

STATE OF OREGON

COUNTY OF MARION

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 9495 submitted by

DANNY KROGER  
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9285 82<sup>ND</sup> AVENUE NE  
SALEM, OREGON 97305.

The first right to be modified, as evidenced by a PORTION of Certificate 68517, was perfected under Permit G-1883 with a date of priority of JUNE 20, 1961. The right allows the use of TWO WELLS, in the LITTLE PUDDING RIVER BASIN, for IRRIGATION OF 10.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.13 cubic foot per second, if available at the original well; NW¼ NE¼, SECTION 14, T 6 S, R 2 W, W.M.; 1320 FEET SOUTH AND 1300 FEET EAST FROM THE SW CORNER OF WEBB DLC 56, 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.

The second right to be modified, as evidenced by a PORTION of Certificate 68518, was perfected under Permit G-2445 with a date of priority of JUNE 20, 1963. The right allows the use of TWO WELLS, in the LITTLE PUDDING RIVER BASIN, for IRRIGATION OF 14.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.18 cubic foot per second, if available at the original well; NW¼ NE¼, SECTION 14, T 6 S, R 2 W, W.M.; 1320 FEET SOUTH AND 1300 FEET EAST FROM THE SW CORNER OF WEBB DLC 56, or its equivalent in case of rotation, measured at the well.

The authorized points of appropriation are:

1 - NW¼ NE¼, SECTION 14, T 6 S, R 2 W, W.M.; 1320 FEET SOUTH AND 1300 FEET EAST FROM THE SW CORNER OF WEBB DLC 56.

2 - LOT 1 (NE¼ NE¼), SECTION 14, T 6 S, R 2 W, W.M.; 1193 FEET SOUTH AND 935 FEET WEST FROM THE NE CORNER OF SECTION 14.

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 places of use are as follows:

PERMIT G-1883

LOT 2 (NW¼ NE¼) 1.7 ACRES  
LOT 2 (SW¼ NE¼) 9.0 ACRES  
SECTION 14

PERMIT G-2445

LOT 2 (NW¼ NE¼) 0.6 ACRE  
LOT 2 (SW¼ NE¼) 8.6 ACRES  
NE¼ NW¼ 0.3 ACRE  
LOT 3 (SE¼ NW¼) 4.7 ACRES  
SECTION 14

TOWNSHIP 6 SOUTH, RANGE 2 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:

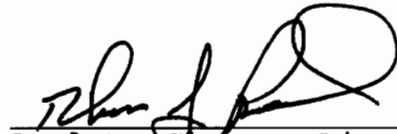
LOT 9 (SE¼ NE¼), SECTION 14, T 6 S, R 2 W, W.M.;  
2240 FEET SOUTH AND 870 FEET EAST FROM THE SW CORNER OF WEBB DLC  
56.

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, 2004.
2. The quantity of water diverted at the new point of  
appropriation (well), together with the quantity diverted at  
the authorized points of appropriation (wells) for Permits  
G-1883 and G-2445, shall not exceed the quantity of water  
lawfully authorized under Permits G-1883 and G-2445.
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 points of appropriation.
5. The proposed point of appropriation (well) shall not exceed  
160 feet in depth below land surface.

Certificates 68517 and 68518 are cancelled. New certificates  
will be issued to confirm those portions of these rights NOT  
involved in this transfer. When satisfactory proof of the  
completed change is received, new certificates confirming these  
water rights will be issued.

WITNESS the signature of the Water Resources  
Director, affixed                     AUG 06 2003                    .

  
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Paul R. Cleary, Director