

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.211, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-8986 submitted by

JOSEPH G. AND DARCY J. RUEF
12305 RUEF LANE
MT. ANGEL, OREGON 97362

NW FARM CREDIT SERVICES FCLA
P.O. BOX 13309
SALEM, OREGON 97309

The permit to be modified is Permit G-12983 with a date of priority of APRIL 19, 1995. The permit allows the use of A WELL, in the PUDDING RIVER BASIN, for IRRIGATION OF 104.0 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 1.30 cubic feet per second, if available at the original well; NE $\frac{1}{4}$ NE $\frac{1}{4}$, AS PROJECTED WITHIN CAREY DLC 58, SECTION 8, T 6 S, R 1 W, W.M.; 300 FEET SOUTH AND 270 FEET WEST FROM THE NW CORNER OF DLC 53, or its equivalent in case of rotation, measured at the well.

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.

T-8986.PKS

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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.

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

The authorized place of use is as follows:

NE¼ SW¼ 37.9 ACRES
NW¼ SW¼ 37.2 ACRES
NW¼ SE¼ 28.9 ACRES
SECTION 4

TOWNSHIP 6 SOUTH, RANGE 1 WEST, 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:

NW¼ SW¼, SECTION 4, T 6 S, R 1 W, W.M.; 1300 FEET SOUTH AND 920 FEET EAST FROM THE W¼ CORNER OF SECTION 4.

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

1. The quantity of water diverted at the new point of appropriation (well), together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. 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.

3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. The proposed point of appropriation shall be completed in such a manner that it shall not cause substantial interference with the near-by unnamed stream.
5. A preliminary well log and a proposed well construction design for the proposed point of appropriation shall be submitted in writing to the Groundwater/Hydrology Section.
6. Permanent casing and/or seal shall not be placed in the proposed point of appropriation without prior written approval of the preliminary well log and proposed well construction design from the Groundwater/Hydrology Section.
7. If permanent casing and/or seal is placed without written approval of the Groundwater/Hydrology Section, use of the proposed point of appropriation under Permit G-12983 shall not be allowed.
8. The final approved well depth/construction specifications shall be incorporated into the water right certificate when issued for Permit G-12983.
9. All other terms and conditions of the permit remain the same.

Permit G-12983, in the name of JOSEPH G. AND DARCY J. RUEF AND NW FARM CREDIT SERVICES FCLA is amended as described herein.

WITNESS the signature of the Water Resources
Director, affixed SEP 30 2007



Paul R. Cleary, Director