

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 537.211, 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, PERMIT AMENDMENT 8590 submitted by

U.S. BUREAU OF RECLAMATION
RUTH PAIGE, WATER RIGHT SPECIALIST
1150 NORTH CURTIS ROAD
BOISE, IDAHO 83706-1234.

The permit to be modified is Permit 35792 with a date of priority of FEBRUARY 20, 1963. The permit allows the use of SCOGGINS CREEK AND RESERVOIR CONSTRUCTED UNDER APPLICATION R-38849, PERMIT R-5777, a tributary of the TUALATIN RIVER, for MUNICIPAL AND INDUSTRIAL USE (IRRIGATION OF 326.3 ACRES) - LAKE OSWEGO CORPORATION. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 815.75 ACRE FEET STORED WATER ONLY, if available at the authorized point of diversion: NE¼ NE¼, SECTION 20, T 1 S, R 4 W, W.M.; SCOGGINS DAM - 700 FEET SOUTH AND 1030 FEET WEST FROM THE NE CORNER OF SECTION 20, or its equivalent in case of rotation, measured at the point of diversion from the source.

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 is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow, and shall be further limited to a diversion of not to exceed 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from a reservoir constructed under permit R-5777, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein and further limited to the use of stored water only on the lands described as supplemental, however, said lands listed as being for supplemental irrigation may be considered as primary irrigation if at time of final proof it is determined that no primary right exists for these lands.

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

The authorized place of use is located as follows:

SW¼ SW¼ 10.0 ACRES	NE¼ NE¼ 15.1 ACRES
SECTION 3	NW¼ NE¼ 4.4 ACRES
	SW¼ NE¼ 4.6 ACRES
SE¼ SW¼ 15.0 ACRES	SE¼ NE¼ 4.4 ACRES
SW¼ SE¼ 40.0 ACRES	SW¼ NW¼ 18.5 ACRES
SE¼ SE¼ 40.0 ACRES	SE¼ NW¼ 6.5 ACRES
SECTION 4	NE¼ SW¼ 5.8 ACRES
	NW¼ SW¼ 5.8 ACRES
SE¼ NE¼ 2.2 ACRES	SW¼ SW¼ 17.8 ACRES
SW¼ SW¼ 14.9 ACRES	SE¼ SW¼ 16.1 ACRES
SE¼ SW¼ 9.7 ACRES	NE¼ SE¼ 5.3 ACRES
NE¼ SE¼ 14.6 ACRES	NW¼ SE¼ 7.6 ACRES
NW¼ SE¼ 3.4 ACRES	SECTION 9
SW¼ SE¼ 1.6 ACRES	
SE¼ SE¼ 8.4 ACRES	NE¼ NE¼ 2.3 ACRES
SECTION 8	NW¼ NE¼ 15.7 ACRES
	SW¼ NE¼ 5.6 ACRES
	NE¼ NW¼ 24.3 ACRES
	NW¼ NW¼ 6.7 ACRES
	SECTION 17

TOWNSHIP 2 SOUTH, RANGE 1 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 $\frac{1}{4}$ SW $\frac{1}{4}$ 10.0 ACRES	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 7.7 ACRES
SECTION 3	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 9.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 15.0 ACRES	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.8 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.5 ACRES
SECTION 4	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.5 ACRES
	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.8 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.0 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 6.7 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.0 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.0 ACRE
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.4 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.6 ACRES	SECTION 10
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 6.0 ACRES	
SECTION 8	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.0 ACRE
	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.5 ACRES
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20.1 ACRES	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.6 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.4 ACRES	NE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.3 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.0 ACRES	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.1 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.4 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.6 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.0 ACRES	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 9.7 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.5 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.5 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5.5 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.8 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.5 ACRES	SECTION 17
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 11.0 ACRES	
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.0 ACRES	
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.3 ACRES	
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.0 ACRES	
SECTION 9	

TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M.

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

1. The former place of use shall no longer be irrigated as a part of this water right.
2. All other terms and conditions of the permit remain the same.

Permit 35792, in the name of UNITED STATES OF AMERICA, BY THE BUREAU OF RECLAMATION, is amended as described herein.

WITNESS the signature of the Water Resources Director, affixed SEP 26 2000.


For Paul R. Cleary, Director