

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN PLACE OF USE

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 TRANSFER 5985 submitted by

HERBERT E. AND EDNA M. BARKER
3605 CIRCLE DRIVE
ALBANY, OREGON 97321

to use the waters of FIDLER SPRINGS AND A RESERVOIR, constructed under permit R-1586, tributaries of the WILLAMETTE RIVER, for the purpose of IRRIGATING 0.25 ACRE.

The right to be transferred, as evidenced by certificate 23855, was perfected under Permit 22732 with a date of priority of AUGUST 26, 1952. This right is limited to 0.003 cubic foot per second, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

NE 1/4 NW 1/4, SECTION 13, T 8 S, R 4 W, W.M.

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 new place of use is as follows:

NE 1/4 NW 1/4 0.25 ACRE
SECTION 13
TOWNSHIP 8 SOUTH, RANGE 4 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.

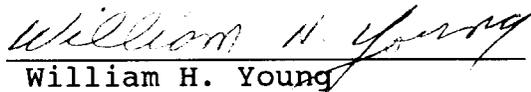
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1991.
2. 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.
3. The following described lands shall no longer be irrigated as a part of this water right:

NW 1/4 NE 1/4 0.25 ACRE
SECTION 13
TOWNSHIP 8 SOUTH, RANGE 4 WEST, W.M.

Certificate 23855 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. 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 April 30, 1990.



William H. Young

Recorded in Special Order Records at Volume 44, page 206.

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