

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 7669 submitted by

MAX W. AND BRIT SHERMAN
29011 SOUTH NEEDY ROAD
CANBY, OREGON 97013.

The right to be modified, as evidenced by Certificate 38513, was perfected under Permit G-3751 with a date of priority of JULY 19, 1967. The right allows the use of A WELL, in the BEAR CREEK BASIN, for IRRIGATION OF 53.3 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.67 cubic foot per second, if available at the original well; NE¼ NE¼, AS PROJECTED WITHIN SHIRLEY DLC 45, SECTION 32, T 4 S, R 1 E, W.M.; 10 FEET SOUTH AND 250 FEET WEST FROM THE NE CORNER, SECTION 32, 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 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:

SW¼ SW¼	9.5 ACRES	NE¼ NE¼	14.9 ACRES
SE¼ SW¼	2.1 ACRES	NW¼ NE¼	9.0 ACRES
	SECTION 28	NE¼ NW¼	9.8 ACRES
			SECTION 32

NE¼ NW¼	0.3 ACRE
NW¼ NW¼	7.7 ACRES
	SECTION 33

ALL AS PROJECTED WITHIN SHIRLEY DLC 45
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.

The applicant proposes an additional point of appropriation at:

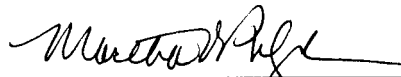
SW $\frac{1}{4}$ SW $\frac{1}{4}$, AS PROJECTED WITHIN SHIRLEY DLC 45, SECTION 28, T 4 S, R 1 E, W.M.; 40 FEET NORTH AND 30 FEET EAST OF THE SW CORNER OF SECTION 28.

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, 1998.
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 38513 is cancelled. 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 March 7, 1997.



Martha O. Pagel, Director