

STATE OF OREGON

COUNTY OF WASHINGTON

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.211, 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, PERMIT AMENDMENT T-7827 submitted by

LOEN NURSERY CO.  
18710 SW PACIFIC DRIVE  
SHERWOOD, OREGON 97140.

The permit to be modified is Permit G-12073 with a date of priority of APRIL 22, 1991. The permit allows the use of WELLS A AND B, in the TUALATIN RIVER BASIN, for AGRICULTURAL USE AND IRRIGATION OF 3.5 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 100 GALLONS PER MINUTE (GPM), BEING NOT MORE THAN 100 GPM FROM WELL A AND NOT MORE THAN 50 GPM FROM WELL B, if available at the original wells; SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 21, T 2 S, R 1 W, W.M.; WELL A - 660 FEET NORTH AND 960 FEET EAST, WELL B - 780 FEET NORTH AND 800 FEET EAST, BOTH FROM THE W $\frac{1}{4}$  CORNER OF SECTION 21, or its equivalent in case of rotation, measured at the well.

Water may be appropriated from WELL A only during the period November 1 through April 30 of each year. Water from WELL B may be appropriated year-round.

The amount of water used for AGRICULTURAL USE is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre feet per acre per year. The use of water for AGRICULTURAL USE may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, 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 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:

SW $\frac{1}{4}$  NW $\frac{1}{4}$  3.5 ACRES  
SECTION 21  
TOWNSHIP 2 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 change the point of appropriation for WELL B to:

SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 21, T 2 S, R 1 W, W.M.; WELL B-1 - 640 FEET NORTH AND 870 FEET EAST, WELL B-2 - 710 FEET NORTH AND 1270 FEET EAST, BOTH FROM THE W $\frac{1}{4}$  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 points of appropriation (WELLS B-1 AND B-2) shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL B).
2. The total quantity of water appropriated from WELL A shall not exceed 100 gallons per minute (GPM). The total quantity of water appropriated from either WELL B-1 or WELL B-2, or a combination of the two, shall not exceed 50 GPM.
3. The water user shall install in-line flow meters or other suitable devices for measuring and recording the quantity of water used. The type and plans of the measuring devices 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 diversion.
5. All other terms and conditions of the permit remain the same.

Permit G-12073, in the name of LOEN NURSERY CO. is amended as described herein.

WITNESS the signature of the Water Resources  
Director, affixed 3/25/98.

  
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Martha O. Page, Director