

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

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 NOTICE T-7434 submitted by

CITY OF GLADSTONE
525 PORTLAND AVENUE
GLADSTONE, OREGON 97027.

The first water use permit to be modified is Permit 43170 with a date of priority of MARCH 28, 1978. The permit allows the use of the CLACKAMAS RIVER, a tributary of the WILLAMETTE RIVER, for MUNICIPAL USE. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 1.73 cubic feet per second, if available at the authorized point of diversion: NE¼ NE¼, SECTION 30, T 2 S, R 2 E, WM; 650 FEET SOUTH AND 200 FEET WEST FROM THE NW CORNER, SECTION 30, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second water use permit to be modified is Permit 46120 with a date of priority of APRIL 21, 1981. The permit allows the use of the CLACKAMAS RIVER, a tributary of the WILLAMETTE RIVER, for MUNICIPAL USE. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 8.0 cubic feet per second, if available at the authorized point of diversion: NE¼ NE¼, SECTION 30, T 2 S, R 2 E, WM; 650 FEET SOUTH AND 200 FEET WEST FROM THE NW CORNER, SECTION 30, or its equivalent in case of rotation, measured at the point of diversion from the source.

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

The authorized place of use is located as follows:

<u>PERMIT 43170</u>	<u>PERMIT 46120</u>
SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SECTION 16	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 7
S $\frac{1}{2}$ NE $\frac{1}{4}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SECTION 17	NW $\frac{1}{4}$ SW $\frac{1}{4}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 8
E $\frac{1}{2}$ SECTION 18	NE $\frac{1}{4}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SECTION 16
E $\frac{1}{2}$ SW $\frac{1}{4}$ SECTION 19	ALL SECTION 17
N $\frac{1}{2}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SECTION 20	NE $\frac{1}{4}$ SE $\frac{1}{4}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SECTION 18
NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 20	ALL SECTION 19
TOWNSHIP 2 SOUTH, RANGE 2 EAST W.M.	N $\frac{1}{2}$ SW $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SECTION 20
	E $\frac{1}{2}$ NE $\frac{1}{4}$ SECTION 24
	NW $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 29
	N $\frac{1}{2}$ NE $\frac{1}{4}$ SECTION 30 TOWNSHIP 2 SOUTH, RANGE 2 EAST 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 point of diversion to:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 16, T 2 S, R 2 E, WM; 2131 FEET SOUTH AND 173 FEET WEST FROM THE NE CORNER, SECTION 16.

T-7434.LHN

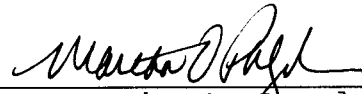
Special Order Volume 50, Page 216 .

THIS CHANGE TO EXISTING WATER USE PERMITS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE PERMIT HOLDER:

1. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
2. When required by the Department, the water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
3. When required by the Department, the water user shall operate and maintain the headgates and measuring devices, as needed. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgates and monitor accuracy of the measuring devices, as needed.
4. Water shall be acquired from the same surface water source as the original point of diversion.

Permits 43170 and 46120, in the name of the City of Gladstone, are amended as described herein. All other terms and conditions of the permits remain the same.

WITNESS the signature of the Water Resources
Director, affixed April 26, 1996.



Martha O. Pagel, Director