

STATE OF OREGON

COUNTY OF LINN

ORDER APPROVING A CHANGE IN CHANGE IN PLACE OF USE
AND ADDITIONAL POINT OF DIVERSION

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 6563 submitted by

JIM AND DONNA NELSON
36477 HIGHWAY 228
BROWNSVILLE, OREGON 97327.

The right to be modified, as evidenced by Certificate 20899, was perfected under Permit 17466 with a date of priority of JANUARY 9, 1947. The right allows the use of the CALAPOOYA RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 30.0 ACRES. This right is limited to 0.375 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within TEMPLETON DLC 46, SECTION 4, T 14 S, R 2 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

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 $\frac{1}{2}$ 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.

The authorized place of use is located as follows:

S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	7.3 ACRES
S $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	9.0 ACRES
N $\frac{3}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	6.6 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	6.8 ACRES
N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	0.3 ACRE

all as projected within TEMPLETON DLC 46
SECTION 4
TOWNSHIP 14 SOUTH, RANGE 2 WEST, W.M.

The applicants and their certified water right examiner provided evidence that the place of use described in the certificate is incorrect. The correct place of use is as follows:

SW¼ NE¼	6.2 ACRES
SE¼ NE¼	10.1 ACRES
NW¼ SE¼	6.8 ACRES
NE¼ SE¼	6.6 ACRES
SE¼ SE¼	0.3 ACRE

all as projected within TEMPLETON DLC 46
SECTION 4
TOWNSHIP 14 SOUTH, RANGE 2 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 applicants propose to change the place of use from:

SE¼ NE¼	9.0 ACRES
NE¼ SE¼	4.6 ACRES
SE¼ SE¼	0.3 ACRE

all as projected within TEMPLETON DLC 46
SECTION 4
TOWNSHIP 14 SOUTH, RANGE 2 WEST, W.M.

The applicants propose to irrigate the following lands as a result of the change:

SW¼ NE¼	8.9 ACRES
SE¼ NE¼	1.1 ACRES
NW¼ SE¼	17.7 ACRES
NE¼ SE¼	2.3 ACRES

all as projected within TEMPLETON DLC 46
SECTION 4
TOWNSHIP 14 SOUTH, RANGE 2 WEST, W.M.

The applicants propose to add an additional point of diversion for the entire water right to:

NE¼ SE¼, Section 4, T 14 S, R 2 W, W.M.; 1490 FEET SOUTH AND 2100 FEET EAST FROM THE NW CORNER, TEMPLETON DLC 62.

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

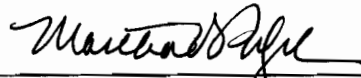
1. The proposed change shall be completed on or before October 1, 1999.

2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original point of diversion.
3. When required by the Department, 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.
4. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 20899 is cancelled. 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

9/29/97



Martha O. Pagel, Director