

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING AN ADDITIONAL POINT OF APPROPRIATION

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 7593 submitted by

RAYMOND SCHWABAUER
4801 SOUTH SCONCE ROAD
HUBBARD, OREGON 97032.

The right to be modified, as evidenced by Certificate 47676, was perfected under Permit G-5083 with a date of priority of JUNE 19, 1970. The right allows the use of ONE WELL, in the PUDDING RIVER BASIN, for IRRIGATION OF 306.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.14 cubic foot per second, if available at the original well; SE $\frac{1}{4}$ NE $\frac{1}{4}$, AS PROJECTED WITHIN BACON DLC 71, SECTION 11, T 5 S, R 1 W, W.M.; 1430 FEET SOUTH AND 30 FEET WEST FROM THE NE CORNER OF SECTION 11, 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.

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

The authorized places of use are as follows:

RAYMOND SCHWABAUER

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.5 ACRES
BOTH AS PROJECTED WITHIN
BACON DLC 71
SECTION 1

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.4 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.4 ACRES
BOTH AS PROJECTED WITHIN
BACON DLC 71
SECTION 2

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 17.6 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 32.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 35.4 ACRES
ALL AS PROJECTED WITHIN
KILLINS DLC 72
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.8 ACRE
AS PROJECTED WITHIN
BACON DLC 71
SECTION 11

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 14.8 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 38.3 ACRES
BOTH AS PROJECTED WITHIN
BACON DLC 71
SECTION 12
TOWNSHIP 5 SOUTH,
RANGE 1 WEST, W.M.

PETER MCGILL

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.0 ACRES
AS PROJECTED WITHIN
KILLINS DLC 72
SECTION 11

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 35.8 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 21.2 ACRES
BOTH AS PROJECTED WITHIN
BACON DLC 71
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.8 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 16.3 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 34.4 ACRES
ALL AS PROJECTED WITHIN
KILLINS DLC 72
SECTION 12
TOWNSHIP 5 SOUTH,
RANGE 1 WEST, 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 add an additional point of appropriation to:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, AS PROJECTED WITHIN BACON DLC 71, SECTION 12, T 5 S, R 1 W, W.M.; 970 FEET SOUTH AND 1340 FEET EAST FROM THE NE CORNER OF SECTION 11.

The additional landowner is:

Peter McGill
P.O. Box 967
Canby, Oregon 97013

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, 1999.
2. The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.
3. When required by the Department 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.
4. Water shall be acquired from the same aquifer as the original point of appropriation.

Certificate 47676 is cancelled. When satisfactory proof of the completed change is received, new certificates confirming this water right will be issued to each landowner.

WITNESS the signature of the Water Resources

Director, affixed 3/19/98.


Martha O. Pagel, Director