

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, 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 6319 submitted by

CITY OF MOLALLA
P.O. BOX 248
MOLALLA, OREGON 97038.

The right to be modified, as evidenced by Certificate 7202, was perfected under Permit 4980 with a date of priority of MARCH 11, 1921. The right allows the use of TROUT CREEK, a tributary of the MOLALLA RIVER, for MUNICIPAL USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 4.0 cubic foot per second, if available at the authorized point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T 6 S, R 3 E, WM; N 35° 30' W, 810 FEET FROM THE SE CORNER, SECTION 6, or its equivalent in case of rotation, measured at the point of diversion from the source.

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

The authorized place of use is within the corporate limits of the City of Molalla, Oregon, and along the pipe lines in T 5 S, R 2 E, WM, in Clackamas County, Oregon.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

Notice: Under the provisions of OAR-690-004-0080, 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 applicant proposes to change the point of diversion to:

NE¼ NE¼, SECTION 22, T 5 S, R 2 E, WM; 220 FEET SOUTH AND 290 FEET WEST FROM THE NE CORNER, SECTION 22.

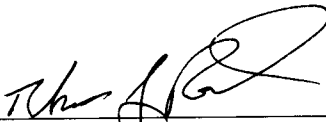
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2004.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
3. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. The water user shall install and maintain a suitable measuring device, including the capability for remote access of data, for measuring and recording the quantity of water available at the old point of diversion. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
5. The water user shall operate and maintain the headgate and measuring devices, as needed. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor the accuracy of the measuring devices, as needed.
6. Water shall be acquired from the same surface water source as the original point of diversion.

Certificate 7202 is canceled. 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 SEP 07 1999.


for Martha O. Pagel, Director