

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

HOOD RIVER COUNTY

IN THE MATTER OF THE APPLICATION)
OF JOHN DORAN MAY FOR APPROVAL OF)
A CHANGE IN POINT OF DIVERSION OF)
WATER FROM BALDWIN (GRAHAM) CREEK)

ORDER APPROVING
TRANSFER NO. 3556

On February 28, 1977, an application was filed in the office of the Water Resources Director for a change in point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 15038, Volume 12, State Record of Water Right Certificates, in the name of Wasco Warehouse & Milling Co., describes a right for the use of water from Graham Creek for irrigation of 4.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 1 North, Range 10 East, W.M., with a date of priority of 1905.

Water for the said right is diverted from a point located 2100 feet South and 650 feet West from the Northeast corner of Section 21, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 21.

The applicant herein, owner of the lands above described, proposes to change the point of diversion, without loss of priority, to a point located 720 feet South and 2000 feet West from the Northeast corner of Section 21, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 21.

Notice of the application, pursuant to ORS 540.510, was published in the Hood River News, a newspaper printed and having general circulation in Hood River County, Oregon, for a period of three weeks in the issues of May 26, June 2 and 9, 1977.

Mr. Thomas J. Paul, 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 effective when in the judgement of the watermaster it becomes necessary to install head-gates and measuring devices:

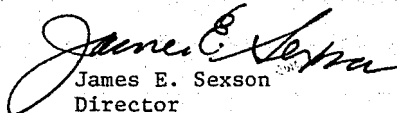
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 construction work shall be completed and the change in point of diversion of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right recorded at page 15038, Volume 12, 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 15th day of September, 1977.


James E. Sexson
Director