

STATE OF OREGON

COUNTY OF MULTNOMAH

ORDER APPROVING A CHANGE IN PLACE OF USE

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 9480 submitted by

THE CITY OF PORTLAND
PARKS AND RECREATION, DAN BUTTS
6437 SE DIVISION ST. B-416
PORTLAND, OREGON 97206.

The right to be modified, as evidenced by a PORTION of Certificate 56904, was perfected under Permit G-3767 with a date of priority of AUGUST 2, 1967. The right allows the use of A WELL, in the COLUMBIA RIVER BASIN, for IRRIGATION OF 1.97 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.02 cubic foot per second, if available at the original well; NE¼ SW¼, SECTION 29, T 1 N, R 2 E, W.M.; 2100 FEET NORTH AND 1350 FEET EAST FROM THE SW CORNER OF SECTION 29, 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 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year.

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 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 $\frac{1}{4}$ 0.17 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.56 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.24 ACRE
SECTION 29

TOWNSHIP 1 NORTH, RANGE 2 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 change the place of use to:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.17 ACRE
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.56 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.24 ACRE
SECTION 29

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

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, 2005.
2. The former place of use shall no longer be irrigated as part of this water right.

Certificate 56904 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 29 2004.


for Paul R. Cleary, Director