

STATE OF OREGON

COUNTY OF WASHINGTON

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 540.523, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TEMPORARY TRANSFER 7881 submitted by

BERNARD VAN DYKE  
2590 NW MARTIN ROAD  
FOREST GROVE, OREGON 97116.

The right to be modified, as evidenced by a portion of Certificate 16692, was perfected under Permit 15462 with a date of priority of FEBRUARY 8, 1943. The right allows the use of the WEST FORK DAIRY CREEK, a tributary of the TUALATIN RIVER, for IRRIGATION of 71.23 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.89 cubic foot per second, if available at the authorized point of diversion: SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 17, T 1 N, R 3 W, WM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$  acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

NE $\frac{1}{4}$  SW $\frac{1}{4}$             29.26 ACRES  
SE $\frac{1}{4}$  SW $\frac{1}{4}$             29.26 ACRES  
both as projected within CONKLIN DLC 53  
SECTION 17

NE $\frac{1}{4}$  NW $\frac{1}{4}$             12.71 ACRES  
SECTION 20  
as projected within CONKLIN DLC 53  
TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The applicant proposes to TEMPORARILY change the place of use, until the end of the 2001 irrigation season, to:

SW¼ NE¼	7.71 ACRES
SE¼ NW¼	1.61 ACRES
NE¼ SW¼	3.42 ACRES
SE¼ SW¼	1.40 ACRES
SW¼ SE¼	19.05 ACRES
NW¼ SE¼	38.04 ACRES

SECTION 17

TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The change is temporary. The change shall be effective upon issuance of this order.
2. The former place of use shall not be irrigated as part of this water right during term of this order.
3. The use shall revert to the authorized place of use at the end of the 2001 irrigation, or sooner if requested by the applicant or water right holder.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. The use of the remaining water right described by Certificate 16692 shall continue to be in accordance with the terms and conditions of Certificate 16692. If the remaining water right is not used during the term of this order, that portion of the right may be subject to forfeiture in accordance with ORS 540.610.

WITNESS the signature of the Water Resources Director, affixed  
2/18/98.

  
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Martha O. Pagel, Director