

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING USE OF AN ADDITIONAL 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 TRANSFER 6352 submitted by

DICKMAN FARMS, INC.
15829 MT. ANGEL-SCOTTS MILLS HWY NE
SILVERTON, OREGON 97381

to use the waters of 2 WELLS in the ZOLLNER CREEK BASIN for IRRIGATING 116.2 ACRES.

The right to be transferred, as evidenced by Certificate 52668, was perfected under Permit G-8794 with a date of priority of JULY 20, 1979. This right is limited to 0.38 cubic foot per second, or its equivalent in case of rotation, measured at well 3.

The right to be transferred, as evidenced by Certificate 52669, was perfected under Permit G-6392 with a date of priority of MARCH 17, 1975. This right is limited to 0.67 cubic foot per second, or its equivalent in case of rotation, measured at well 3.

The points of appropriation are located as follows:

NW 1/4 SW 1/4, SE 1/4 SW 1/4, SECTION 18, T 6 S, R 1 E, W.M.; WELL 3 - 1330 FEET NORTH AND 1270 FEET EAST, WELL 5 - 530 FEET NORTH AND 1370 FEET EAST, BOTH FROM THE SW CORNER OF SECTION 18.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet 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.

A description of the place of use is as follows:

| | <u>MARCH 17, 1975</u> | <u>JULY 20, 1979</u> |
|---------------|-----------------------|----------------------|
| NE 1/4 SW 1/4 | 24.4 ACRES | |
| NW 1/4 SW 1/4 | 21.8 ACRES | |
| SW 1/4 SW 1/4 | | 30.0 ACRES |
| SE 1/4 SW 1/4 | 40.0 ACRES | |

SECTION 18

TOWNSHIP 6 SOUTH, RANGE 1 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.

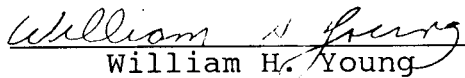
THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1992.
2. The quantity of water diverted at the new point of appropriation (well) shall not exceed the quantity of water available from the original point of appropriation.
3. When required by the Department 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 point of appropriation.

NOTE: The purpose of this transfer is to allow all of said lands to be irrigated from the original well (well 3) and also from an additional well (well 5).

Certificates 52668 and 52669 are hereby cancelled. When satisfactory proof of the completed change is received, new certificates confirming this water right will be issued.

WITNESS the signature of the Water Resources Director, affixed JANUARY 8, 1991.


William H. Young

Recorded in Special Order Records at Volume 45, Page 12.

T-6352.VRG.