

STATE OF OREGON

COUNTY OF WASHINGTON

ORDER APPROVING A CHANGE IN USE AND POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, 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 7414 submitted by

TRI-COUNTY METROPOLITAN TRANSFER DISTRICT
710 NE HOLLADAY
PORTLAND, OREGON 97232.

The right to be modified, as evidenced by a portion of Certificate 9885, was perfected under Permit 10326 with a date of priority of JUNE 26, 1931. The right allows the use of an UNNAMED BRANCH OF ROCK CREEK (aka Johnson Creek), a tributary of the TUALATIN RIVER, for IRRIGATION OF 10.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.125 cubic foot per second, if available at the authorized point of diversion: NE¼ NW¼, SECTION 3, T 1 S, R 1 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 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:

NE¼ NW¼ 10.0 ACRES
SECTION 3
TOWNSHIP 1 SOUTH, RANGE 1 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 change the use to CREATION AND MAINTENANCE OF A CONSTRUCTED WETLAND IN CONJUNCTION WITH WATER USE REGISTRATION R-80616.

The applicant proposes to change the point of diversion to:

NE¼ NW¼, SECTION 3, T 1 S, R 1 W, WM; 1 - 250 FEET SOUTH AND 90 FEET WEST, 2 - 25 FEET SOUTH, BOTH FROM THE N¼ CORNER, SECTION 3.

THESE CHANGES 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, 1999.
2. The quantity of water diverted at the new points of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and 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 surface water source as the original point of diversion.
5. The use of water under this right is limited to a diversion of not to exceed 0.125 cubic foot per second during the irrigation season, May 1 to September 30 of each year.

Certificate 9885 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. 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 OCT 15 1997.



Martha O. Págel, Director