

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN PLACE OF USE

Pursuant to ORS 537.211, 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, PERMIT AMENDMENT 8236 submitted by

DICKMAN FARMS, INC.
15829 MT ANGEL HIGHWAY NE
SILVERTON, OREGON 97381.

The permit to be modified is Permit 53120 with a date of priority of JUNE 7, 1990. The permit allows the use of BUTTE CREEK, a tributary of the PUDDING RIVER, for IRRIGATION OF 16.1 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 0.20 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 31, T 5 S, R 1 E, W.M.; 1300 FEET NORTH AND 500 FEET EAST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 31, or its equivalent in case of rotation, measured at the point of diversion from the source.

This is a final order in other than contested case. Pursuant to ORS 536.075 and OAR 137-004-0080 and OAR 690-01-005, you may either petition the Director for reconsideration of this order or petition for judicial review of this order. As provided in ORS 536.075, this order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the time specified by ORS 183.484(2).

The amount of water used for irrigation, together with the amount secured under an other right existing for 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 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:

NE¼ SW¼ 8.2 ACRES
SE¼ SW¼ 4.5 ACRES
SW¼ SE¼ 3.4 ACRES
SECTION 31

TOWNSHIP 5 SOUTH, RANGE 1 EAST, 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 applicant proposes to change the place of use to:

SE¼ SW¼ 3.4 ACRES
SW¼ SE¼ 11.8 ACRES
SE¼ SE¼ 0.9 ACRE
SECTION 31

TOWNSHIP 5 SOUTH, RANGE 1 EAST, W.M.

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

1. The former place of use shall no longer be irrigated as a part of this water right.
2. All other terms and conditions of the permit remain the same.

Permit 53120, in the name of DICKMAN FARMS, INC., is amended as described herein.

WITNESS the signature of the Water Resources
Director, affixed ~~_____ OCT 26 1999 _____~~.



for Martha O. Pagel, Director