTION-----
#LNP31205 17973 002
SENIOR CITIZENS DEFERRAL
1.42AC
FARM ZONE SUBJECT TO PENALTY
ZONING VIOLATION

CTY	TDS	039-02	KEY	565800
PCA 5023	PCS	00	YR 77	PARENT 0
MAP NOOPR	AREA	2823	JV 20340	MTG 2250
SP1	SP2		SP3	
UT1	UT2		50 FT	
AYB	EYB		OBS	CONST
LAND	500	IMP		OTHER
TRUE MKT	500	REA R		CLASSIFIED
ASD LND	500	ASD	IMP	ASD OTH
DESCRIPTION	TAX YR	CURRENT	EXEMPT	TAXABLE
TAXABLE	500	500		500

UT1
UT2
SP1
SP2
SP3

82

RECEIVED
AUG 20 1985
WATER RESOURCES DEPT
SALEM, OREGON

CH
44
3

left

25213 00104

916A BE ROUTE 1

CTY TDS 039-02

KEY 565828

MAILING ADDRESS

PCA 5023

PCS 00

YR 77

PARENT

0

ES, OMAR J JR AND

MAP NOOPR

AREA 2523

JV 96065

MTG 2250

ONG JA

SP1

SP2

SP3

ROUTE 1 BOX 916A

UT1

UT2

SQ FT 1008

BEAVERTON

OR 97005

AYB 1977

EYB 1977

OBS

CONST

0000

LAND

22700

IMP

44300 OTHER

LEGAL DESCRIPTION

TRUE MKT

67000

REA R

CLASSIFIED

#LNP31205 17973 001

ASD LND

22700

ASD IMP

44300 ASD OTH

38.20AC

DESCRIPTION

TAX YR

CURRENT

EXEMPT

TAXABLE

FARMZONE SUBJECT TO PENALTY

TAXABLE

64000

67000

67000

UT1

UT2

SP1

SP2

SP3

CHG FR ONO

00

41104
239
TAX

+

5213 00105

CTY TDS 039-02 KEY 565837

-----MAILING ADDRESS-----
 SHEPHERD, JAMES C AND ELIA PCA 5023 PCS 00 YR 77 PARENT 0
 SHEPHERD, JOHN P MAP NO0PR AREA 2S23 JV 20341 MTG 0000
 2014 NE 48TH SP1 SP2 SP3
 PORTLAND OR 97213 UT1 UT2 SQ FT
 0000 AYS EYB OBS CONST
 LAND 7000 IMP OTHER

249-8793

-----LEGAL DESCRIPTION-----
 FARMZONE SUBJECT TO PENALTY TRUE MKT 7000 REA R CLASSIFIED
 28.16 AC ASD LND 7000 ASD IMP ASD OTH
 ZONING VIOLATION TAXABLE 6400 7000 TAXABLE 7000

Handwritten notes and stamps, possibly including '106-3027' and '5/10/77'.

4

Adverse Report

4

Report

278 0W
178-164A

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN: POD
POU
USE
Add'l POD

Transfer NO. 3350

County Washington

Old Certificate NO. 1. 15125 2. 23594

DR. NOYES ^{CATTLE CO} RT. #1 Box 16A
BEAUFORTON, OR

1. Name * Darrell C. Shepherd
Address 745 Birch St, Junction City, 97448 97007

Di. 174E
NOYES
OWNER
CHANGING
159-0230

2. Source of Supply Jualatin River, Trib of Was

3. Use irrigation

4. Amount of Water 1. 0.53 cfs 2. 0.67 cfs Priority Date 1. 3-14-41 2. 4-21-52

5. Proposed Point of Diversion 2280ft S + 79ft E from NW cor of Sec 13,
w/ SW NW, Sec 13, T 2S, R 2W, WM

6. Completion Date extended to 10-1-78

7. Place of Use: SW NW

1982
LAST USED
NEW P.O.R

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
25	2W	13	SW NW	
NOLE	33 A.			
SHEPARD	-20			

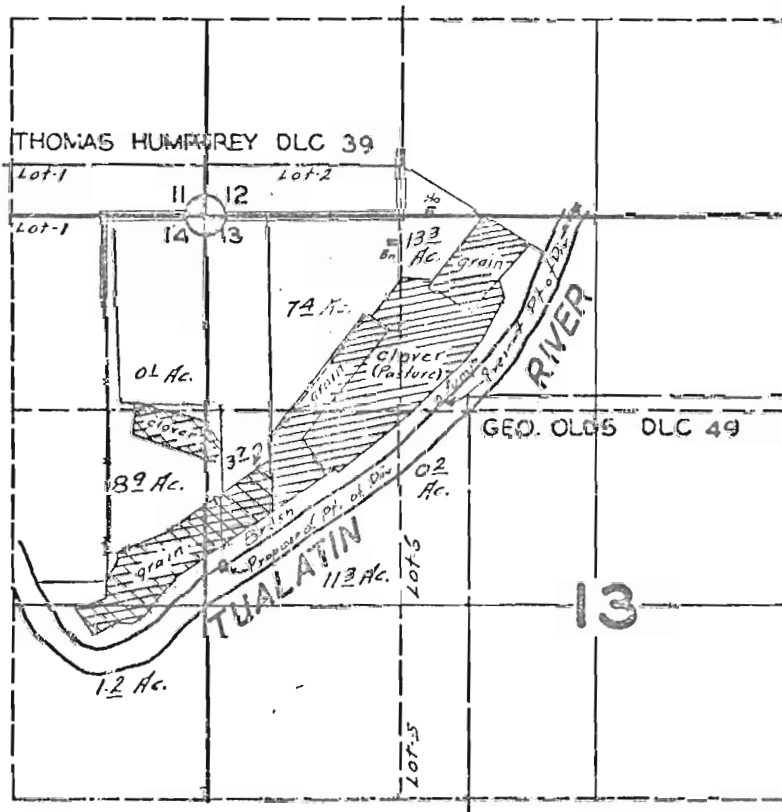
Adverse Report
7/30/85 amw

Adverse Report
7/12/89 amw

* new owner
(applicant: Rickard C. Schroeder)

T.2S. R.2W. W.M.

