

STATE OF OREGON

COUNTY OF WASHINGTON

ORDER APPROVING AN ADDITIONAL POINT OF APPROPRIATION

Pursuant to ORS 537.705, 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, TRANSFER 7142 submitted by

WEST OREGON NURSERY, INC.
3550 N.W. SALTZMAN ROAD
PORTLAND, OREGON 97229.

The right to be modified, as evidenced by Certificate 64113, was perfected under Permit G-9633 with a date of priority of FEBRUARY 23, 1982. The right allows the use of TWO WELLS, in the WILLOW CREEK BASIN, for NURSERY OPERATIONS USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 360 GALLONS PER MINUTE (GPM), BEING 137 GPM FROM WELL 1 AND 223 GPM FROM WELL 2, if available at the original wells; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 28, T 1 N, R 1 W, W.M.; WELL 1 - 1420 FEET SOUTH AND 1310 FEET EAST, WELL 2 - 1250 FEET SOUTH AND 1750 FEET EAST, BOTH FROM THE NORTH $\frac{1}{4}$ CORNER OF SECTION 28, or its equivalent in case of rotation, measured at the well.

The amount of water used for NURSERY OPERATIONS (OAR 690-11-110 (14)) is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for NURSERY OPERATIONS may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre 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 as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 6.8 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.6 ACRES
SECTION 28
TOWNSHIP 1 NORTH, RANGE 1 WEST, W.M.

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

The applicant proposes to add an additional point of appropriation to:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 28, T 1 N, R 1 W, W.M.; 1250 FEET SOUTH AND 1775 FEET EAST FROM THE N $\frac{1}{4}$ CORNER OF SECTION 28.

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

1. The proposed change shall be completed on or before October 1, 1998.
2. The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation.
3. The water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same aquifer as the original points of appropriation.

Certificate 64113 is cancelled. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director,
affixed 9/22/97.



Martha O. Page, Director