

STATE OF OREGON

COUNTY OF YAMHILL

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to 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 7965 submitted by

ALFRED SPRY
27225 HIGHWAY 47
GASTON, OREGON 97119.

The right to be modified, as evidenced by a portion of Certificate 14093, was perfected under Permit 8849 with a date of priority of DECEMBER 29, 1928. The right allows the use of the TUALATIN RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION of 18.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.23 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, SECTION 36, T 1 S, R 4 W, 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.

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

The authorized place of use is located as follows:

LOT 8 (NE¼ NE¼ and SE¼ NE¼)	0.5 ACRE
LOT 9 (SW¼ SE¼)	0.2 ACRE
LOT 7 (NE¼ SE¼ and NW¼ SE¼)	17.3 ACRES

SECTION 12

TOWNSHIP 2 SOUTH, RANGE 4 WEST, 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 authorized place of use also has a supplemental right under Permit 35792, in the name of the US Bureau of Reclamation, for use of water from Scoggins Creek and Reservoir, Carpenter Creek, Gales Creek, Dairy Creek, and the Tualatin River.

The applicant proposes to TEMPORARILY change the place of use to:

NW¼ NE¼ 14.0 ACRES
SW¼ NE¼ 4.0 ACRES
SECTION 13
TOWNSHIP 2 SOUTH, RANGE 4 WEST, W.M.

The applicant also proposes that the supplemental right remain unused at the authorized place of use.

The receiving landowner is:

JERRY STEELE
25400 NE WAPATO SCHOOL ROAD
GASTON, OREGON 97119


THIS CHANGE 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 during the 1998 irrigation season.
3. That portion of Permit 35792 appurtenant to the authorized place of use shall remain unused during the 1998 irrigation season.
4. The use shall revert to the authorized place of use at the end of the 1998 irrigation season.
5. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.

6. The use of the remaining water right described by Certificate 14093 shall continue to be in accordance with the terms and conditions of Certificate 14093.

WITNESS the signature of the Water Resources Director,

affixed 5/5/98.



Martha O. Pagel, Director