T-3350



FINAL PROOF SURVEY
UNDER

Application No. 19209 Permit No. 14802

IN NAME OF

IRA MULLENBURG

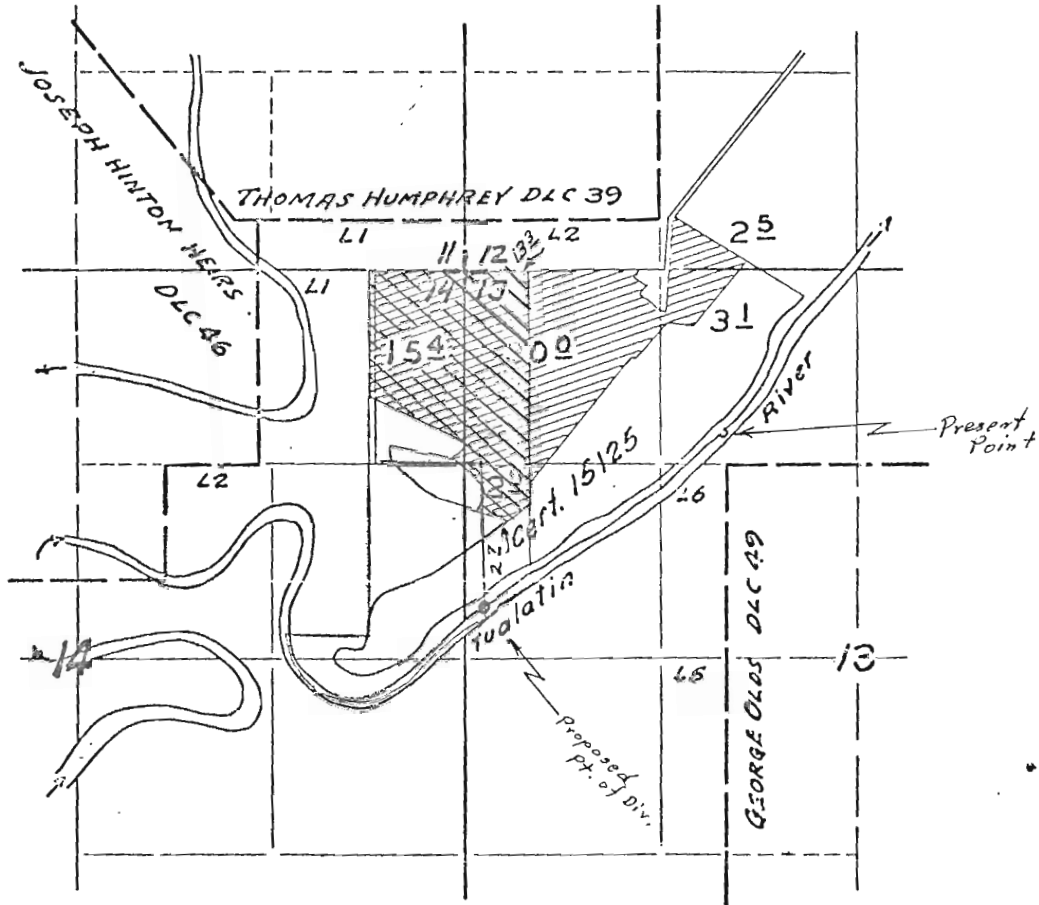
Surveyed AUG. 22 1944 by *[Signature]*

RECEIVED
JAN 16 1976
WATER RESOURCES DEPT.
SALEM, OREGON

APP. DATE
42.4 ACRES
MARCH 14, 1941

T. 2 S., R. 2 W., W.M.

T-3350



**FINAL PROOF SURVEY
UNDER**

Application No. 27101.. Permit No. 21325
IN NAME OF

.....IRA MUILENBURG.....

Surveyed 5 .. 8. 1956, by M. BISH.....

JAN 10 1970
WATER RESOURCES DIVISION
SALMON, OREGON

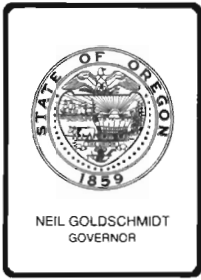
APP. DATE
53.8 AC.
APRIL 21, 1952

INFO: Jim Claymore, works for Dr. Omar Nokes Jr.,
the new owner. They have lived here 5 years
and never have irrigated. Dr. Nokes can be
reached at 639-0488, his clinic in Beaverton.
No equipment on place and plant only
dwarfed grass for cows.

Adverse Report
Thompson M. Warren
7/30/85 W.R.E.

INFO: JOHN Shepherd, son of Danell. Says land is
in the process of being conveyed all back to Dr. Nokes
at this time and his intention is to irrigate from
the original P.O.D. as Tony Amstad did when
he formed the place (portion owned by Nokes). Shepherd
states that only time they used the applied for P.O.D.
new location was in 1982 and Dr. Nokes intentions
are to use the original P.O.D. when he irrigates
again.

Adverse Report
Thompson M. Warren
W.R.E. 7/2/89



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

RECEIVED
MAR 13 1990
WATER RESOURCES DEPT.
PHONE 378-8455

March 6, 1990

Washington County Assessor's Office
Donald W. Mason
Hillsboro, OR 97123

Reference: Transfer File 3350

Dear Mr. Mason:

Could you please provide this office with the name and address of the current owner of the land shown on the enclosed map print.

Your assistance is appreciated.

Sincerely,

Janet L. Halladey

Janet L. Halladey
Field Operations Section

Enclosure

Deed:

252 13 104 — OMAR J. MOLES JR. + Yong JA
Rt. 1 Box 916A.
BUTTEVILLE, ORE 97005

Request owner
name & address
from Wash. Co.
Assessor office.

105 — Deed:

Shepherd, JAMES C. + ELIA Y₄ Int
Shepherd, JAMES C. Y₄ Int
Shepherd, JOHN P Y₂ Int
2014 N.E 48th PORTLAND, ORE 97213

Contract:

MOLES, OMAR J. JR.

RECEIVED

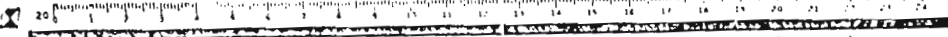
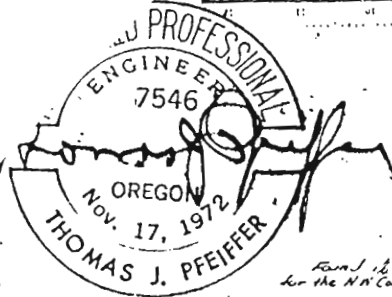
AUG 20 1985

