

STATE OF OREGON

COUNTY OF CLACKAMAS

ORDER APPROVING CHANGES IN PLACE OF USE

Pursuant to ORS 537.705 and 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 7189 submitted by

MARVIN L. AND CHRISTINE B. RUFFING
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WOODBURN, OREGON 97071.

The first right to be modified, as evidenced by a portion of Certificate 23055, was perfected under Permit 20957 with a date of priority of APRIL 17, 1950. The right allows the use of an UNNAMED STREAM, a tributary of BUTTE CREEK, for IRRIGATION OF 10.9 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.124 cubic foot per second, if available at the authorized point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 23, T 5 S, R 1 W, WM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified, as evidenced by a portion of Certificate 27752, was perfected under Permit G-366 with a date of priority of JUNE 19, 1956. The right allows the use of a WELL, in the BUTTE CREEK BASIN, for IRRIGATION OF 11.1 ACRES and SUPPLEMENTAL IRRIGATION OF 10.9 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.24 cubic foot per second, if available at the original well; NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within CHASE DLC 46, SECTION 23, T 5 S, R 1 W, WM; 12 CHAINS SOUTH AND 23.5 CHAINS EAST FROM THE NW CORNER, DLC 46, 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 places of use are located as follows:

	<u>PERMIT 20957</u>	<u>PERMIT G-366</u>	
		<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE¼ NE¼	6.9 ACRES	7.2 ACRES	6.9 ACRES
NW¼ NE¼	4.0 ACRES	3.9 ACRES	4.0 ACRES
all as projected within CHASE DLC 46			
SECTION 23			
TOWNSHIP 5 SOUTH, RANGE 1 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 places of use to:

	<u>PERMIT 20957</u>	<u>PERMIT G-366</u>	
		<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE¼ NE¼		11.1 ACRES	
as projected within CHASE DLC 46			
SECTION 23			
SW¼ NW¼	10.9 ACRES		10.9 ACRES
as projected within CHASE DLC 46			
SECTION 24			
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.			

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

1. The proposed changes shall be completed on or before October 1, 1998.
2. The former places of use shall no longer be irrigated as a part of these water rights.

Certificates 23055 and 27752 are cancelled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed AUG 01 1997.



Martha O. Pagel, Director