

## WASHINGTON COUNTY

IN THE MATTER OF THE APPLICATION )  
 OF THE GROVE LUMBER COMPANY, JOHN )  
 NYLUND AND ALFRED WALLING, OWNERS, )  
 FOR CHANGING THE POINT OF DIVERSION ) O R D E R  
 OF WATER UNDER WATER RIGHT CERTIF- )  
 ICATES NOS. 7378 and 7527. )

The matter of the issuance of an order changing the point of diversion and intake of the water supply from the Wirtz branch of Dairy Creek, which is a tributary of the Tualatin River, in the county of Washington, State of Oregon, under water right certificates Nos. 7378 and 7527 issued to the above named applicants, coming on for hearing before the State Engineer at his office in the city of Salem, Oregon, at the hour of two o'clock in the afternoon on Friday the 8th day of March A.D. 1929, and the said State Engineer being fully advised in the premises, and it appearing from the evidence and statements of counsel, Loyal M. Graham appearing for the applicants;

That on or about the 26th day of January A.D. 1929, John Nylund and Alfred Wallin, doing business under the firm name and style of the Grove Lumber Company, and located at Cherry Grove, Washington County, Oregon, but conducting a lumbering business in the vicinity designated in said above mentioned certificates, made application to the State Engineer for a change in the point of diversion of water under certificates of water right Nos. 7378 and 7527 from a point in the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 28, Township 2 North, Range 3 West of the Willamette Meridian in Washington County, Oregon, which point bears South 364.82 feet and West 64.15 feet from the northeast corner of said subdivision, to a point in the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 21, Township 2 North, Range 3 West, W. M., said county and state, which point is located west 260 feet and thence North 29° 00' West 258 feet from the southeast corner of said subdivision;

And it appearing that a notice was prepared by said State Engineer describing the change requested to be made by said applicants, and that said notice was duly and legally published in the Washington County News-Times, a legal newspaper of general circulation in Washington County, Oregon, in the

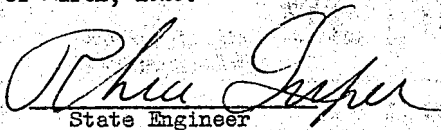
issues of February 7th, 14th, 21st and 28th, 1929, being published four times successively, proof of such publication having been made by the affidavit of the publisher of said newspaper, and filed in this proceeding with said State Engineer;

That in said notice above mentioned all persons interested were given notice that a hearing upon said application would be held in the office of the State Engineer, at Salem, Oregon, at two o'clock on Friday the 8th day of March, 1929, for the purpose of hearing any objections which might be filed, or given, against the granting of said change in the point of diversion of said water under said certificates; and this being the time and place of said hearing no person came before said State Engineer, now or heretofore, and filed any objections, or made objections, to the granting of the prayer of said applicants;

And it further appearing to the State Engineer that it will be beneficial to those using water under said permits, and other permits for the use of water from the same source, and that no one will be injured on account of making said change in the point of diversion;

It is therefore hereby ordered that the change in the point of diversion as described herein, and as described in the published notice, be and the same is hereby allowed and approved.

Dated at Salem, Oregon, this 8th day of March, 1929.

  
State Engineer

*Notations made on  
records - Certificates  
Nos. 7382 and 7527*