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAR 13 1990

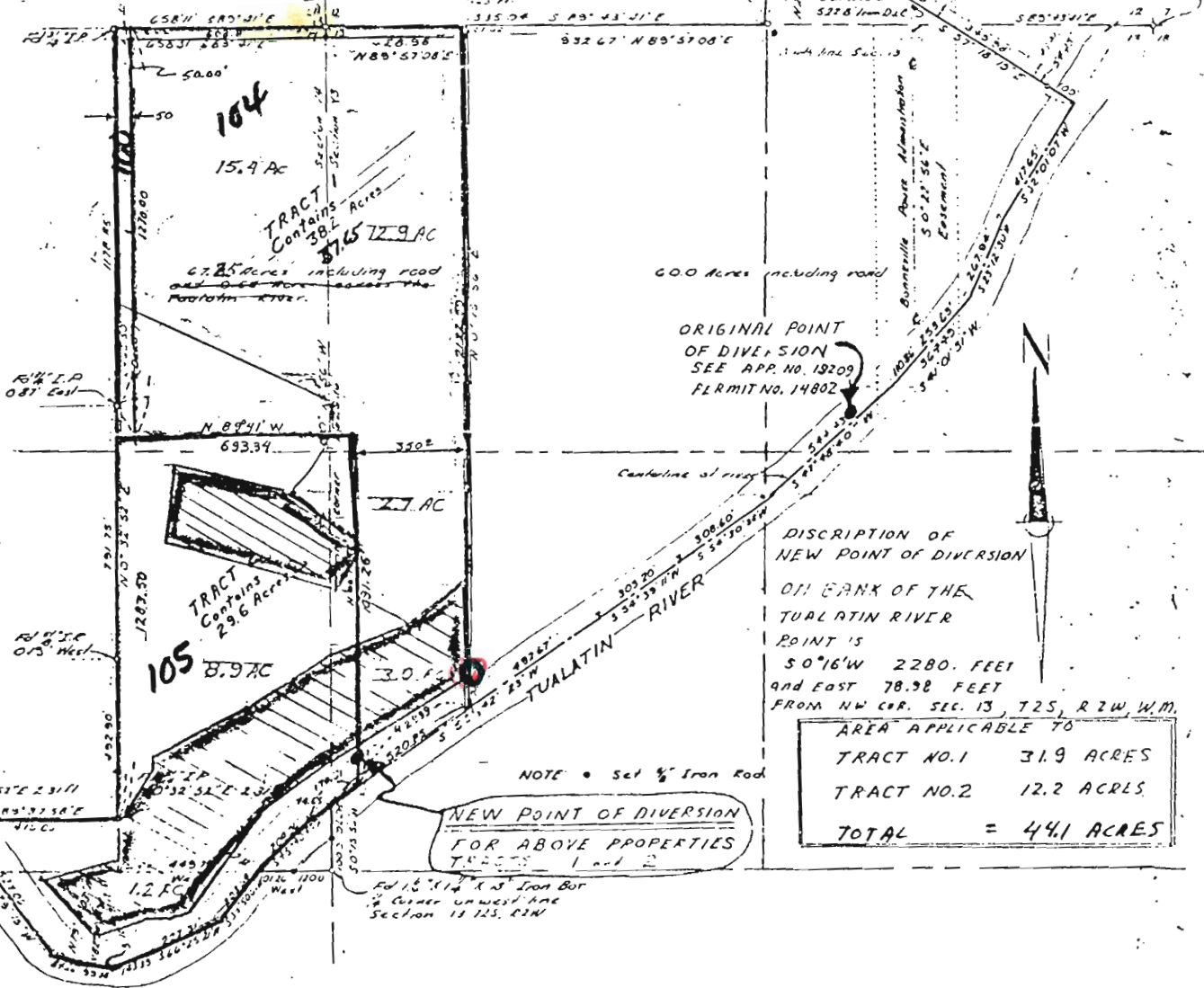
WATER RES
SALEM



Note: Set 1/2" Iron Rod in the SE Corner of the MUILENBERG TRACT...
Note: Angle point in the north R/W line on C.R. 128 is N 57° 08' E...
Note: Set 1/2" Iron Rod in the NW Corner of Section 12, T2S, R2W, W.M.

Found 1/2" Iron Rod in the NW Corner Sec. 13

Found 1/2" Iron Rod in the NW Corner Sec. 13



ORIGINAL POINT OF DIVERSION
SEE APP. NO. 19209
PERMIT NO. 14802

DISCUSSION OF
NEW POINT OF DIVERSION
ON BANK OF THE
TUALATIN RIVER
POINT IS
50°16'W 2280. FEET
AND EAST 78.98 FEET
FROM NW COR. SEC. 13, T2S, R2W, W.M.

AREA APPLICABLE TO	
TRACT NO. 1	31.9 ACRES
TRACT NO. 2	12.2 ACRES
TOTAL	= 44.1 ACRES

NEW POINT OF DIVERSION
FOR ABOVE PROPERTIES
TRACTS 1 and 2

NOTE • Set 1/2" Iron Rod

Set 1/2" Iron Rod in the NW Corner of west line Section 12, T2S, R2W

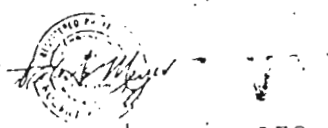
AREA APPLICABLE TO ABOVE PROPERTY BY FINAL PROOF SURVEY I.P.R. NO. 77101, PERMIT NO. 11725 AREA = 31 ACRES

AREA APPLICABLE TO ABOVE PROPERTY BY FINAL PROOF SURVEY I.P.R. NO. 19209, PERMIT NO. 14802 AREA = 13.1 ACRES

TOTAL = 44.1 ACRES

PROPERTY SURVEY of THE MUILENBERG TRACT IN SECTIONS 12, 13, 14, T2S, R2W, W.M. WASHINGTON COUNTY, OREGON APRIL, 1963 Scale = 1" = 200' REDUCED

WALTER W. WYER
CARTOGRAPHER
NOV 1975
for Daniel Sheehy



JAN 10 1976

WATER RESOURCES DEPT
SALEM, OREGON

295-659

February 21, 1990

Darrell C. Shepherd
745 Birch Street
Junction City, Oregon 97448

Dear Mr. Shepherd:

REFERENCE: File T-3350

Our field inspector's report of use under the terms of this transfer order states that the new point of diversion was not used within the time limits allowed. Since the change in point of diversion was not made, another transfer must be filed with this office to transfer the point of diversion back to the original.

If the water has not been used beneficially for any period of five successive years the right is no longer valid and will need to be cancelled. We will prepare a cancellation affidavit upon request.

We have enclosed the necessary form and information needed to file a transfer to return to the original point of diversion.

We will withhold action on this transfer for a period of 60 days from the date of this letter awaiting your response.

