

STATE OF OREGON

COUNTY OF BENTON

ORDER APPROVING A CHANGE IN USE

AND CANCELLING A WATER RIGHT

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 6527 submitted by

MRS. CLAUDE BUERGE
6501 NW SPRINGHILL DRIVE
ALBANY, OREGON 97321-9328.

The right to be modified, as evidenced by a PORTION of Certificate 49095, was perfected under Permit 35846 with a date of priority of DECEMBER 23, 1970. The right allows the use of the WILLAMETTER RIVER, a tributary of the COLUMBIA RIVER, for SUPPLEMENTAL IRRIGATION OF 32.0 ACRES. This right is limited to 0.40 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, AS PROJECTED WITHIN HODGES DLC 48, SECTION 14, T 10 S, R 4 W, W.M.; 3380 FEET NORTH AND 3570 FEET EAST FROM THE SW CORNER OF SECTION 14, or its equivalent in case of rotation, measured at the point of diversion from the source.

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.

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

The authorized place of use is located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.7 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	3.1 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	9.8 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	15.4 ACRES

as projected within HODGES DLC 48
SECTION 14
TOWNSHIP 10 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 use from supplemental irrigation to primary irrigation. The applicant also requests the associated groundwater right for primary irrigation be cancelled.

The right to be cancelled as evidenced by Certificate 48996, was perfected under Permit G-5315 with a date of priority of DECEMBER 23, 1970. The right allows the use of TWO WELLS, tributary of the WILLAMETTE RIVER BASIN, for IRRIGATION OF 32.0 ACRES. The right is limited to 0.40 cubic foot per second, being 0.21 cfs from Well 1 and 0.19 cfs from Well 2, if available at the original wells; , or its equivalent in case of rotation, measured at the wells.

The Groundwater Section has said the wells are hydraulically connected to the river. Therefore the wells and the river diversion point are considered to be developing water from the same source. The groundwater right is being cancelled and the change in use is being made, to clear the water right record.

THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The quantity of water diverted at the point of diversion, shall not exceed the quantity of water available at the original wells and point of diversion.
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 water right evidenced by Certificate 48996 is cancelled

Certificates 49095 and 48996 are cancelled. A new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director,
affixed July 28, 1994.


A. REED MARBUT
for/ Martha O. Pagel, Director