

STATE OF OREGON

COUNTY OF CLACKAMAS

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

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 7676 submitted by

DAVID H. VANDEBERGHE
19432 SOUTH BAKERS FERRY ROAD
OREGON CITY, OREGON 97045.

The right to be modified, as evidenced by a portion of Certificate 32261, was perfected under Permit 27507 with a date of priority of JULY 28, 1961. The right allows the use of the CLACKAMAS RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 20.66 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.255 cubic foot per second, if available at the authorized point of diversion: LOT 1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), SECTION 20, T 2 S, R 3 E, 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 and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre-feet 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 authorized place of use is located as follows:

LOT 3 (SE $\frac{1}{4}$ SW $\frac{1}{4}$) 8.18 ACRES
SECTION 17

LOT 1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) 12.48 ACRES
SECTION 20
TOWNSHIP 2 SOUTH, RANGE 3 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:

SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.70 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.40 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$	11.30 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	8.26 ACRES

SECTION 17
TOWNSHIP 2 SOUTH, RANGE 3 EAST, W.M.

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

NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 17, T 2 S, R 3 E, WM; 1100 FEET SOUTH AND 1000 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, SECTION 17.

The receiving landowner is:

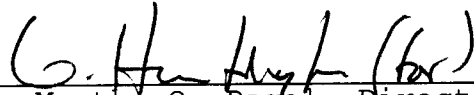
JIM CALCAGNO
17031 SOUTH CLACKAMAS RIVER DRIVE
OREGON CITY, OREGON 97045

THESE CHANGES TO AN EXISTING WATER RIGHT 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, 1999.
2. 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.
3. When required by the Department, 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.
4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 32261 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. 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 JAN 30 1998.



Martha O. Pagel, Director