

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.211, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-8818 submitted by

HIGHGATE FARMS
32854 SOUTH DRYLAND ROAD
MOLALLA, OREGON 97038.

The permit to be modified is Permit G-12673 with a date of priority of JUNE 26, 1992. The permit allows the use of A WELL, in the ROCK CREEK BASIN, for IRRIGATION OF 37.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 17.7 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 0.68 CUBIC FOOT PER SECOND, if available at the original well; SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 14, T 5 S, R 1 E, W.M.; 1125 FEET NORTH AND 80 FEET EAST FROM THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 14, 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 2 $\frac{1}{2}$ 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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE $\frac{1}{4}$ SW $\frac{1}{4}$		1.4 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.5 ACRE	
NE $\frac{1}{4}$ SE $\frac{1}{4}$		2.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$		6.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	30.0 ACRES	6.8 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	6.5 ACRES	1.5 ACRES

SECTION 14

TOWNSHIP 5 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.

The applicant proposes to change the point of appropriation to:

WELL 2 - SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 14, T 5 S, R 1 E, W.M.;
925 FEET NORTH AND 310 FEET EAST OF THE SOUTH $\frac{1}{4}$ CORNER OF SECTION 14.

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


1. The quantity of water diverted at the new point of appropriation (well) shall not exceed the maximum rate and duty allowed under the water right permit.
2. 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.
3. Water shall be acquired from the same aquifer as the original point of appropriation.

4. The proposed point of appropriation shall develop groundwater only from the alluvial groundwater reservoir between 40 feet and 250 feet below land surface.
5. The proposed point of appropriation shall not develop the basalt groundwater reservoir.
6. All other terms and conditions of the permit remain the same.

Permit G-12673, in the name of HIGHGATE FARMS is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed JAN 07 2003_____.



Paul R. Cleary, Director