

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE
AND POINT OF DIVERSION

Pursuant to ORS 540.523, 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, TEMPORARY TRANSFER 8174 submitted by

RAMON DEMARTINI
8441 SOUTH LONE ELDER ROAD
CANBY, OREGON 97013.

The right to be modified, as evidenced by a portion of Certificate 32629, was perfected under Permit 26682 with a date of priority of APRIL 1, 1960. The right allows the use of an UNNAMED STREAM, a tributary of the MOLALLA RIVER, for IRRIGATION of 11.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.14 cubic foot per second, if available at the authorized points of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 9, T 4 S, R 1 E, WM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for 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 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 located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 11.7 ACRES
SECTION 9
TOWNSHIP 4 SOUTH, RANGE 1 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 TEMPORARILY change the place of use to:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.5 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.2 ACRES

SECTION 9
TOWNSHIP 4 SOUTH, RANGE 1 EAST, W.M.

The applicant proposed to TEMPORARILY change the point of diversion to:

NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 9, T 4 S, R 1 E, WM; 2568 FEET NORTH AND 2137 FEET EAST FROM THE SW CORNER, SECTION 9.


THESE TEMPORARY CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The change is temporary. The change shall be effective upon issuance of this order.
2. The former place of use shall not be irrigated as part of this water right during the 1999, 2000, and 2001 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2001 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. The use of the remaining water right described by Certificate 32629 shall continue to be in accordance with the terms and conditions of Certificate 32629.

WITNESS the signature of the Water Resources

FEB 19 1999

Director, affixed _____.



Martha O. Pagel, Director