Sincerely,

Bruce A. Estes, PLS, CWRE
Senior Water Rights Specialist

cc: Gene McGinnis, Watermaster, District #2
Dr. Noles Cattle Company

BE/jw

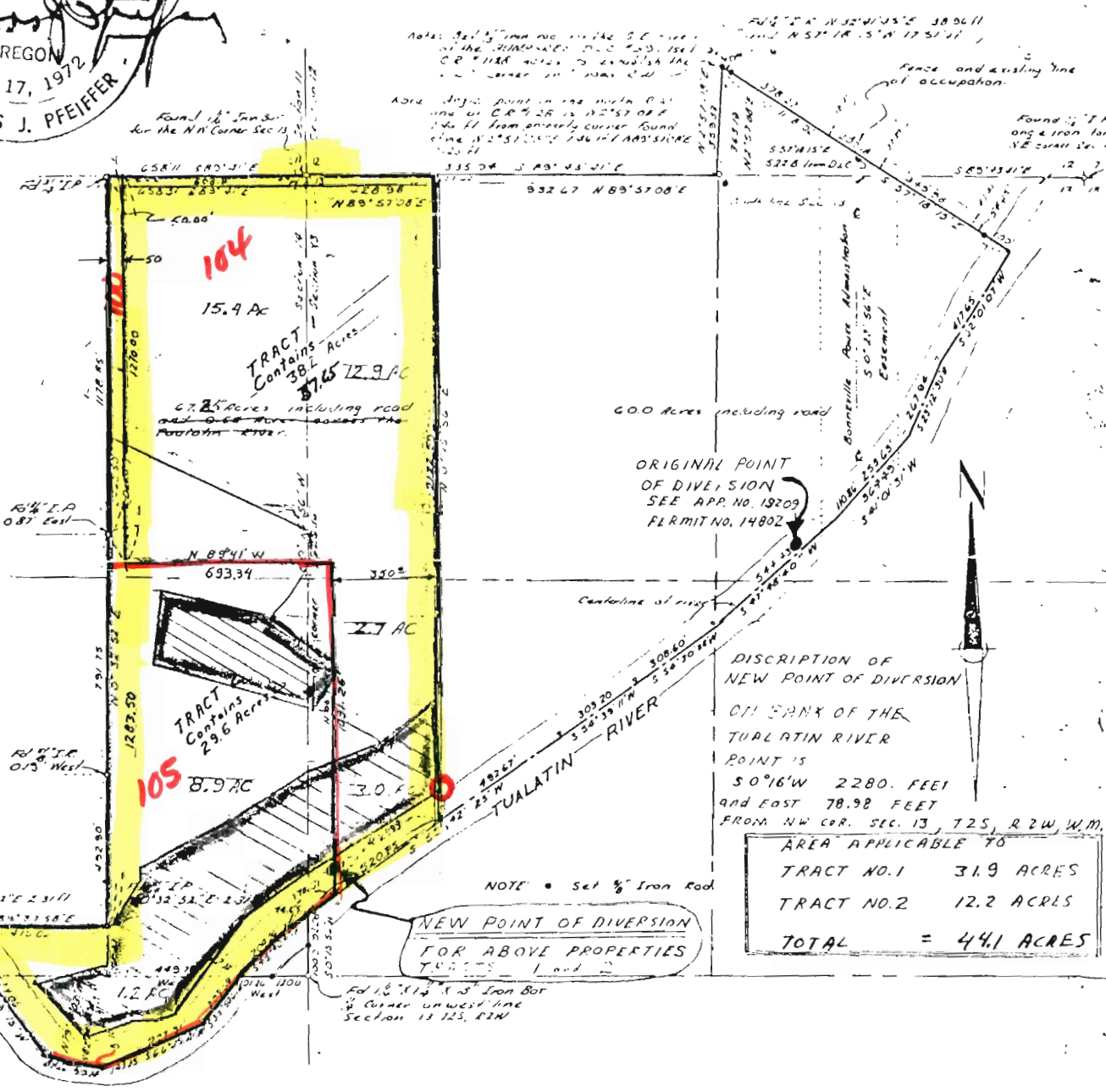
RECEIVED

AUG 27 1985

WATER RESOURCES DEPT
SALEM, OREGON



REGISTERED PROFESSIONAL
ENGINEER
7546
Thomas J. Pfeiffer
OREGON
Nov. 17, 1972
THOMAS J. PFEIFFER



DISCUSSION OF NEW POINT OF DIVERSION ON BANK OF THE TUALATIN RIVER POINT IS 50°16'W 2280. FEET and EAST 78.98 FEET FROM NW COR. SEC. 13, T2S, R2W, W.M.

AREA APPLICABLE TO	
TRACT NO.1	31.9 ACRES
TRACT NO.2	12.2 ACRES
TOTAL	= 44.1 ACRES

AREA APPLICABLE TO ABOVE PROPERTY BY FINAL PROOF SURVEY REF. NO. 77101; PERMIT NO. 21725 AREA = 31 ACRES

AREA APPLICABLE TO ABOVE PROPERTY BY FINAL PROOF SURVEY REF. NO. 19209; PERMIT NO. 14802 AREA = 13.1 ACRES

TOTAL = 44.1 ACRES

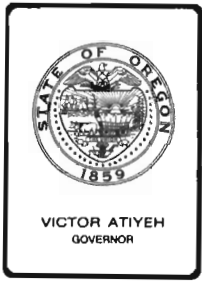
PROPERTY SURVEY of THE MUILENBERG TRACT IN SECTIONS 12, 13, 14, T2S, R2W, W.M. WASHINGTON COUNTY, OREGON APRIL, 1865 Scale = 1" = 200' REDUCED

WILLIAM E. MUILENBERG
REGISTERED ENGINEER
RE: Jan 1173 MAY 1875
for Barrell Shephard

REGISTERED PROFESSIONAL ENGINEER
THOMAS J. PFEIFFER

JAN 10 1976

WATER RESOURCES DEPT
SALEM, OREGON

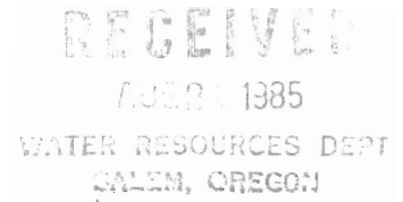


Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508



August 7, 1985

Washington County Assessor's Office
Donald W. Mason
Hillsboro, OR 97123



REFERENCE: Files Numbered 27101, 19209 & Transfer 3350

WASHINGTON COUNTY
DEPT. OF ASSESSMENT & TAXATION

Dear Mr. Mason:

Could you please provide this office with the name and address of the corrent owner of the lands shown on the enclosed map print?

Your assistance is appreciated.

Sincerely,

Jackie M. Warner
Secretary
Survey/Certificate Section

JMW

Enclosure

745 Birch Street
Junction City, Oregon 97448
October 5, 1979

RECEIVED

OCT 10 1979

WATER RESOURCES DEPT
SALEM, OREGON

Sam Allison
Water Resources
555 13th Street N. E.
Salem, Oregon 97310

Dear Mr. Allison:

This to inform you that we did complete proving up our new pumping site by irrigating during 1979 crop year from the Tualatin River.

The Transfer Order is 3350 and is in the name of Richard Schroeder as we are purchasing the land from him on a L/S/C and he is still in title.

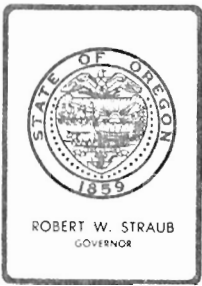
I am also enclosing a couple of pictures for your consideration. Pump was a gas trailer mount unit which we have pulled for winter storage.

It is my understanding that this completes the requirements for assigning a permanent diversion point to the property.

