

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION }  
OF CARL A. PIERSON FOR THE APPROVAL }  
OF A CHANGE IN POINT OF DIVERSION }  
OF WATER FROM AN UNNAMED STREAM }  
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ORDER APPROVING  
TRANSFER NO. 3185

On March 21, 1975, Carl A. Pierson filed an application for transfer of water right in the office of the Water Resources Director proposing a change in point of diversion under existing rights of record to appropriate not to exceed 0.21 cubic foot per second of water from an unnamed stream, with a date of priority of December 29, 1964, at a point of diversion located 530 feet North and 2050 feet West from the East quarter-corner of Section 28, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 28, Township 1 South, Range 3 West, W.M., for the irrigation of 16.4 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 28, Township 1 South, Range 3 West, W.M., being the right evidenced by the certificate recorded at Page 35691, Volume 27, State Record of Water Right Certificates, and to appropriate not to exceed 0.05 cubic foot per second, with a date of priority of July 5, 1966, at the same point of diversion for the irrigation of 4.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 27, Township 1 South, Range 3 West, evidenced by certificate recorded at Page 35692, Volume 27, State Record of Water Right Certificates.

The applicant herein, owner of the lands above described, proposes to irrigate these lands by direct flow from a point of diversion to be located 1330 feet North and 1280 feet East from the West quarter-corner of Section 27, being within the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 27, Township 1 South, Range 3 West, W.M., and to maintain the existing point of diversion for stored water.

Notice of the application, pursuant to ORS 540.510 was published in the Hillsboro Argus, a newspaper printed and having general circulation in Washington County, Oregon, for a period of three weeks in the issues of June 10, 17 and 24, 1976.

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 direct flow water from an unnamed stream 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 0.21 cubic foot per second with a priority date of December 29, 1964, and 0.05 cubic foot per second with a priority date of July 5, 1966.

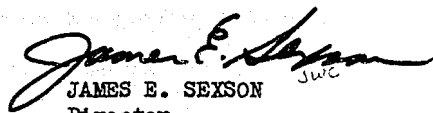
It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of diversion as herein confirmed.

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 upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion the certificates heretofore issued to Carl Pierson and recorded at Pages 35691 and 35692, Volume 27, State Record of Water Right Certificates, be canceled and a superseding certificate issued to Carl Pierson confirming the change in point of diversion.

Dated at Salem, Oregon, this 13th day of September, 1976.

  
JAMES E. SEXSON  
Director