

STATE OF OREGON

COUNTY OF YAMHILL

ORDER APPROVING A CHANGE IN USE, PLACE OF USE,  
AND CANCELLING THE REMAINING RIGHT

Pursuant to ORS 540.510 to 540.530, 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 6408 submitted by

SCHAAD FARMS, INC., VERITAS VINEYARD, BERNICE GUEDON, RICHARD AND MARION RICE, AND CAROL F. BRASCH  
c/o CLAIRE L. ROLFS  
1600 SW CHILDS ROAD  
LAKE OSWEGO, OREGON 97034

The right to be modified, as evidenced by a PORTION OF Certificate 7912, was perfected under Permit 5238 with a date of priority of OCTOBER 10, 1921. The right allows the use of AN UNNAMED SPRING (CEDAR CREEK), a tributary of TUALATIN RIVER WATERSHED, for DOMESTIC USE. This right is limited to 0.04 cubic foot per second, if available at the authorized point of diversion: NE 1/4 SW 1/4, SECTION 14, T 3 S, R 2 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

SW 1/4 NW 1/4  
SECTION 14

NE 1/4 NE 1/4  
SW 1/4 NE 1/4  
SE 1/4 NE 1/4  
NE 1/4 NW 1/4  
SECTION 15

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

The applicants propose to change the use of 0.04 cfs for domestic to 0.01 cfs for domestic for one family including 1/2 acre lawn and garden and 0.03 cfs for maintenance of a reservoir constructed under permit R-11255. They also propose to change the place of use to:

NE 1/4 SW 1/4  
SECTION 14

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

Affidavits were received from the applicants, the owners of certain lands and the water rights appurtenant to them. The water rights have been abandoned and are requested to be cancelled.

The abandoned water rights are the remainder of the right described by Certificate 7912. The abandoned water rights are for the use of 0.16 cubic foot per second from an UNNAMED SPRING (CEDAR CREEK), a tributary of TUALATIN RIVER WATERSHED. The date of priority is OCTOBER 10, 1921. The abandoned water rights are for DOMESTIC USE AND USE IN PRUNE DRYERS.

ORS 540.621 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

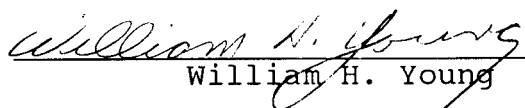
1. The proposed change shall be completed on or before October 1, 1992.
2. The former places of use shall no longer use water as a part of this water right.

The right to use the water for the above purpose shall be restricted to beneficial use on the lands or place of use described.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

Certificate 7912 is cancelled. That portion of the water right requested to cancelled and NOT involved in the transfer request 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 September 11, 1991.

  
William H. Young

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