Yours truly,

Darrell C Shepherd
Darrell C Shepherd





Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

October 4, 1978

Darrell C. Shepherd
745 Birch Street
Junction City, Oregon 97448

RE: File No. T-3350

Dear Mr. Shepherd:

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application No. 3350, in the name of Richard C. Schroeder, for a change in point of diversion of water from Tualatin River, was received and, in line with the general practice of this office, a survey will be made at a later date.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: Clayton Gardner, Watermaster

RECEIVED

Transfer No. 3350

SEP 28 1978

NOTICE OF COMPLETION OF CONSTRUCTION

WATER RESOURCES DEPT., DARRELL C SHEPHERD, hereby certify
SALEM, OREGON

that the construction work has been completed and the change in
point of diversion of water made as set forth in the order of
Water Resources Director
the ~~State Engineer~~ dated April 6, 1976, approving an appli-
cation for a change in point of diversion of water from _____
TUALATIN RIVER.

Sept 27, 1978
Date

Darrell C Shepherd
Name
for Richard C Schroeder

ok
jcx

745 River St
Astoria City, Ore
97103

Dear Sir:

This notice is for moving
up pumpery site from Tualatin
River on property being purchased
from Richard Schroeder on 4/6/76
by us.

An extension for this
completion was granted in last
year good until 10/1/78. This
is a site for Irrigation Rights

NCS 148027 & 21325.

Mr. Harnes, Washington County
Water Master has been contacted on
this & we understand he has
inspected site & our line flow meter.
Please let us know if all requirements
have been met
Darrell C Shepherd

378-3066

T-3350

7 September 1977

Darrell Shepherd
8585 SW 82nd Street
Tigard, Oregon 97223

Dear Mr. Shepherd:

This will acknowledge receipt of your application for extension of the time limits in which to complete the change in point of diversion under transfer No. 3350, and your fees in the amount of \$10.00 for which our receipt No. 63602 is enclosed.

From the examination of your application for extension, it appears due diligence has been exercised and the time, therefore, is being extended to October 1, 1978, to allow you the opportunity to fully complete the authorized change in point of diversion of water from Tualatin River.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj
cc: Clayton Gardner, Watermaster

APPLICATION FOR EXTENSION OF TIME

To the State Engineer of Oregon:

I, Darrell Shepherd,
of 8585 S. W. 82nd Street Tigard,
(Mailing Address) (City)
County of _____, State of Oregon 97223,

do hereby make application for an extension of time within which to complete
(X) a change in point of diversion
() a change in place of use
() a change in the use theretofore made

under the terms of an order of the State Engineer dated April 6, 1976,
approving water right transfer application No. 3350 in the name of _____
Richard C. Schroeder * which time expires Oct. 1, 1977 .

The following has been accomplished toward completion of the
change within the time allowed: _____

(If for irrigation, state total number of acres now irrigated under the change)

To fully complete the change, it will be necessary to accomplish
the following: physically install pump

(over)

*If you are not the applicant named above, please explain your interest in
this matter. _____

I am unable to complete the change under the terms of the order, within the time allowed, because we did not receive possession of the property until fall of 1976 as a result of existing lease on the property. After extensive land leveling we felt it too late in the year to plan on planting an irrigated type of crop. The 77 crop was all wheat resulting in no irrigation being done in 77 and therefore no pump installed and request that the time for completion be extended to _____.

AFFIDAVIT OF APPLICANT

STATE OF OREGON)
County of LINN) ss.

I, DARRELL SHEPHERD, being first duly sworn, depose and say that I have read the above and foregoing application for extension of time; that I know the contents thereof, and the facts stated therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 29 day of August.

Darrell Shepherd

Subscribed and sworn to before me this 29 day of _____

August 1977.

Marlene Nelson
Notary Public for Oregon
My commission expires 9-17-79

8-31-77
Rec 63602
\$10.00

ok to extend
to 10-1-78
JWC

WHEN COMPLETED AND SIGNED, THIS APPLICATION AND PAYMENT OF THE STATUTORY FEE OF \$ 10.00 SHOULD BE SUBMITTED TO:

WATER RESOURCES DEPARTMENT
1178 CHEMEKETA ST NE
SALEM, OREGON 97310

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION)
OF RICHARD C. SCHROEDER FOR THE)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM TUALATIN)
RIVER)

ORDER APPROVING
TRANSFER NO. 3350

On January 16, 1976, Richard C. Schroeder filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Tualatin River, pursuant to the provisions of OLS 540.510 to 540.530.

Certificate of water right issued to Ira Mullenburg and recorded at Page 15125, Volume 12, State Record of Water Right Certificates, confirms a right to the use of 0.55 cubic foot per second from Tualatin River for the irrigation of, among other lands, 3.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, and 0.1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 8.9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 2 South, Range 2 West, W.M., with a date of priority of March 14, 1941.

Certificate of water right issued to Ira Mullenburg and recorded at Page 23594, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 0.67 cubic foot per second from Tualatin River for the irrigation of, among other lands, 13.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 2.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, and 15.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14, Township 2 South, Range 2 West, W.M., with a date of priority of April 21, 1952. Water for this use is diverted from a point located 1100 feet South and 1750 feet East from the Northwest corner of Section 13, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, Township 2 South, Range 2 West, W.M.

The applicant herein, owner of the land above described, proposes to irrigate these lands from a point of diversion to be located 2280 feet South and 79 feet East from the Northwest corner of Section 13, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 2 South, Range 2 West, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water. The notice 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 January 29, February 5 and 12, 1976. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

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

No objections 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 change in point of diversion of water from Tualatin River, to wit:

From a point located 1100 feet South and 1750 feet East from the Northwest corner of Section 13, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 2 South, Range 2 West, W.M.

To a point to be located 2280 feet South and 79 feet East from the Northwest corner of Section 13, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 2 South, Range 2 West, W.M.

for the irrigation of 3.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, 0.1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 8.9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, Township 2 South, Range 2 West, with a date of priority of March 24, 1941, and 13.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 2.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, and 15.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14, Township 2 South, Range 2 West, W.M., with a date of priority of April 21, 1952, 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 0.17 cubic foot per second with a date of priority of March 14, 1941, and shall not exceed 0.39 cubic foot per second with a date of priority of April 21, 1952.

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 the certificates of water right heretofore issued to Ira Mullenberg and recorded at Page 15125, Volume 12, and Page 23594, Volume 17, State Record of Water Right Certificates, are canceled, and in lieu thereof new certificates 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 Richard C. Schroeder confirming the change in point of diversion.

Dated at Salem, Oregon, this 6th day of April, 1976.

