

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASHINGTON COUNTY

IN THE MATTER OF THE APPLICATION OF	)	
BAKER ROCK CRUSHING CO. FOR APPROVAL	)	ORDER APPROVING
OF CHANGES IN PLACE OF USE, POINT OF	)	TRANSFER 5405
APPROPRIATION AND USE HERETOFORE MADE	)	
OF WATER	)	

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On September 16, 1983, an application was filed in the office of the Water Resources Director by Baker Rock Crushing Co. for approval of changes in place of use, point of appropriation and use heretofore made of water from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 33211, Volume 25, State Record of Water Right Certificates, in the name of Baker Rock Crushing Co., Inc., describes a right which includes the use of not to exceed 0.0007 cubic foot per second from a well, for washing rock within SW 1/4 NE 1/4, Section 26, Township 1 South, Range 2 West, WM with a date of priority of November 9, 1961.

The authorized point of appropriation is located 275 feet North and 1000 feet West from the Southeast Corner of SW 1/4 NE 1/4 of Section 26, being within the SW 1/4 NE 1/4 of Section 26, Township 1 South, Range 2 West, WM.

The applicant herein, owner of the lands above described, proposes to change the use heretofore made therefrom to child care facility within the NW 1/4 SE 1/4 of Section 6, Township 2 South, Range 1 West, WM, from a well located 158 feet South and 1302 feet East from the Center of Section 6, being within the NW 1/4 SE 1/4 of said Section 6.

Notice of the application, pursuant to ORS 540.520(2), was published in the Tigard Times, a newspaper printed and having general circulation in Washington County, Oregon, for a period of three weeks in the issues of December 1, 8 and 15, 1983.

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

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

NOW, THEREFORE, It hereby is ORDERED that the proposed changes in place of use, point of appropriation and use heretofore made are approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water used for the proposed purpose shall not exceed 0.0007 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to using water for the proposed purpose as herein confirmed:

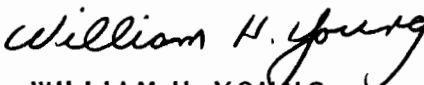
That the pump system shall include an in line flow meter or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that the construction work shall be completed and water used for the proposed purpose on or before October 1, 1985.

It is FURTHER ORDERED that the certificate recorded at page 33211, Volume 25, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to Ruth E. Hishida.

Dated at Salem, Oregon this 13th day of January, 1984.

  
WILLIAM H. YOUNG<sup>TRA</sup>  
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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