

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING AN ADDITIONAL POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.531, 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 7830 submitted by

CHUCK EDER FARMS
11580 HOOK ROAD NE
MT. ANGEL, OREGON 97362.

The first right to be modified, as evidenced by Certificate 22459, was perfected under Permit 17548 with a date of priority of FEBRUARY 14, 1947. The right allows the use of the PUDDING RIVER, a tributary of the MOLALLA RIVER, for IRRIGATION OF 64.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.80 cubic foot per second, if available at the authorized point of diversion: LOT 9 (SW $\frac{1}{4}$ SE $\frac{1}{4}$) AND SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 8, T 6 S, R 1 W, W.M., 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 Special Order Volume 49, Page 271, entered August 11, 1995, approving Transfer Application 6599, was perfected under Permit 15334 with a date of priority of JULY 16, 1942. The right allows the use of ABIQUA CREEK, a tributary of the PUDDING RIVER, for IRRIGATION OF 28.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.35 cubic foot per second, if available at the original point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 24, T 6 S, R 1 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized point of diversion for this right is:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 8, T 6 S, R 1 W, W.M.; 100 FEET SOUTH AND 675 FEET WEST FROM THE SE CORNER OF LOT 8 (NE $\frac{1}{4}$ SE $\frac{1}{4}$).

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 2½ 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 places of use are located as follows:

PERMIT 17548

SE¼ SW¼ 8.2 ACRES
AS PROJECTED WITHIN JOHNSON DLC 56
LOT 8 (NE¼ SE¼) 1.1 ACRES
NW¼ SE¼ 0.4 ACRE
AS PROJECTED WITHIN JOHNSON DLC 56
LOT 7 (NW¼ SE¼) 5.7 ACRES
SW¼ SE¼ 4.4 ACRES
AS PROJECTED WITHIN JOHNSON DLC 56
LOT 9 (SW¼ SE¼) 13.8 ACRES
SE¼ SE¼ 24.4 ACRES
SECTION 8

LOT 4 (SW¼ SW¼) 6.0 ACRES
SECTION 9
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

TRANSFER APPLICATION 6599

LOT 8 (NE¼ SE¼) 7.2 ACRES
LOT 9 (SW¼ SE¼) 7.5 ACRES
SE¼ SE¼ 13.3 ACRES
SECTION 8
TOWNSHIP 6 SOUTH, RANGE 1 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 an additional point of diversion (well) at:

LOT 8 (NE¼ SE¼), SECTION 8, T 6 S, R 1 W, W.M.; 180 FEET NORTH AND 550 FEET WEST FROM THE SOUTHERLY SW CORNER OF SETTLEMIRE DLC 53.

THIS CHANGE TO THESE 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, 1999.

2. The quantity of water diverted at the new point of diversion (well), together with that diverted at the old point 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 sources as the original points of diversion.
5. The proposed additional point of diversion (well), shall not be more than 100 feet in depth.

Satisfactory proof of the completion of the changes approved by the order of the Water Resources Director entered August 11, 1995, at Special Order Volume 49, Page 271 approving Transfer 6599, is confirmed as described above.

Certificate 22549 is 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 3/25/98.



Martha O. Pagan, Director