/s/ JAMES E. SEXSON
Director

43619

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That IRA MULLENBERG

of Route 1, Beaverton, 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 the Tualatin River a tributary of Willamette River for the purpose of Irrigating 28.5 acres under Permit No. 14302 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 March 14, 1941

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 0.36 cubic foot per second,

0.36

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the NE 1/4, NW 1/4, Section 13, NE 1/4, SE 1/4, NW 1/4, Section 14, Township 2 South, Range 2 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 one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

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:

- 13.3 acres in the NE 1/4, NW 1/4
- 7.4 acres in the NW 1/4, NW 1/4
- 7.6 ~~11.3~~ acres in the SE 1/4, NW 1/4
- 0.2 acre in Lot 1 (SE 1/4, NW 1/4)
- Section 13,
- ~~0.1 acre in Lot 1 (NE 1/4, NE 1/4)~~
- ~~0.0 acres in the SE 1/4, NE 1/4~~
- ~~1.2 acres in the NE 1/4, SE 1/4~~
- ~~Section 14~~
- T. 2 S., R. 2 W., W.M.

Land on which water is to be used is a part of the property more explicitly described by a proprietor as follows:

Part of the SE 1/4 SW 1/4 of Sec. 13 Twp 2 S Rng 2 W W.M. and part of NW 1/4 of Sec. 13 T. 2 S Rng 2 W. W.M. and part of the SE 1/4 NE 1/4 of Sec. 14 T. 2 S. R. 2 W. W.M. particularly described as follows: Commencing at a point in N line of said Sec. 14, 10 chains W of NW corner of Sec. 13, running thence E on N line of said Sections 13 and 14 30 chains to a stake; thence N. 2.50 chains more or less to SE corner of Thomas D. Humphreys DLC; thence S 58° 45' E to a stake on N. bank of Tualatin River and 25 links more or less from a white fir; thence S. 58° 45' E. to center of Tualatin River; thence up center of main channel of said river to N line of said section 13; thence S. on said N. section line to NW corner of said section; thence W. 10 chains; thence N. 40 chains to place of beginning.

Also part of SE 1/4 NE 1/4 and part of N 1/4 NE 1/4 SE 1/4 particularly described as follows: Beginning at a point 10 chains W. and 119 rods 5 feet S of NE corner of Sec. 14,

0.36
0.17 = 13.9 = 28.5
72.4

thence E. to center of Tualatin River; thence down center of said river to a point about 76 rods 8 feet S. of place of beginning; thence N. to place of beginning.

Also part of E $\frac{1}{2}$ SE particularly described as follows: Lying N. of center of main channel of Tualatin River and E. of N. line of land deeded by sheriff of County (Book 52 page 77).

An order of the Water Resources Director entered April 6, 1976 approved a change in point of diversion for the irrigation of 13.9 acres. This certificate is issued to confirm the remaining right not involved in the change and supersedes the certificate heretofore issued to Ira Mulenberg recorded at page 15125, ^{Vol. 12} State Record of Water Right Certificates.

Recorded in State Record of Water Right Certificates, Volume 12, page 15125

43618

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That IRA MULLENBURG

of Route 1, Box 914, Beaverton, 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 Tualatin River a tributary of Willamette River for the purpose of irrigation under Permit No. 21325 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 April 21, 1952

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 ~~2.28~~ cubic foot per second 0.28

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 NW 1/4, Section 13, Township 2 South, Range 2 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 one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year,

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:

- 2.5 acres in the SE 1/4 SW 1/4 Section 12
 - 3.1 acres in the NE 1/4 NW 1/4
 - 16.7 ~~2.5~~ acres in the NW 1/4 NW 1/4
 - 0.1 ~~2.5~~ acres in the SW 1/4 NW 1/4 Section 1
 - ~~2.5 acres in lot 1 (NE NE 1/4)~~ Section 14
- Township 2 South, Range 2 West, W.M.

An order of the Water Resources Director entered April 6, 1976 approved a change in point of diversion for the irrigation of 31.4 acres. This certificate is issued to confirm the remaining right not involved in the change and supersedes the certificate heretofore issued to Ira Mullenburg recorded at page 23594, State Record of Water Right Certificates.

State Engineer

53.8 = 31.40 + 22.4

T-3350

April 4, 1976

Mr. Richard C. Schroeder
P. O. Box 14
Pacific City, Oregon 97135

Dear Mr. Schroeder:

Enclosed is a certified copy of the order of the Water Resources Director approving your application for a change in point of diversion of water from Tualatin River.

Also enclosed is a notice of completion of construction which should be dated, signed and returned to this office when the change has been completed. According to the terms of the order, this should be done on or before October 1, 1977.

Publication of notice in connection with your transfer amounted to \$30.33 and we have paid the Hillsboro Argus. We will have to issue four new certificates, two covering the lands not involved in the transfer, and two confirming the change when completed, and these four certificates will have to be recorded in Washington County records at a cost of \$2.00 each. We have withheld \$8.00 from your \$45.00 deposit and our check No. 471 is enclosed refunding the \$6.67 balance.

Sincerely,

Trevor Jones

TJ:whh

Enclosures

cc: Clayton J. Gardner, Watermaster, Dist. No. 1

378-3066

T-3350

April 1, 1976

The Hillsboro Argus
150 S.E. Third Avenue
Hillsboro, Oregon 97123

Gentlemen:

Enclosed is our check No. 470 in the amount of \$30.33 in
payment of your statement of February 12, 1976.

Please receipt the enclosed statement and return it to this
office. Thank you.

Sincerely,

Trevor Jones, Administrator
Water Rights Division

TJ:whh
Enc: Check No. 470 \$30.33



WATER RESOURCES DEPARTMENT

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

January 30, 1976

ROBERT W. STRAUB
GOVERNOR

JAMES E. SEXSON
Director

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

Re: File T-3350

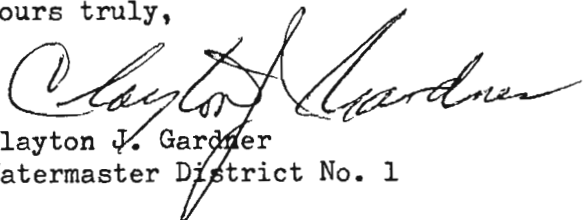
Attn.: Mr. Trevor Jones

Dear Mr. Jones:

On January 29th I made an inspection of the proposed transfer in diversion point by Mr. Richard C. Schroeder for the irrigation of a portion of permits numbered 14802 and 21325.

I do not believe that this transfer will injure any existing water rights. I recommend that Provision No. 1 be used in the order.

Yours truly,



Clayton J. Gardner
Watermaster District No. 1

CJG:fl

RECEIVED
FEB - 3 1976
WATER RESOURCES DEPT.
SALEM, OREGON

T-3350



Hillsboro Argus

150 S. E. THIRD AVE. — HILLSBORO, OREGON 97123

State of Oregon Water Resources Dept.
Trevor Jones
1178 Chemeketa St. NE
Salem, Oregon 97310

RECEIVED
APR 1976

Invoice

February 12, 1976

NOTICE OF FILING APPLICATION FOR A
CHANGE IN POINT OF DIVERSION OF WATER
Schroeder (applicant)

49 lines @ .2476
98 lines @ .1857

HILLSBORO ARGUS, INC.

