

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, as conditioned or limited herein, TRANSFER 7307 submitted by

LESTER NELSON
8962 SOUTH HEINZ ROAD
CANBY, OREGON 97013.

The right to be modified, as evidenced by a PORTION of Certificate 63835, was perfected under Permit G-2776 with a date of priority of OCTOBER 20, 1964. The right allows the use of A WELL, in the BEAR CREEK BASIN, for IRRIGATION OF 9.4 ACRES. The right is limited to 0.08 cubic foot per second, if available at the original well; SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within WHEALDON DLC 43, SECTION 28, T 4 S, R 1 E, WM; 22 FEET NORTH AND 79 FEET WEST FROM THE SE CORNER, SECTION 28, or its equivalent in case of rotation, measured at the well.

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 $\frac{1}{2}$ acre-feet 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:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.1 ACRES
as projected within WHEALDON DLC 43
SECTION 27

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.3 ACRES
as projected within WHEALDON DLC 43
SECTION 28
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 to change the point of appropriation to:

NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within WHEALDON DLC 43, SECTION 28, T 4 S, R 1 E, WM; 75 FEET WEST AND 2026 FEET NORTH FROM THE SE CORNER, 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, 1996.
2. The quantity of water diverted at the new point of appropriation (well), together with the quantity of water diverted at other points of appropriation for the same right, 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.
4. Water shall be acquired from the same aquifer as the original point of appropriation.

Certificate 63835 is cancelled. 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 July 25, 1995.



Martha O. Pagel, Director