

3556
JOHN DERAN MAY

3556

STATUS OF APPLICATION

Change in point of diversion
Date filed 2-28-77
Date of hearing 7-20-77
Place of hearing Hood River
Date of order 9-15-77 Vol. 29, page 325
Date for application of water 10-1-79
Proof mailed _____
Proof received _____
Certificate issued AUG 23 1979 Vol. 41, page 48447
9-6-79 JS
to survey 9/77

DESCRIPTION OF WATER RIGHT

Name of stream Baldwin (Galam) Creek
Trib. of _____ County of Hood River
Use irrigation
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority _____
In name of _____
_____ Adjudication, Vol. _____, page _____
App. No. _____ Per. No. _____ Cert. No. 15038
45666 34054
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2/22/77</u>	<u>\$35.00</u>	<u>58619</u>
<u>5-5-77</u>	<u>50.00</u>	<u>60261</u>
TOTAL . . .		
<u>2-13-79</u>	No Cert. Fee	<u>89111</u>
<u>Pl. 8/31/77 Hood River News. Ch. # 1440 (\$29.86)</u>		

FEES REFUNDED

Date	Amount	Check No.
<u>8-31-77</u>	<u>\$21.14</u>	<u>1441</u>
Rec'd		<u>8500</u>
Exam 20"		
POD 15		<u>(35-)</u>
PON		<u>(2886)</u>
Refund		<u>\$21.14</u> ✓

REMARKS

W.R.I.S.

Assembled 7-9-85 by SP
Entered _____ by _____
Verified _____ by _____

INDEX CARDS:	Entered	Checked
Name	<u>lg</u>	_____
Stream	<u>lg</u>	_____
Pl. of Div.	_____	_____
Calendar	<u>lg</u>	_____
CHECKED TO RECORDS:		
Twp. & Rge.	_____	_____
Decree-vault	_____	_____
Decree-safe	_____	_____
Cert. of W/R	_____	_____
Per. Folder	_____	_____
Chaindex	_____	_____
Cross Ref.	_____	_____
Power Claim	_____	_____
Abstracts	<u>lg</u>	_____

TO BE ENTERED WHERE CHECKED

T. Paul
Watermaster
Courthouse Annex
The Dalles, Oregon 97058

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.

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P325-326

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.

/s/ James E. Sexson
Director

STATE OF OREGON

COUNTY OF HOOD RIVER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ~~J. DORAN and JOAN H. MAY~~
~~Wasco Warehouse & Milling Company~~of ~~4415 BALDWIN CR DR, PARKDALE~~
~~The Dalles~~, State of Oregon 97047, has a right to the use ofthe waters of ~~Graham Creek~~ (GRIBBLE CREEK), TRIB. HOOD RIVERfor the purpose of Irrigation of 4⁰ acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Hood River County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 6, at page 200; that the priority of the right thereby confirmed dates from 1905;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation, and that the total quantity diverted during the irrigation season shall not exceed three acre feet per acre, measured at the point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

4⁰ acres in NE¹/₄ NE¹/₄
Section 21
T. 1 N., R. 10 E., W.M.

This certificate is issued to confirm a change in point of diversion approved by an order of the WRD entered Sept. 15, 1977 and supersedes certificate of water right recorded on Page 15038, Volume 12, SRWRC.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

WITNESS the signature of the State Engineer, affixed

this 1st day of May, 19 47.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 12, page 15038

Div. 74. 8 NW 1/4 NE 1/4 SEC 21 T. 1 N., R. 10 E., W.M.
690 ft S. AND 720 ft E FROM NW 1/4 COR SEC 21

Copy of Notice to
be pasted here:

**NOTICE OF WATER RIGHT TRANSFER
APPLICATION NO. 3556**

Notice is given hereby that an application has been filed in the office of the Water Resources Director by John Doran May for approval of a change in point of diversion from Graham Creek.

The certificate recorded at Page 15038, Vol. 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 1/4 NE 1/4 of Sec. 21, T. 1 N., R. 10 E., W.M., with the date of priority of 1905.

Water for the said right is diverted from a point located 2100 ft. S. and 650 ft. W. from the NE corner of Sec. 21, being within the SE 1/4 NE 1/4 of said Sec. 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 ft. S and 2000 ft. W from the NE corner of Sec. 21, being within the NW 1/4 NE 1/4 of said Sec. 21.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Hood River, Oregon, on July 20, 1977, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on John Doran May, Route 1, Box 292, Parkdale, Oregon, and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTION IS FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 10th day of May, 1977.

JAMES E. SEXSON
Director
21-23, 31

Affidavit of Publication

STATE OF OREGON
COUNTY OF HOOD RIVER

SS.

Carol VanRas

I,

Secretary

being first duly sworn, depose and say that I am the.....
of THE HOOD RIVER NEWS, a newspaper of general circulation printed and published at Hood River in the aforesaid county and state, as defined by ORS 193.010 and 193.020; and

that NOTICE OF WATER RIGHT TRANSFER APPLICATION #3556
a printed copy of which is hereto annexed, was published in the entire issue of said

newspaper for three

successive and consecutive weeks in the following issues.....

May 26, June 2 and 9, 1977

Subscribed and sworn to before me this.....

June 77
day of....., 19.....

Notary Public for Oregon

(My Commission Expires..... June 18, 1977.....)

OK Que

RECEIVED

JUN 18 1977

WATER RESOURCES DEPT
SALEM, OREGON

Carol VanRas

13th

Richard M. Meyer