PAID
APR 2 1976

RECEIVED
MAY 1976
WATER RESOURCES DEPT.
SALEM, OREGON

\$30.33

BY *M. Davis - Thanks you.*

}}

NOTICE OF FILING APPLICATION
FOR A CHANGE IN POINT OF
DIVERSION OF WATER

Notice is given hereby that Richard G. Schroeder has filed an application for the approval of a change in point of diversion of water from Tualatin River.

Certificate of water right issued to Ira Mullenburg and recorded at page 15125, Volume 12, State Record of Water Right Certificates, confirms a right to the use of 0.53 cubic foot per second from Tualatin River for the irrigation of, among other lands, 3.7 acres in SW 1/4, NW 1/4, Sec. 13, and 0.1 acre in NE 1/4, NE 1/4, 8.9 acres in SE 1/4, NE 1/4 and 1.2 acres in NE 1/4, SE 1/4, Sec. 14, T.2S., R.2W., W.M., with a date of priority of March 14, 1941. Certificate of water right issued to Ira Mullenburg and recorded at page 23594, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 0.67 cubic foot per second from Tualatin River for the irrigation of, among other lands, 13.3 acres in NW 1/4, NW 1/4, 2.7 acres in SW 1/4, NW 1/4, Sec. 13, and 15.4 acres in NE 1/4, NE 1/4, Sec. 14, T.2S., R.2W., W.M., with a date of priority of April 21, 1952. Water for this use is diverted from a point located 1100 ft. S. and 1750 ft. E. from the NW corner of Sec. 13, being within the NE 1/4, NW 1/4, Sec. 13, T.2S., R.2W., W.M.

The applicant herein, owner of the land above described, proposes to irrigate these lands from a point of diversion to be located 2280 ft. S. and 79 ft. E. from the NW corner of Sec. 13, being within the SW 1/4, NW 1/4, Sec. 13, T.2S., R.2W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Tillamook, Oregon, on March 25, 1976, 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 Richard C. Schroeder, P.O. Box 14, Pacific City, Oregon 97135, and one copy filed with the Water Resources Director, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Director upon request. If no objections are filed, the application may be approved by the Water Resources Director without a hearing.

Dated at Salem, Oregon, this 20th day of January, 1976.

James E. Sexson, Director
(Jan. 29, Feb. 5, 12, 1976)

Affidavit of Publication

STATE OF OREGON, COUNTY OF WASHINGTON, ss.

I, W. Verne McKinney, being first

duly sworn, depose and say that I am the Publisher
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

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: _____

January 29, February 5, 12, 1976

W. Verne McKinney

Subscribed and sworn to before me this 12th day

of February, 1976

Mary E. Davies
Notary Public for Oregon.

[My commission expires March 2, 1979]

T-3350

January 20, 1976

Hillsboro Argus
P. O. Box 29
Hillsboro, Oregon 97123

Gentlemen:

Enclosed is a notice for publication in the January 29,
February 5 and 12, 1976, issues of your newspaper.

If, for any reason, you cannot publish this notice on the
dates specified above, please return it to this office.

Upon completion, please forward an affidavit of publication
and statement for this service to this office.

Sincerely,

Trevor Jones, Administrator
Water Rights Division

TJ:whh
Enc: P.O.N.
cc: Richard C. Schroeder
cc: Watermaster, District No. 18

T-3350

January 21, 1976

Mr. Richard C. Schroeder
P. O. Box 14
Pacific City, Oregon 97135

Dear Mr. Schroeder:

This will acknowledge your application for a change in point of diversion of water from Tualatin River. It has been filed as transfer No. 3350.

Enclosed is a publication of notice which we have prepared for publication in the Hillsboro Argus. If there is no objection filed, we will prepare the order after the March 25, 1976 hearing date.

Also enclosed are receipts Nos. 51095 and 51096 in the amount of \$35.00 and \$45.00 for your deposits.

Sincerely,

Trevor Jones, Administrator
Water Rights Division

TJ:whh

NOTICE OF FILING APPLICATION FOR A CHANGE IN
POINT OF DIVERSION OF WATER

Notice is given hereby that Richard C. Schroeder has filed an application for the approval of a change in point of diversion of water from Tualatin River.

Certificate of water right issued to Ira Mullenbury and recorded at page 15125, Volume 12, State Record of Water Right Certificates, confirms a right to the use of 0.53 cubic foot per second from Tualatin River for the irrigation of, among other lands, 3.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, and 0.1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 8.9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 2 S. R. 2 W., W.M., with a date of priority of March 14, 1941. Certificate of water right issued to Ira Mullenbury and recorded at page 23594, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 0.67 cubic foot per second from Tualatin River for the irrigation of, among other lands, 13.3 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 2.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, and 15.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 2 S., R. 2 W., W.M., with a date of priority of April 21, 1952. Water for this use is diverted from a point located 1100 ft. S. and 1750 ft. E. from the NW corner of Sec. 13, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 2 S., R. 2 W., W.M.

The applicant herein, owner of the land above described, proposes to irrigate these lands from a point of diversion to be located 2280 ft. S. and 79 ft. E. from the NW corner of Sec. 13, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, T. 2 S., R. 2 W., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Tillamook, Oregon, on March 25, 1976, 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 Richard C. Schroeder, P. O. Box 14, Pacific City, Oregon 97135, and one copy filed with the Water Resources Director, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Director upon request. If no objections are filed, the application may be approved by the Water Resources Director without a hearing.

Dated at Salem, Oregon, this 20th day of January, 1976.

JAMES E. SEXSON
Director

Darrell Shepherd
 3585 SW 82nd St.
 Tigard, Or 97223

RECEIVED

JAN 16 1976
 WATER RESOURCES DEPT.
 SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, RICHARD, C. SCHROEDER
(Name of applicant)

of P.O. BOX 14 PACIFIC CITY, County of TILLAMOOK,
(Postoffice)

State of OREGON, do hereby make application for change in point of diversion

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

1. The source of present water right is Tualatin River
(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 N/A.

4. The point of diversion is located 1100 ft. S. and 1750 ft. E. from the North west
(N. or S.) (E. or W.)

corner of Section 13 being within the NE 1/4 of the NW 1/4
(Section or subdivision)

of Section 13 Tp. 2S R. 2W W. M., in the County of WASHINGTON
(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
2S	2W	13						3.7										
2S	2W	14	0.1			8.9									1.2			
2S	2W	13					13.3	2.7										
2S	2W	14	15.4															

*Cert # 15125
 Permt
 0.17-1/3*

*Cert # 23594
 Permt
 0.31-1/3*

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

(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? YES

8. What is the date of priority of your water right? Cert. # 23594 April; 21/1952
Cert. # 15125 March 14/1941

9. Was your water right acquired by State Engineer's Permit? Yes If so, give number
(Yes or No)

of permit 14802 and 21325

15125 and
23954 23594

10. Do you hold a water right certificate? Yes If so, give number of certificate
(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 Ira Mullenburg
(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 2280 ft. S and 79 ft. E from the NW corner of Section 13 being within the SW 1/4/NW 1/4 of Section 13 Tp. 2S R. 2W W. M., in the county of Washington. The name of the ditch to be used is ----
(N. or S.) (E. or W.) (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

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.
N/A.

