

STATE OF OREGON

COUNTY OF MORROW

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

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 8069 submitted by

BERNARD E. AND JEAN M. DAMON  
TRUSTEES OF THE DAMON JOINT TRUST  
2176 BIRCHWOOD AVENUE  
EUGENE, OREGON 97401.

The first right to be modified, as evidenced by Certificate 34277, was perfected under Permit G-1677 with a date of priority of AUGUST 22, 1960. The right allows the use of MICHOS WELL, in the WILLOW CREEK BASIN, for IRRIGATION OF 7.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 11.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.22 cubic foot per second, if available at the original well; SW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 8, T 2 S, R 26 E, WM; MICHOS WELL - 450 FEET NORTH AND 480 FEET EAST FROM THE SOUTHWEST CORNER, SECTION 8, 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 THREE 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 place of use is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 7		11.6 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 8	7.0 ACRES	

TOWNSHIP 2 SOUTH, RANGE 26 EAST, W.M.

The second right to be modified, as evidenced by Certificate 65078, was perfected under Permit G-8299 with a date of priority of MARCH 22, 1978. The right allows the use of A WELL, in the WILLOW CREEK BASIN, for IRRIGATION OF 24.6 ACRES AND SUPPLEMENTAL IRRIGATION OF 35.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.33 cubic foot per second, if available at the original well; SW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 8, T 2 S, R 26 E, WM; 450 FEET NORTH AND 480 FEET EAST FROM THE SOUTHWEST CORNER, SECTION 8, 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 THREE 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 place of use is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE $\frac{1}{4}$ SE $\frac{1}{4}$	11.8 ACRES	12.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$		1.4 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		3.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 7		18.7 ACRES

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NW¼ SW¼	3.4 ACRES	
SW¼ SW¼	9.4 ACRES	
SECTION 8		
TOWNSHIP 2 SOUTH, RANGE 26 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 point of appropriation to:

SW¼ SW¼, SECTION 8, TOWNSHIP 2 SOUTH, RANGE 26 EAST, W.M.; 75 FEET NORTH AND 750 FEET EAST FROM THE SOUTHWEST CORNER, SECTION 8.

THIS CHANGE TO EXISTING WATER RIGHTS 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, 2000.
2. The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation.
3. The water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same aquifer as the original points of appropriation.

Certificates 34277 and 65078 are canceled. When satisfactory proof of the completed changes are received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources  
Director, affixed NOV 19 1998.

  
for Martha O. Pagel, Director