

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING AN ADDITIONAL 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 6546 submitted by

DONALD J. ETZEL  
8806 MARION ROAD SE  
TURNER, OREGON 97392.

The right to be modified, as evidenced by Certificate 54711, was perfected under Permit G-9364 with a date of priority of MAY 21, 1981. The right allows the use of THREE WELLS, in the MILL CREEK BASIN, for IRRIGATION OF 198.7 ACRES AND SUPPLEMENTAL IRRIGATION OF 132.5 ACRES. The right is limited to 3.35 cubic foot per second, if available at the original wells; SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 33, T 8 S, R 2 W, WM; WELL 1 - 1150 FEET NORTH AND 2050 FEET WEST, WELL 2 - 1170 FEET NORTH AND 90 FEET WEST, WELL 3, 3600 FEET NORTH AND 1290 FEET WEST, ALL FROM THE SE CORNER, SECTION 33, or its equivalent in case of rotation, measured at the well.

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, provided further that in the event of a request for a change in point of appropriation, an additional point of appropriation or repair of this well, the quantity of water allowed herein together with any other right from this point of appropriation shall not exceed the capacity of this well at the time of perfection of this right.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 21.4 ACRES	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 30.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 11.8 ACRES	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 28.4 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 38.0 ACRES	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 35.1 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 39.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES	SECTION 33
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.8 ACRES	
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.4 ACRE	
SECTION 33	
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 18.0 ACRES	
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 26.9 ACRES	
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 22.4 ACRES	
SECTION 34	

TOWNSHIP 8 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 add an additional point of appropriation to:

NE¼ SE¼, SECTION 33, T 8 S, R 2 W, WM; 380 FEET SOUTH AND 2590 FEET EAST FROM THE CENTER OF SECTION 33.

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, 1996.
2. The quantity of water diverted at the new point of appropriation (well), together with the quantity of water diverted at the old points of appropriation, shall not exceed the quantity of water available from the original points of appropriation.
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 point of appropriation.
5. The use of water from these wells under water rights perfected under Permit G-9364, together with the use of water from all wells under water rights perfected under Permits G-513 and G-795, shall not exceed a rate of 3.35 cfs.

Certificate 54711 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                     MAY 15 1995                    .

  
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Martha O. Pagel, Director