

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Multnomah County

IN THE MATTER OF THE APPLICATION }  
OF JAMES M. FUJII FOR THE APPROVAL }  
OF A CHANGE IN USE MADE OF GROUND- }  
WATER FROM DRINKER WELL }  
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ORDER APPROVING  
TRANSFER NO. 3119

On August 19, 1974, James M. Fujii filed an application in the office of the Water Resources Director for the approval of a change in use heretofore made of ground water from Drinker Well pursuant to the provisions of ORS 537.705.

Certificate of water right issued to James M. Fujii and recorded at Page 34708, Volume 26, State Record of Water Right Certificates, confirms a right to the use of 0.81 cubic foot per second from a well for the irrigation of 22.7 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 20.7 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  and 21.5 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 36, Township 1 North, Range 3 East, W.M., with a date of priority of December 26, 1962.

The said Drinker Well is located 180 feet South and 480 feet East from the Southeast corner of Lot 10, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Hall DIC No. 50, Section 36, Township 1 North, Range 3 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the use of water from irrigation of the said lands, without loss of priority, to municipal use, during the irrigation season, within the corporate limits of the City of Troutdale, Oregon, being within the NE $\frac{1}{4}$  of Section 23, West  $\frac{1}{2}$  Section 24, Section 25, Section 26, Section 35 and Section 36, Township 1 North, Range 3 East, W.M.; SW $\frac{1}{4}$  Section 30 and West  $\frac{1}{2}$  Section 31, Township 1 North, Range 4 East, W.M.; and Section 1, Township 1 South, Range 3 East, W.M.

Notice of the application, pursuant to ORS 540.510 was published in the Gresham Outlook, a newspaper printed and having general circulation in Multnomah County, Oregon, for a period of three weeks in the issues of October 7, 14 and 21, 1976.

Mr. Keith M. Palmer, Watermaster of District No. 16, has filed a statement to the effect that the proposed change in use heretofore made may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed change in use heretofore made may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made of ground water from Drinker Well, described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted shall not exceed 0.81 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement 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;

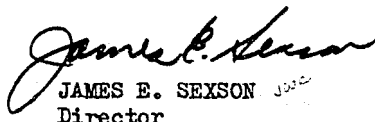
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to James M. Fujii and recorded at Page 34708, Volume 26, 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 City of Troutdale, Oregon.

Dated at Salem, Oregon, this 7th day of December, 1976.

  
JAMES E. SEXSON  
Director