

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-9279 submitted by

CLACKAMAS COUNTY; DAN ZINZER  
9101 SE SUNNYBROOK BOULEVARD  
CLACKAMAS, OREGON 97015.

The permit to be modified is Permit G-13947 with a date of priority of JULY 21, 2000. The permit allows the use of TWO WELLS, in the BEAVER CREEK BASIN, for IRRIGATION OF 121.32 ACRES AND MAINTENANCE OF FOUR RESERVOIRS CONSTRUCTED UNDER PERMIT R-11390. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 1.859 CUBIC FEET PER SECOND (CFS), BEING 1.52 CFS FOR IRRIGATION AND 0.339 CFS FOR RESERVOIR MAINTENANCE, if available at the original wells; NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 21, T 3 S, R 2 E, W.M.; WELL A - SOUTH 13° WEST 1110.572 FEET; WELL B - SOUTH 15° WEST 1109.304 FEET; BOTH FROM THE NORTH  $\frac{1}{4}$  CORNER OF SECTION 21, or its equivalent in case of rotation, measured at the well.

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 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 2½ 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 place of use is as follows:

IRRIGATION

SW¼ SW¼ 0.23 ACRE  
SE¼ SW¼ 2.82 ACRES  
SW¼ SE¼ 0.53 ACRE  
SECTION 16

NE¼ NE¼ 0.50 ACRE  
NW¼ NE¼ 33.27 ACRES  
SW¼ NE¼ 25.06 ACRES  
SE¼ NE¼ 0.81 ACRE  
NE¼ NW¼ 31.17 ACRES  
NW¼ NW¼ 9.34 ACRES  
SW¼ NW¼ 2.48 ACRES  
SE¼ NW¼ 15.11 ACRES  
SECTION 21

RESERVOIR MAINTENANCE

NE¼ NE¼ (POND A)  
NW¼ NE¼ (POND A)  
NE¼ NW¼ (PONDS B, C, D)  
NW¼ NW¼ (POND D)  
SECTION 21

TOWNSHIP 3 SOUTH, RANGE 2 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 of WELL B to:

NE¼ NW¼, SECTION 21, T 3 S, R 2 E, W.M.; SOUTH 57° WEST  
640.4 FEET FROM THE NORTH ¼ CORNER OF SECTION 21.


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), together with that diverted at WELL A, 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. All other terms and conditions of the permit remain the same.

Permit G-13947, in the name of COUNTY OF CLACKAMAS; DAN ZINZER is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed NOV 18 2002.

  
for Paul R. Cleary, Director