

STATE OF OREGON

COUNTY OF WASHINGTON

ORDER APPROVING A CHANGE IN PLACE OF USE  
AND A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.705, 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 8457 submitted by

OREGON DEPARTMENT OF CORRECTIONS  
1793 13<sup>TH</sup> STREET SE  
SALEM, OREGON 97302-2595.

The first right to be modified, as evidenced by a PORTION of Certificate 29662, was perfected under Permit G-703 with a date of priority of OCTOBER 1, 1957. The right allows the use of A WELL, in the WILLAMETTE RIVER BASIN, for IRRIGATION OF 13.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.06 cubic foot per second, if available at the original well; NW¼ NW¼, SECTION 2, T 3 S, R 1 W, W.M.; 19 CHAINS SOUTH AND 2 CHAINS EAST FROM THE NW CORNER OF SECTION 2, or its equivalent in case of rotation, measured at the well.

**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.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 2¼ acre-feet per acre 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 second right to be modified, as evidenced by a PORTION of Certificate 61880, was perfected under Permit G-9887 with a date of priority of APRIL 8, 1982. The right allows the use of A WELL, in the WILLAMETTE RIVER BASIN, for SUPPLEMENTAL IRRIGATION OF 3.3 ACRES, CONTAINERIZED NURSERY OPERATION AND RELATED NURSERY USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 19.0 GALLONS PER MINUTE (GPM), BEING 19.0 GPM FOR SUPPLEMENTAL IRRIGATION, 11.0 GPM FOR RELATED NURSERY USE, AND 11.0 GPM FOR CONTAINERIZED NURSERY STOCK, PROVIDED THE TOTAL AMOUNT DIVERTED SHALL NOT EXCEED 19.0 GPM, PROVIDED FURTHER THAT THE USE ALLOWED HEREIN FOR SUPPLEMENTAL IRRIGATION MAY BE MADE ANY TIME BETWEEN OCTOBER 1 AND MARCH 31 WHEN WATER CAN BE PUT TO BENEFICIAL USE FOR IMMEDIATE CROP GROWTH, if available at the original well; LOT 4(NW¼ NW¼), SECTION 2, T 3 S, R 1 W, W.M.; 1250 FEET SOUTH AND 150 FEET EAST FROM THE NW CORNER OF SECTION 2, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be 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 2¼ acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall be further limited to a diversion of not to exceed 1.0 acre-foot per acre for each acre irrigated during the period from October 1 to March 31. The right allowed herein, together with the amount secured under any other right existing for the same land, shall not exceed 2¼ acre-feet for each acre

irrigated in any one year. The use of water during the period from October 1 to March 31 as authorized herein shall not establish priority of right against future appropriations of ground water for beneficial uses other than similar rights for irrigation from October 1 to March 31. The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The authorized places of use are located as follows:

PERMIT G-703

LOT 1 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) 13.2 ACRES  
SECTION 3

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

PERMIT G-9887

	<u>SUPPLEMENTAL</u>	<u>CONTAINERS</u>
LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ )	3.3 ACRES	0.2 ACRE
SECTION 3		

TOWNSHIP 3 SOUTH, RANGE 1 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 to change the place of use to:

PERMIT G-703

LOT 1 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) 4.0 ACRES  
LOT 2 (NW $\frac{1}{4}$  NE $\frac{1}{4}$ ) 1.0 ACRE  
SW $\frac{1}{4}$  NE $\frac{1}{4}$  1.8 ACRES  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  6.4 ACRES  
SECTION 3

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

PERMIT G-9887

	<u>SUPPLEMENTAL</u>	<u>CONTAINERS</u>
LOT 1 (NE¼ NE¼)	0.9 ACRE	
LOT 2 (NW¼ NE¼)	0.8 ACRE	0.2 ACRE
SE¼ NE¼	1.6 ACRES	
SECTION 3		

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

The applicant proposes to change the point of appropriation to:

LOT 2 (NW¼ NE¼), SECTION 3, T 3 S, R 1 W, W.M.;  
1330 FEET SOUTH AND 2015 FEET WEST FROM THE NE CORNER OF  
SECTION 3.

LOT 2 (NW¼ NE¼), SECTION 3, T 3 S, R 1 W, W.M.;  
1160 FEET SOUTH AND 1635 FEET WEST FROM THE NE CORNER OF  
SECTION 3.

THE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE  
FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

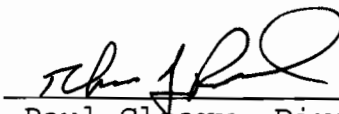
1. The proposed changes shall be completed on or before  
October 1, 2001.
2. The quantity of water diverted at the new points of  
appropriation (wells), together with the quantity diverted  
at the old point of appropriation, shall not exceed the  
quantity of water lawfully available from the original point  
of appropriation.
3. The water user shall install an in-line flow meter or other  
suitable device for measuring and recording the quantity of  
water used. The type and plans of the measuring device must  
be approved by the Department prior to beginning  
construction and shall be installed under the general  
supervision of the Department.

4. Water shall be acquired from the same aquifer as the original point of appropriation.
5. The former places of use shall no longer be irrigated as part of these water rights.

Certificates 29662 and 61880 are cancelled. New certificates will be issued to confirm those portions of these rights NOT involved in this transfer. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed JUL 17 2000.

  
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For Paul Cleary, Director