

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
CLACKAMAS COUNTY

IN THE MATTER OF THE APPLICATION OF)
CURTIS HULIT FOR APPROVAL OF) ORDER APPROVING
CHANGES IN PLACE OF USE AND POINT) TRANSFER 5905
OF DIVERSION OF WATER)

On February 9, 1987, an application was filed in the office of the Water Resources Director by Curtis Hulit for approval of changes in place of use and point of diversion of water from Molalla River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 26218, Volume 18, State Record of Water Right Certificates, in the name of Estate of Arthur F. Anderson, describes a right for the use of not to exceed 0.63 cubic foot per second from Molalla River, for irrigation of a certain

10.6 acres in NW 1/4 NE 1/4
15.4 acres in SW 1/4 NE 1/4
33.7 acres in NE 1/4 NW 1/4
9.2 acres in SE 1/4 NW 1/4
Section 8
Township 4 South, Range 1 East, WM,

with a date of priority of September 24, 1952.

Water for the said right is diverted from a point located South 33°38' East, 99.93 feet from a stone monument 629.22 feet East of the North Quarter Corner of Section 8, being within the NW 1/4 NE 1/4 of Section 8, Township 4 South, Range 1 East, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom to a point located 6 feet South and 680 feet East from the North Quarter Corner of Section 8, being within the NW 1/4 NE 1/4 of Section 8, Township 4 South, Range 1 East, WM, and to change the place of use to irrigation of:

21.5 acres in NE 1/4 NW 1/4
13.5 acres in NW 1/4 NW 1/4
11.9 acres in SW 1/4 NW 1/4
22.0 acres in SE 1/4 NW 1/4
Section 8
Township 4 South, Range 1 East, WM,

C.R. King, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and point of diversion 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 and point of diversion are approved, without loss of priority.

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 not exceed 0.63 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates 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;

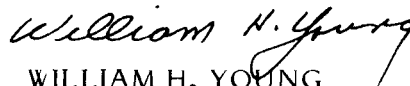
That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

It is FURTHER ORDERED that the subject water right is hereby severed from the place of use described in Certificate 26218, and shall be beneficially used as authorized by this order on or before October 1, 1988.

It is FURTHER ORDERED that the right to divert water from the point described in Certificate 26218 is hereby canceled, and water shall be used from the new diversion point on or before October 1, 1988.

It is FURTHER ORDERED that the certificate recorded at page 26218, Volume 18, 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 19th day of March, 1987.


WILLIAM H. YOUNG
Director

NOTE: 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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