

STATE OF OREGON

COUNTY OF WASHINGTON

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 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 8226 submitted by

DAVID J. DUYCK
41275 NW REILING ROAD
FOREST GROVE, OREGON 7116.

The first right to be modified, as evidenced by a portion of Certificate 23018, was perfected under Permit 19231 with a date of priority of DECEMBER 28, 1949. The right allows the use of the WEST FORK OF DAIRY CREEK AND AN UNNAMED LAKE, a tributary of the TUALATIN RIVER, for IRRIGATION of 53.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.51 cubic foot per second, if available at the authorized points of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 7, T 1 N, R 3 W, WM; and, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 13, T 1 N, 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 any 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; water to be diverted from lake when available, any deficiency in the available supply to be made up by diversion from West Fork Dairy Creek.

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

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

The second right to be modified, as evidenced by a portion of Certificate 26478, as modified by an order of the Water Resources Director entered June 13, 1979, at Special Order Volume 32, Page 205, approving Transfer 3107, was perfected under Permit 24064 with a date of priority of FEBRUARY 11, 1955. The right allows the use of a RESERVOIR constructed under Permit R-1834, for SUPPLEMENTAL IRRIGATION of 53.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 13.06 ACRE FEET, if available at the original point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 13, T 1 N, R 4 W, WM; 10 FEET NORTH AND 1660 FEET WEST FROM THE E $\frac{1}{4}$ CORNER, SECTION 13, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized point of diversion are located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T 1 N, R 3 W, WM; 650 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER, SECTION 18.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 quantity of water diverted at the authorized point of diversion shall not exceed the quantity of water available at the original point of diversion under the subject rights.

The water user shall install and maintain in operable condition, in-line flow meters, weirs, or other suitable devices for measuring the flow of water in Channel G-D (Figure 1, Special Order Volume 32, Page 205, Transfer 3107) flowing into the reservoir in said channel, and for measuring the flow of water in said channel G-D flowing out of said reservoir.

The type and plans of the measuring devices be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

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 is located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 27.6 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 26.0 ACRES

SECTION 7
TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

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

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 11.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 8.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 16.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 18.6 ACRES

SECTION 7
TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

THESE CHANGES TO EXISTING WATER RIGHTS 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 right during the 1999 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 1999 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. The use of the remaining water right described by Certificate 23018, Certificate 26478 and Transfer 3107, shall continue to be in accordance with the terms and conditions of Certificate 23018, and Certificate 26478 and Transfer 3107.

