

STATE OF OREGON
COUNTY OF CLACKAMAS

ORDER APPROVING A CHANGE IN 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 TRANSFER 6262 submitted by

YULE TREE FARMS
12704 EHLEN ROAD N.E.
AURORA, OREGON 97002

to use the waters of A WELL in the BEAR CREEK BASIN for the purpose of IRRIGATING 102.6 ACRES.

The right to be transferred, as evidenced by certificate 34590, was perfected under Permit G-2776 with a date of priority of OCTOBER 20, 1964. The right is limited to 0.86 cubic foot per second, if available at the original well; SE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 43, SECTION 28, T 4 S, R 1 E, W.M.; 22 FEET NORTH AND 79 FEET WEST FROM THE SE CORNER OF SECTION 28, or its equivalent in case of rotation, measured at the well.

The new point of appropriation is located as follows:

NE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 43, SECTION 28, T 4 S, R 1 E, W.M.; 1887 FEET SOUTH AND 1924 FEET WEST FROM THE NE CORNER OF DLC 43.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

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:

NW 1/4 SW 1/4 . 2.9 ACRES
SW 1/4 SW 1/4 15.2 ACRES
BOTH AS PROJECTED WITHIN DLC 43
SECTION 27

NE 1/4 SE 1/4 6.4 ACRES
SE 1/4 SE 1/4 23.2 ACRES
BOTH AS PROJECTED WITHIN DLC 43
SECTION 28

NE 1/4 NE 1/4 25.6 ACRES
SE 1/4 NE 1/4 10.8 ACRES
BOTH AS PROJECTED WITHIN DLC 43
SECTION 33

NW 1/4 NW 1/4 12.8 ACRES
SW 1/4 NW 1/4 5.7 ACRES
BOTH AS PROJECTED WITHIN DLC 43
SECTION 34
TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

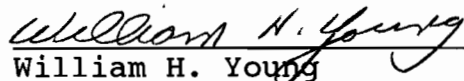
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

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, 1991.
2. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water 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.
5. The well at the new point of appropriation shall be constructed to the well construction standards in effect as of the date of this order and must include an access port.

Certificate 34590 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director, affixed JANUARY 8, 1990.


William H. Young

Recorded in Special Order Records at Volume 44, Page 4.

T-6262.TES