

STATE OF OREGON

COUNTY OF POLK

ORDER APPROVING CHANGES IN PLACE OF USE (PRIORITY SWITCH)

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 6939 submitted by

SCHUDEL ENTERPRISES
800 NW CORNELL
CORVALLIS, OREGON 97330

MARTYN AND DOROTHY BOEHM
8590 PARKER ROAD
INDEPENDENCE, OREGON 97351.

The first right to be modified, as evidenced by Certificate 49078, was perfected under Permit 20830 with a date of priority of OCTOBER 26, 1951. The right allows the use of the LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 10.4 ACRES. This right is limited to 0.13 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 20, as projected within VANDERPOOL DLC 63, T 9 S, R 4 W, WM; 10 FEET NORTH AND 5680 FEET WEST FROM THE SE CORNER VANDERPOOL DLC 63, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified, as evidenced by Certificate 49079, was perfected under Permit 35334 with a date of priority of JUNE 11, 1971. The right allows the use of the LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 10.4 ACRES. This right is limited to 0.08 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 20, as projected within VANDERPOOL DLC 63, T 9 S, R 4 W, WM; 10 FEET NORTH AND 5680 FEET WEST FROM THE SE CORNER VANDERPOOL DLC 63, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation under these rights 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.

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

The authorized place of use is located as follows:

<u>PERMIT 20830</u>	<u>PERMIT 35334</u>
NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.8 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	2.6 ACRES
both as projected within VANDERPOOL DLC 63 SECTION 20	
NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.7 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	4.7 ACRES
both as projected within VANDERPOOL DLC 63 SECTION 21 TOWNSHIP 9 SOUTH, RANGE 4 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 place of use/point of diversion to:

PERMIT 20830 PERMIT 35334

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.8 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.6 ACRES
both as projected within VANDERPOOL DLC 63
SECTION 20

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 5.7 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.7 ACRES
both as projected within VANDERPOOL DLC 63
SECTION 21
TOWNSHIP 9 SOUTH, RANGE 4 WEST, W.M.

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITION IS MET BY THE WATER USERS:

1. The proposed changes shall be completed on or before October 1, 1995.

Certificates 49078 and 49079 are cancelled. 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 June 10, 1994.

A. Reed Marbut
A. REED MARBUT
d/ Martha O. Pagel, Director