

STATE OF OREGON

COUNTY OF WASHINGTON

ORDER APPROVING A CHANGE IN PLACE OF USE
AND A CHANGE IN 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, TRANSFERS 7149 AND 7544 submitted by

JOHN AND JANE REDING
1011 NW 334TH AVENUE
HILLSBORO, OREGON 97124.

The first right to be modified, as evidenced by Certificate 23304, was perfected under Permit 13346 with a date of priority of NOVEMBER 4, 1938. The right allows the use of MCKAY CREEK, a tributary of DAIRY CREEK, for IRRIGATION OF 14.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.18 cubic foot per second, if available at the authorized point of diversion: SW¼ NW¼, SECTION 36, T 1 N, R 3 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified, as evidenced by Certificate 23432, was perfected under Permit 19635 with a date of priority of MAY 3, 1949. The right allows the use of MCKAY CREEK, a

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.

tributary of DAIRY CREEK, for IRRIGATION OF 20.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.25 cubic foot per second, if available at the authorized point of diversion: NE¼ SW¼, AS PROJECTED WITHIN DAVIS DLC 68, SECTION 36, T 1 N, R 3 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The third right to be modified, as evidenced by Certificate 23435, was perfected under Permit 18844 with a date of priority of JULY 15, 1949. The right allows the use of MCKAY CREEK, a tributary of DAIRY CREEK, for IRRIGATION OF 15.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.19 cubic foot per second, if available at the authorized point of diversion: NE¼ SW¼, AS PROJECTED WITHIN DAVIS DLC 68, SECTION 36, T 1 N, R 3 W, W.M., 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 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 places of use are located as follows:

PERMIT 13346
(T-7149)

CHANGE IN <u>POU AND POD</u>	CHANGE IN <u>POD ONLY</u>
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S½ SW¼ NW¼	5.6 ACRES	8.9 ACRES
AS PROJECTED WITHIN DAVIS DLC 68		
SECTION 36		

PERMIT 19635
(T-7149)

CHANGE IN
POU ONLY

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 13.3 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 6.7 ACRES
BOTH AS PROJECTED WITHIN DAVIS DLC 68
SECTION 36

PERMIT 18844

CHANGE IN	CHANGE IN
POU AND POD	POU ONLY
<u>(T-7544)</u>	<u>(T-7149)</u>

NW $\frac{1}{4}$ SW $\frac{1}{4}$	6.6 ACRES	3.4 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES	

BOTH AS PROJECTED WITHIN DAVIS DLC 68
SECTION 36

TOWNSHIP 1 NORTH, RANGE 3 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 place of use to:

PERMIT 13346
(T-7149)

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.6 ACRES
AS PROJECTED WITHIN DAVIS DLC 68
SECTION 36

PERMIT 19635

(T-7149)

NE $\frac{1}{4}$ SW $\frac{3}{4}$ 7.4 ACRES

NW $\frac{1}{4}$ SW $\frac{3}{4}$ 11.2 ACRES

SW $\frac{1}{4}$ SW $\frac{3}{4}$ 1.4 ACRES

ALL AS PROJECTED WITHIN DAVIS DLC 68
SECTION 36

PERMIT 18844

(T-7149)

NE $\frac{1}{4}$ SW $\frac{3}{4}$ 3.4 ACRES

AS PROJECTED WITHIN DAVIS DLC 68
SECTION 36

(T-7544)

NE $\frac{1}{4}$ SW $\frac{3}{4}$ 1.8 ACRES

SW $\frac{1}{4}$ SW $\frac{3}{4}$ 2.9 ACRES

SE $\frac{1}{4}$ SW $\frac{3}{4}$ 6.9 ACRES

ALL AS PROJECTED WITHIN DAVIS DLC 68
SECTION 36

TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

The applicant proposes to change the point of diversion to:

PERMIT 13346

(T-7149)

NE $\frac{1}{4}$ SW $\frac{3}{4}$, AS PROJECTED WITHIN DAVIS DLC 68, SECTION 36,
T 1 N, R 3 W, W.M.; 800 FEET NORTH AND 940 FEET WEST FROM THE
MOST NORTHERLY NW ANGLE CORNER SIMMONS DLC 70.

PERMIT 18844

(T-7544)

SW $\frac{1}{4}$ SW $\frac{3}{4}$, AS PROJECTED WITHIN DAVIS DLC 68, SECTION 36,
T 1 N, R 3 W, W.M.; 40 FEET NORTH AND 1070 FEET WEST FROM THE
MOST NORTHERLY NW ANGLE CORNER SIMMONS DLC 70.

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

1. The proposed changes shall be completed on or before October 1, 2001.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points 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 points of diversion.
5. The former places of use shall no longer be irrigated as a part of these water rights.

Certificates 23304, 23432, and 23435 are cancelled. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed MAR 29 2000.



For Martha O. Pagel, Director