

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN PLACE OF USE

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 7583 submitted by

U.S. FISH AND WILDLIFE SERVICE
911 NE 11TH AVENUE
PORTLAND, OREGON 97232-4181.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for MARION County as evidenced by a PORTION of Certificate 53769. The decree is recorded in the Order Record of the Water Resources Director in Volume 16, at Page 462. The date of priority is 1870.

The right allows the use of the NORTH SANTIAM RIVER, a tributary of the SANTIAM RIVER, for IRRIGATION OF 114.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.01 cubic feet per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, AS PROJECTED WITHIN CHAMNESS DLC 59, SECTION 34, T 9 S, R 2 W, W.M.; 50 FEET NORTH AND 1930 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 34, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 15.9 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 27.3 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 19.5 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.1 ACRES
ALL AS PROJECTED WITHIN BASHAN DLC 47
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.5 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.2 ACRES
SECTION 20

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.3 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.8 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.2 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.2 ACRES
ALL THREE AS PROJECTED WITHIN BASHAN DLC 47
SECTION 29
TOWNSHIP 9 SOUTH, RANGE 3 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 and is subject to all other conditions and limitations contained in the decree.

The applicant proposes to change the place of use to:

NW¼ NW¼ 1.2 ACRES
SW¼ NW¼ 26.3 ACRES
SE¼ NW¼ 3.4 ACRES
NE¼ SW¼ 21.3 ACRES
NW¼ SW¼ 33.1 ACRES
SW¼ SW¼ 14.8 ACRES
SE¼ SW¼ 13.9 ACRES

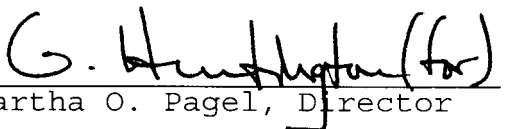
SECTION 17
TOWNSHIP 9 SOUTH, RANGE 3 WEST, W.M.

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, 1998.
2. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 53769 is cancelled. 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 04 1997.



Martha O. Pagel, Director