

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION }
OF MAX K. WOLFE FOR THE APPROVAL }
OF A CHANGE IN POINT OF DIVERSION }
OF WATER FROM BEAVERTON CREEK }

ORDER APPROVING
TRANSFER NO. 3432

On July 7, 1976, Max K. Wolfe filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion under an existing right of record to appropriate not to exceed 0.004 cubic foot per second of water from Beaverton Creek, with a date of priority of May 22, 1958, at a point of diversion located 110 feet North and 145 feet East from the Southwest corner of Section 6, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 1 South, Range 1 West, W.M., for the irrigation of .37 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, Township 1 South, Range 1 West, W.M., being a portion of the right evidenced by the certificate recorded at Page 29460, Volume 21, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to irrigate this land from a point of diversion to be located 190 feet North and 145 feet East from the Southwest corner of Section 6, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, Township 1 South, Range 1 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there is no intervening diversion.

Mr. Clayton J. Gardner, Watermaster of District No. 1, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.



No objection 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 of water is approved.

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, 1977.

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, and shall not exceed 0.004 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 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 certificate of water right heretofore issued to Robert S. Hardin and Lyslie Brock and recorded at Page 29460, Volume 21, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Max K. Wolfe confirming the change in point of diversion.

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


JAMES E. SEXSON
Director