### STATE OF OREGON

### COUNTY OF YAMHILL

#### ORDER APPROVING ADDITIONAL POINTS OF APPROPRIATION

Pursuant to ORS 537.211, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-9098 submitted by

CITY OF NEWBERG C/O MICHAEL SODERQUIST 414 EAST FIRST STREET NEWBERG, OREGON 97132.

The permit to be modified is Permit G-13876 with a date of priority of MAY 3, 1991. The permit allows the use of ONE WELL, in the WILLAMETTE RIVER BASIN, 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 20.0 cubic feet per second, if available at the original well; NE½ SW½, SECTION 29, T 3 S, R 2 W, W.M.; 180 FEET SOUTH AND 2500 FEET EAST FROM THE W½ CORNER OF SECTION 29, or its equivalent in case of rotation, measured at the well.

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

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

T-9098.PKS

Page 1 of 4 Special Order Volume 56, Page 499.

# The authorized place of use is as follows:

### NE¼ SE¼ SE¼ SE¼ SECTION 36

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

NW¼ NW¼	ALL
SW¼ NW¼	SECTION 20
NE¼ SW¼	
NW¼ SW¼	ALL
SW¼ SW¼	SECTION 21
SE¼ SW¼	2771/ 2771/
SW¼ SE¼	NE¼ NE¼
SECTION 6	NW¼ NE¼
	SW¼ NE¼
ALL	SE¼ NE¼
SECTION 7	NE¼ NW¼
	NW¼ NW¼
ALL	SW¼ NW¼
SECTION 8	SE¼ NW¼
	SECTION 26
ALL	NT 1 / NT 1 /
SECTION 9	NE¼ NE¼
7.7.7	NW¼ NE¼
ALL	SW¼ NE¼
SECTION 16	SE¼ NE¼
777	NE¼ NW¼
ALL	NW¼ NW¼
SECTION 17	SW¼ NW¼
777	SE¼ NW¼
ALL	SECTION 27
SECTION 18	
7.7.	NE¼ NW¼
ALL	NW¼ NW¼
SECTION 19	SECTION 28

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

NE¼ NE¼	NE¼ NE¼
SE¼ NE¼	NW¼ NE¼
NE¼ SE¼	SW¼ NE¼
SE¼ SE¼	SE¼ NE¼
SECTION 1	NE¼ SE¼
	NW¼ SE¼
NE¼ NE¼	SW¼ SE¼
NW¼ NE¾	SE¼ SE¼
SW¼ NE¼	SECTION 13
SE% NE%	
NE¼ SE¼	NE¼ NE¼
NW1/4 SE1/4	SE¼ NE¼
SW¼ SE¼	NE¼ SE¼
SE¼ SE¼	SE¼ SE¼
SECTION 12	SECTION 24

### TOWNSHIP 3 SOUTH, RANGE 3 WEST, 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 additional points of appropriation located:

WELL 7 - NE¼ SW¼, SECTION 29, T 3 S, R 2 W, W.M.; 80 FEET SOUTH AND 2400 FEET EAST FROM THE W¼ CORNER OF SECTION 29.

WELL 8 - NE¼ SW¼, SECTION 29, T 3 S, R 2 W, W.M.; 140 FEET SOUTH AND 2440 FEET EAST FROM THE W¼ CORNER OF SECTION 29.

WELL 9 - NE¼ SW¼, SECTION 29, T 3 S, R 2 W, W.M.; 2330 FEET EAST FROM THE W¼ CORNER OF SECTION 29.

WELL 10 - SE% NW%, SECTION 29, T 3 S, R 2 W, W.M.; 220 FEET NORTH AND 2180 FEET EAST FROM THE W% CORNER OF SECTION 29.

WELL 11 - SE% NW%, SECTION 29, T 3 S, R 2 W, W.M.; 510 FEET NORTH AND 1950 FEET EAST FROM THE W% CORNER OF SECTION 29.

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 points of appropriation (wells), together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
- 2. The water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices 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 aquifer as the original point of appropriation.
- 4. All other terms and conditions of the permit remain the same.

Permit G-13876, in the name of CITY OF NEWBERG is amended as described herein.

WITNESS the signature of the Water Resources

Director, affixed MAY 3 1 2002

Paul R. Cleary, Director