

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CLACKAMAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF ERNEST H. PETER FOR APPROVAL)
OF A CHANGE IN POINT OF DIVER-)
SION OF WATER FROM GRIBBLE CREEK)

ORDER APPROVING
TRANSFER NO. 3732

On July 18, 1977, an application was filed in the office of the Water Resources Director by Ernest H. Peter 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 31027, Volume 23, State Record of Water Right Certificates, in the name of A. E. Harms, describes a right for the use of not to exceed 0.75 cubic foot per second from Gribble Creek for irrigation of 33.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 34.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 4 South, Range 1 East, W.M., with a date of priority of January 16, 1962.

Water for the said right is diverted from a point located 1725 feet South and 1000 feet East from the Northwest corner of Section 16, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 4 South, Range 1 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 1300 feet South and 1410 feet East from the Northwest corner of Section 16, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 4 South, Range 1 East, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Canby Herald, a newspaper printed and having general circulation in Clackamas County, Oregon, for a period of three weeks in the issues of July 27, August 3 and 10, 1977.

Mr. Keith Palmer, 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 from Gribble Creek, 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, and shall not exceed 0.75 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:

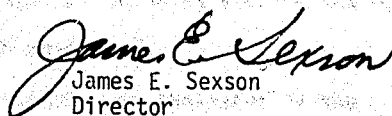
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 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 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 the certificate of water right heretofore issued to A. E. Harms and recorded at page 31027, Volume 23, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued to the applicant herein.

Dated at Salem, Oregon, this 28th day of October, 1977.


James E. Sexson
Director