

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION (WELL)

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 6439 submitted by

CHARLES E. GRAY AND JOHN B. BURR  
1795 HILLWOOD COURT SOUTH  
SALEM, OREGON 97302

to use the waters of A WELL in the LITTLE PUDDING RIVER BASIN for the purpose of IRRIGATING 41.7 ACRES.

A portion of the right to be transferred, as evidenced by certificate 46904, was perfected under Permit G-5841 with a date of priority of JUNE 1, 1973. This right is limited to 0.25 cubic foot per second for the irrigation of 20.1 acres, if available at the original well, or its equivalent in case of rotation, measured at the new well.

The remainder of the right to be transferred, as evidenced by certificate 56536, was perfected under Permit G-7281 with a date of priority of FEBRUARY 25, 1977. This right is limited to 0.27 cubic foot per second for the irrigation of 21.6 acres, if available at the original well, or its equivalent in case of rotation, measured at the new well.

The original point of appropriation (well) for these rights is located as follows:

LOT 2 (SE 1/4 NE 1/4), SECTION 5, T 7 S, R 2 W, W.M.; 720 FEET NORTH & 250 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 5.

The new point of appropriation (well) is located as follows:

NE 1/4 SE 1/4, AS PROJECTED WITHIN DLC 51, SECTION 5, T 7 S, R 2 W, W.M.; 710 FEET SOUTH AND 400 FEET EAST FROM THE NW CORNER OF DLC 51.

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.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use is as follows:

	<u>JUNE 1, 1973</u>	<u>FEBRUARY 25, 1977</u>
NW 1/4 SW 1/4	1.4 ACRES	4.4 ACRES
SW 1/4 SW 1/4		4.4 ACRES
BOTH AS PROJECTED WITHIN DLC 51 SECTION 4		
NE 1/4 SE 1/4	16.6 ACRES	2.0 ACRES
NW 1/4 SE 1/4	2.1 ACRES	
SE 1/4 SE 1/4		10.8 ACRES
ALL AS PROJECTED WITHIN DLC 51 SECTION 5		
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.		

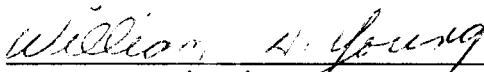
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

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, 1992.
2. The quantity of water diverted at the new well shall not exceed the quantity of water available from the original well.
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. The well at the new point of appropriation shall be constructed to the well construction standards in effect as of the date of this order and must include an access port.
5. Water shall be acquired from the same aquifer as the original point of appropriation.

Certificates 46904 and 56536 are hereby canceled. A new certificate will be issued to confirm that portion of certificate 46904 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 March 12, 1991.

  
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William H. Young

Recorded in Special Order Volume 45, Page 141