

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE
AND POINT OF DIVERSION

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 9015 submitted by

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The right to be modified, as evidenced by a PORTION of Certificate 32629, was perfected under Permit 26682 with a date of priority of APRIL 1, 1960. The right allows the use of an UNNAMED STREAM, a tributary of the MOLALLA RIVER, for IRRIGATION of 16.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.20 cubic foot per second, if available at the authorized points of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T 4 S, R 1 E, W.M., or its equivalent in case of rotation, measured at the points of diversion from the source.

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 amount of water used for irrigation, together with the amount secured under any 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 2½ 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:

NE¼ SE¼ 5.8 ACRES
NW¼ SE¼ 10.4 ACRES
SECTION 9
TOWNSHIP 4 SOUTH, RANGE 1 EAST, 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 to:

SE¼ NW¼ 9.0 ACRES
SE¼ SW¼ 7.2 ACRES
SECTION 9
TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

The applicant also proposes to TEMPORARILY change the point of diversion to:

NE¼ SW¼, SECTION 9, T 4 S, R 1 E, W.M.; 2568 FEET NORTH AND 2137 FEET EAST FROM THE SW CORNER, SECTION 9.

THESE TEMPORARY CHANGES 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 the 2002, 2003, 2004 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2004 irrigation season.
4. **Prior** to the diverting of water at the new point of diversion, 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.
5. The use of the remaining water right described by Certificate 32629 shall continue to be in accordance with the terms and conditions of Certificate 32629.
6. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.

WITNESS the signature of the Water Resources

Director, affixed APR 11 2002.



Paul R. Cleary, Director