

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING AN ADDITIONAL POINT OF DIVERSION
AND CHANGE IN PLACE OF USE

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-7389 submitted by

OAK LODGE WATER DISTRICT
14496 SE RIVER ROAD
MILWAUKIE, OREGON 97267.

The permit to be modified is Permit 35297 with a date of priority of JULY 1, 1970. 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 62.0 cubic feet per second, if available at the authorized point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 16, T 2 S, R 2 E, W.M.; 2100 FEET SOUTH AND 170 FEET WEST FROM THE SE CORNER, SECTION 16, 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:

SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 35

S $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 36

TOWNSHIP 1 SOUTH, RANGE 1 EAST, W.M.

ALL
SECTION 1

ALL
SECTION 12

NE $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
E $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{2}$
SECTION 2

NE $\frac{1}{4}$
NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 13

NE $\frac{1}{4}$
NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 11

N $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 24

TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M.

S $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 6

NW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 17

NW $\frac{1}{4}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$
SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 7

ALL
SECTION 18

W $\frac{1}{2}$ SW $\frac{1}{4}$
SECTION 8

N $\frac{1}{2}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 19

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 place of use to:

SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 35

S $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 36

TOWNSHIP 1 SOUTH, RANGE 1 EAST, W.M.

NE $\frac{1}{4}$
S $\frac{1}{2}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 32

W $\frac{1}{2}$ SW $\frac{1}{4}$
W $\frac{1}{2}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 34

SW $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 33

SW $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 35

TOWNSHIP 1 SOUTH, RANGE 3 EAST, W.M.

ALL
SECTION 1

NE $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
E $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{2}$
SECTION 2

NE $\frac{1}{4}$
NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 11

TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M.

S $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 6

NW $\frac{1}{4}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{2}$
NW $\frac{1}{4}$
SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 7

W $\frac{1}{2}$ SW $\frac{1}{4}$
SECTION 8

E $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 12

TOWNSHIP 2 SOUTH, RANGE 2 EAST, W.M.

W $\frac{1}{2}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 2

ALL
SECTION 3

ALL
SECTION 4

ALL
SECTION 12

NE $\frac{1}{4}$
NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 13

N $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 24

NW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 17

ALL
SECTION 18

N $\frac{1}{2}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 19

NE $\frac{1}{4}$
NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 9

ALL
SECTION 10

NE $\frac{1}{4}$ NW $\frac{1}{4}$
SECTION 11

NE $\frac{1}{4}$
NE $\frac{1}{4}$ NW $\frac{1}{4}$
S $\frac{1}{2}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 5

NE $\frac{1}{4}$
E $\frac{1}{2}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$
SE $\frac{1}{4}$
SECTION 6

ALL
SECTION 7

ALL
SECTION 8

NE $\frac{1}{4}$
NW $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 15

W $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 16

W $\frac{1}{2}$ NW $\frac{1}{4}$
SECTION 17

N $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
SECTION 18

TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M.

The applicant also proposes to add an additional point of diversion to:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 16, T 2 S, R 2 E, WM; 890 FEET NORTH AND 210 FEET WEST FROM THE S $\frac{1}{4}$ CORNER, SECTION 16.

The applicant, in addition to the additional point of diversion approved by the order of the Water Resources Director, entered July 25, 1996, at Special Order Volume 50, page 373, approving Permit Amendment T-7389, had requested a change in place of use. The approval order was drafted in error. The order should have included approval of the change in place of use as well.

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 point of diversion, together with that diverted at the old 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 a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

3. Water shall be acquired from the same surface water source as the original point of diversion.
4. All other terms and conditions of the permit remain the same.

Permit 35297, in the name of Oak Lodge Water District, is amended as described herein.

The order of the Water Resources Director, entered July 25, 1996, at Special Order Volume 50, page 373, approving Permit Amendment T-7389 is rescinded, and replaced by this order.

WITNESS the signature of the Water Resources Director,
affixed January 21, 1997.



Martha O. Pagel, Director