

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASHINGTON COUNTY

IN THE MATTER OF THE APPLICATION)
OF ARNOLD W. COLWELL FOR APPROVAL)
OF CHANGE IN POINT OF DIVERSION)
OF WATER)

ORDER APPROVING
TRANSFER NO. 4387

On February 8, 1980, an application was filed in the office of the Water Resources Director by Arnold W. Colwell for approval of a change in point of diversion from Gales Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 30852, Volume 22, State Record of Water Right Certificates, in the name of Harrison Heisler, describes a right which includes the use of not to exceed 0.34 cubic foot per second from Gales Creek for irrigation of a certain 2.22 acres in NE1/4 SE1/4, 6.0 acres in NW1/4 SE1/4, 13.0 acres in SW1/4 SE1/4 and 6.0 acres in SE1/4 SE1/4 of Section 6, Township 1 North, Range 4 West, W.M., with a date of priority of February 9, 1959.

Water for the said right is diverted, from a point located 1320 feet North and 1100 feet East from the Southwest Corner of Section 5, being within the SW1/4 SW1/4 of Section 5, Township 1 North, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion, without loss of priority, to a point located 1650 feet North and 750 feet East from the Southwest Corner of Section 5, being within the NW1/4 SW1/4 of Section 5, Township 1 North, Range 4 West, W.M.

Mr. Clayton Gardner, Watermaster, has filed a statement to the effect that the proposed change in point of diversion 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 requested change in point of diversion, as described herein, without loss of priority, is 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.

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 construction work shall be completed and the change in point of diversion of water made on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 30852, Volume 22, 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 the applicant herein.

Dated at Salem, Oregon this 29th day of April, 1980.



JAMES E. SEXSON

Director

by CHRIS L. WHEELER

Deputy Director