

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING AN 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 6865 submitted by

SINN BROTHERS
9821 SARATOGA DRIVE NE
SILVERTON, OREGON 97381.

The first right to be modified, as evidenced by a portion of Certificate 55534, was perfected under Permit 6535 with a date of priority of JUNE 17, 1924. The right allows the use of the LITTLE PUDDING RIVER, a tributary of the PUDDING RIVER, for IRRIGATION OF 17.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.22 cubic foot per second, if available at the authorized point of diversion: LOT 13 (SE $\frac{1}{4}$ NW $\frac{1}{4}$), SECTION 23, T 6 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, 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.

The second right to be modified, as evidenced by Certificate 29889, was perfected under Permit 22392 with a date of priority of MAY 4, 1953. The right allows the use of the LITTLE PUDDING RIVER, a tributary of the PUDDING RIVER, for IRRIGATION OF 35.9 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.45 cubic foot per second, if available at the authorized points of diversion: LOT 12 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), LOT 13 (SE $\frac{1}{4}$ NW $\frac{1}{4}$), SECTION 23, T 6 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, 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 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.

T-6865.PKS

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AMENDED by special order

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The authorized places of use are located as follows:

PERMIT 6535

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.00 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.10 ACRE
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 12.70 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.40 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.00 ACRE

SECTION 23

TOWNSHIP 6 SOUTH, RANGE 2 WEST, W.M.

PERMIT 22392

LOT 12 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) 2.0 ACRES
LOT 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) 9.2 ACRES
LOT 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) 24.0 ACRES
LOT 13 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) 0.7 ACRE

SECTION 23

TOWNSHIP 6 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 applicant proposes to change the points of diversion to a well located at:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 23, T 6 S, R 2 W, W.M.; 1050 FEET SOUTH AND 1700 FEET WEST FROM NW CORNER DLC 42.

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 quantity of water diverted at the new point of appropriation (well), together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points 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. Water shall be acquired from the same surface water source as the original point of diversion.

Certificates 55534 and 29889 are cancelled. A new certificate will be issued to confirm that portion of Certificate 55534 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 JAN 10 1997.



Martha O. Pagel, Director