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.? no
(Answer Yes or No)

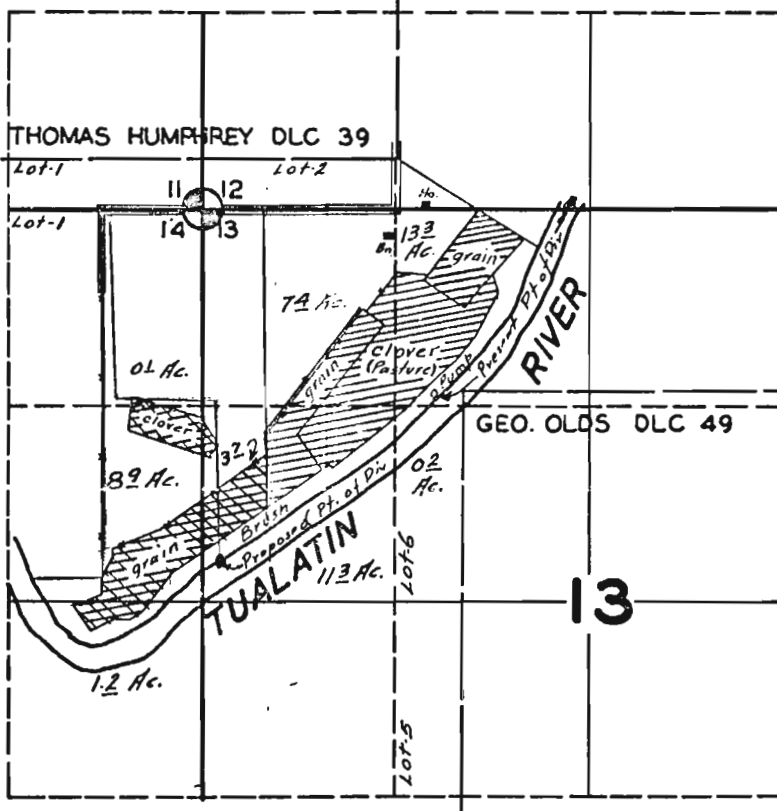
19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are no point of diversion exists at this time for said tract; said tract being in the process of being sold.
The original point of diversion was for the original Mullenburg farm which comprised a total of 127 m.o.l.acres.

T.2S. R.2W.W.M.

T-3350



FINAL PROOF SURVEY
UNDER

Application No. 19209 Permit No. 14802

IN NAME OF

IRA MULLENBURG

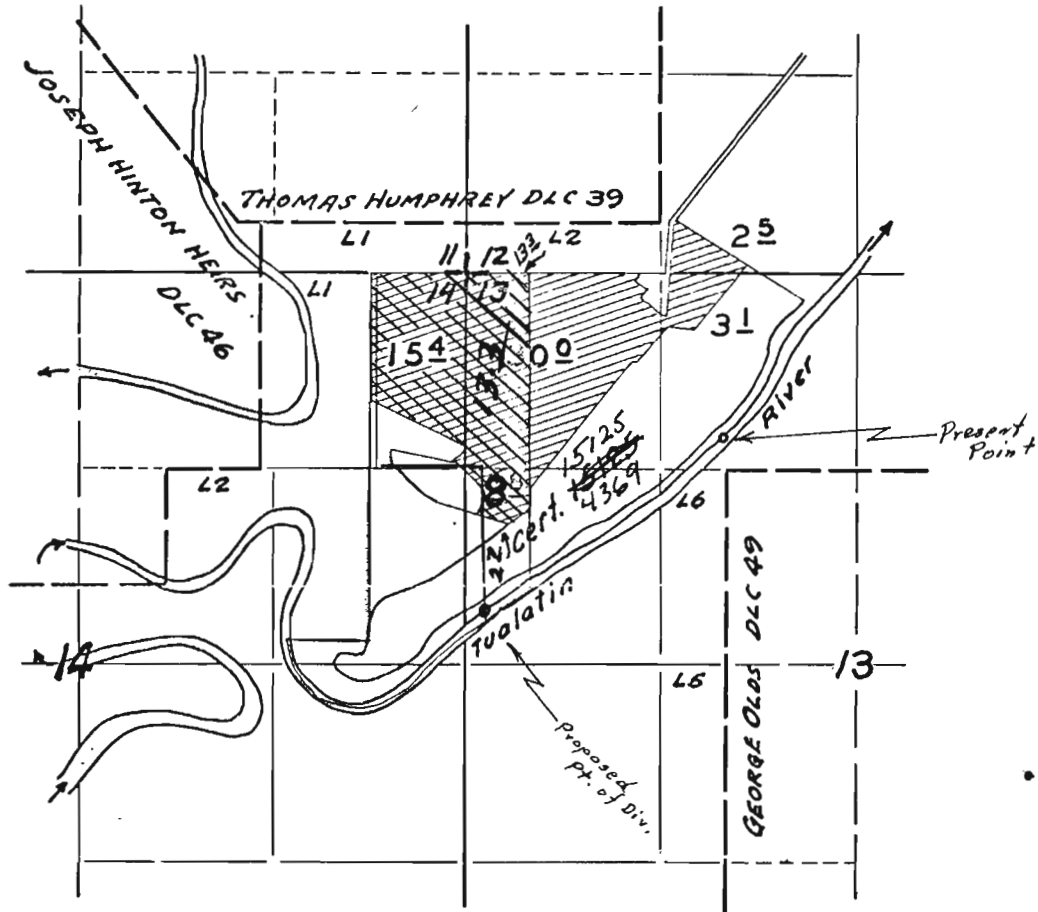
Surveyed AUG. 22 1944 by [Signature]

RECEIVED
JAN 16 1976
WATER RESOURCES DEPT.
SALEM, OREGON

APP. DATE
42.4 ACRES
MARCH 14, 1991

T. 2 S., R. 2 W., W.M.

T-3350



FINAL PROOF SURVEY
 UNDER

Application No. 27101. Permit No. 21325
 IN NAME OF

.....IRA.....MUILENBURG.....

Surveyed 5 - 8. 1956, by M. BISH.....

JAN 10 1976
 WATER RESOURCES DEPT.
 SALEM, OREGON

APP. DATE
 53.8 AC.
 APRIL 21, 1952