

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING A CHANGE IN CHARACTER OF USE

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 TRANSFER 6444 submitted by

DAIOH INTERNATIONAL, U.S.A.
320 SW STARK STREET, SUITE 600
PORTLAND, OREGON 97204

to store the waters of AN UNNAMED STREAM AND A SPRING in the reservoir constructed under permits R-5631 and R-5967 for AESTHETICS, and to use the waters of the UNNAMED STREAM, A SPRING, AND THE RESERVOIR, tributary of the WILLAMETTE RIVER, for AESTHETICS.

This right is limited to storing 33.0 acre-feet from the UNNAMED STREAM with a deficiency in supply, limited to 15.0 acre-feet, to be stored from the spring. This right is further limited to the use of 0.15 cubic foot per second from the UNNAMED STREAM with any deficiency in supply to be appropriated from the spring for maintaining the reservoir for AESTHETICS.

The right to be transferred, as evidenced by certificate 51749, was perfected under Permit R-5631 with a date of priority of JANUARY 7, 1971. This right is limited to storing 18.0 ACRE-FEET OF WATER.

The right to be transferred, as evidenced by certificate 51751, was perfected under Permit R-5967 with a date of priority of AUGUST 9, 1972. This right is limited to storing 15.0 ACRE-FEET OF WATER from the UNNAMED STREAM WITH ANY DEFICIENCY IN SUPPLY appropriated from A SPRING.

The right to be transferred, as evidenced by certificate 51752, was perfected under Permit 36781 with a date of priority of AUGUST 9, 1972. This right includes the use limited to 0.15 cubic foot per second from the UNNAMED STREAM WITH ANY DEFICIENCY IN SUPPLY APPROPRIATED FROM THE SPRING.

The points of diversion are located as follows:

LOT 1 (NE 1/4 NE 1/4), SECTION 10, T 3 S, R 1 E, W.M.;
UNNAMED STREAM AND RESERVOIR - 620 FEET NORTH AND 1510 FEET EAST;
SPRING - 500 FEET NORTH AND 1590 FEET EAST; BOTH FROM THE MOST SOUTHERLY CORNER OF DLC 49.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use is as follows:

SW 1/4 SE 1/4
SECTION 3

LOT 1 (NE 1/4 NE 1/4)
LOT 11 (NW 1/4 NE 1/4)
SECTION 10

TOWNSHIP 3 SOUTH, RANGE 1 EAST, W.M.

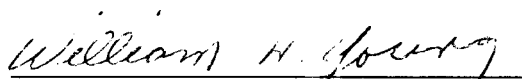
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

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, 1992.
2. 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.

Certificates 51749 and 51751 are hereby canceled. The water rights evidenced by certificate 51750 and that portion of certificate 51752 NOT involved in this proceeding were cancelled by order of the Water Resources Director dated March 12, 1991. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed March 12, 1991.



William H. Young

Recorded in Special Order Records at Volume 45, page 137

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