

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING ADDITIONAL POINTS 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 7987 submitted by

WILLIAM DILLARD DBA WM. DILLARD WHOLESALE NURSERY
23055 SE TILLSTROM ROAD
GRESHAM, OREGON 97080.

The right to be modified, as evidenced by Certificate 42692, was perfected under Permit G-5190 with a date of priority of APRIL 12, 1973. The right allows the use of A WELL, in the JOHNSON CREEK BASIN, for IRRIGATION OF 10.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.13 cubic foot per second, if available at the original well; SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 34, T 1 S, R 3 E, W.M.; 670 FEET NORTH AND 250 FEET WEST FROM THE CENTER $\frac{1}{4}$ CORNER OF SECTION 34, 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 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 2 $\frac{1}{2}$ 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 authorized place of use is as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 10.1 ACRES
SECTION 34
TOWNSHIP 1 SOUTH, RANGE 3 EAST, 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 add additional points of appropriation to:

WELL 2 - NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 34, T 1 S, R 3 E, W.M.;
1836 FEET NORTH AND 652 FEET WEST FROM THE SOUTH $\frac{1}{4}$ CORNER OF
SECTION 34.

WELL 3 - SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 34, T 1 S, R 3 E, W.M.;
3001 FEET NORTH AND 338 FEET WEST FROM THE SOUTH $\frac{1}{4}$ CORNER OF
SECTION 34.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED
THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before
October 1, 1999.
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. When required by the Department the water user shall
install in-line flow meters or other suitable devices for
measuring and recording the quantity of water used. The
type and plans of the 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 aquifer as the
original point of appropriation.

Certificate 42692 is cancelled. 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 AUG 26 1998 .


for Martha O. Pagel, Director