

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING A CHANGE IN PLACE OF USE

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 8555 submitted by

JAMES C. BROWN, CAROL M. BROWN,
LEROY L. BROWN, AND CYNTHIA BROWN
9413 HEINZ ROAD
CANBY, OREGON 97013.

The right to be modified, as evidenced by a PORTION of Certificate 64345, was perfected under Permit G-10114 with a date of priority of MAY 31, 1983. The right allows the use of A WELL, in the BEAR CREEK BASIN, for IRRIGATION OF 22.3 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 67.3 GALLONS PER MINUTE, if available at the original well; SW¼ SW¼, AS PROJECTED WITHIN DLC 43, SECTION 27, T 4 S, R 1 E, W.M.; 340 FEET NORTH AND 1170 FEET EAST FROM THE SW CORNER OF SECTION 27, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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

The authorized place of use is as follows:

NW¼ SW¼ 8.0 ACRES
SW¼ SW¼ 14.3 ACRES
SECTION 27

TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

Use of water under this right is limited to the appropriation of water only to the extent that it does not reduce the flow of Bear Creek.

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 change the place of use to:

LOT 1 (NE¼ NW¼) 0.1 ACRE
LOT 2 (SE¼ NW¼) 22.2 ACRES
SECTION 34

TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.


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, 2003.
2. The former place of use shall no longer be irrigated as part of this water right.

Certificate 64345 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 DEC 05 2001.


for Paul R. Cleary, Director