

STATE OF OREGON

COUNTY OF WASHINGTON

ORDER APPROVING TEMPORARY CHANGES 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 7833 submitted by

DOROTHY A. SCHMIDLIN
17325 NW SELLERS ROAD
BANKS, OREGON 97106.

The first right to be modified, as evidenced by Certificate 23431, was perfected under Permit 18713 with a date of priority of APRIL 4, 1949. The right allows the use of TWO UNNAMED STREAMS, a tributary of the TUALATIN RIVER, for IRRIGATION of 29.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.36 cubic foot per second, if available at the authorized points of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within GRIFFITH DLC 60, SECTION 33, T 1 S , R 2 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 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 second right to be modified, as evidenced by Certificate 23336, was perfected under Permit 20534 with a date of priority of APRIL 30, 1951. The right allows the use of LINDOW RESERVOIR, CONSTRUCTED UNDER PERMIT R-1212, a tributary of the TUALATIN RIVER, for SUPPLEMENTAL IRRIGATION of 29.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 4.6 ACRE-FEET, if available at the authorized points of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 33, T 1 S, R 2 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 a diversion of not to exceed 2½ acre-feet for each acre irrigated during the irrigation season of each year, and shall be further limited to a total diversion of not to exceed 4.6 acre feet per year.

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

The authorized places of use are located as follows:

	CERTIFICATE 23431 PRIMARY	CERTIFICATE 23336 SUPPLEMENTAL
	<u>NORTH STREAM</u>	<u>SOUTH STREAM</u>
SE¼ NE¼	9.4 ACRES	9.4 ACRES
NE¼ SE¼	1.5 ACRES	8.4 ACRES
	SECTION 33	9.9 ACRES
SW¼ NW¼	3.0 ACRES	3.0 ACRES
NW¼ SW¼	6.7 ACRES	6.7 ACRES
all as projected within GRIFFITH DLC 60		
SECTION 34		
TOWNSHIP 1 SOUTH, RANGE 2 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 applicant proposes to change the place of use point of diversion to:

NW¼ NW¼	9.6 ACRES
SW¼ NW¼	19.4 ACRES
SECTION 34	
TOWNSHIP 1 SOUTH, RANGE 2 WEST, W.M.	


The transfer application was originally filed in accordance with ORS 540.520. The applicant subsequently requested the application be processed under the provisions of ORS 540.523.

THIS TEMPORARY CHANGE 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 1998 irrigation season.

3. The use shall revert to the authorized place of use at the end of the 1998 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.

WITNESS the signature of the Water Resources
Director, affixed 8-12-98.


for Martha O. Pagel, Director