

STATE OF OREGON

COUNTY OF YAMHILL

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 8281 submitted by

MEADOW LAKE NURSERY COMPANY
P.O. BOX 1302
MCMINNVILLE, OREGON 97128.

The first right to be modified, as evidenced by a portion of Certificate 21900, was perfected under Permit 17777 with a date of priority of MAY 31, 1947. The right allows the use of HAWN CREEK, a tributary of the YAMHILL RIVER, for IRRIGATION of 6.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.08 cubic foot per second, if available at the authorized point of diversion: NW¼ NE¼, as projected within CAREY DLC 44, 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 2½ acre-feet for each acre irrigated during the irrigation season of each year.

Under the provisions of OAR 137-004-0080, the applicant may petition for reconsideration of this order. The petition shall set forth specific grounds for reconsideration. the petition for reconsideration must be filed within 60 days after the date this order is served.

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

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.4 ACRES
as projected within CARY DLC 44
SECTION 11
TOWNSHIP 4 SOUTH, RANGE 4 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 second right to be modified, as evidenced by a portion of Certificate 34739, was perfected under Permit 27097 with a date of priority of SEPTEMBER 28, 1960. The right allows the use of HAWN CREEK AND HAWN CREEK RESERVOIR, constructed under Permit R-2570, a tributary of the YAMHILL RIVER, for IRRIGATION of 8.6 ACRES and SUPPLEMENTAL IRRIGATION of 6.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.19 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within CAREY DLC 44, SECTION 11, T 4 S, R 4 W, WM; 580 FEET NORTH AND 590 WEST FROM THE MOST EASTERLY SE CORNER, DLC 44, 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 from direct flow and storage from the reservoir constructed under Permit R-2570 and to the use of stored water only on the lands described as supplemental.

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

The authorized place of use is located as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW $\frac{1}{4}$ NE $\frac{1}{4}$	0.2 ACRE	
NE $\frac{1}{4}$ NW $\frac{1}{4}$	0.5 ACRE	6.4 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	7.9 ACRES	

all as projected within CARY DLC 44
SECTION 11
TOWNSHIP 4 SOUTH, RANGE 4 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 to:

CERTIFICATES

	21900 PRIMARY	
	<u>34739 SUPPLEMENTAL</u>	<u>34739 PRIMARY</u>
SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.4 ACRE	5.1 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		3.5 ACRES

both as projected within CARY DLC 44
SECTION 2

NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.8 ACRES	
NW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2 ACRES	

both as projected within CARY DLC 44
SECTION 11
TOWNSHIP 4 SOUTH, RANGE 4 WEST, W.M.

THESE TEMPORARY CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The changes are temporary. The changes shall be effective upon issuance of this order.
2. The former places of use shall not be irrigated as part of this water right during the 1999 irrigation season.

