

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A TEMPORARY 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, as conditioned or limited herein, TEMPORARY TRANSFER 8492 submitted by

CHRIS BOCHSLER
11851 WILCO HIGHWAY
MT. ANGEL, OREGON 97362.

The first right to be modified, as evidenced by a portion of Certificate 21099, was perfected under Permit 19210 with a date of priority of NOVEMBER 1, 1949. The right allows the use of ZOLLNER CREEK, a tributary of the PUDDING RIVER, for IRRIGATION of 14.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.19 cubic foot per second, if available at the authorized point of diversion: NW¼ SE¼, SECTION 34, T 5 S, R 1 W, WM, or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

The second right to be modified is a PORTION of Permit G-12133, with a date of priority of March 27, 1991. The permit allows the use of a WELL, in the ZOLLNER CREEK BASIN, for SUPPLEMENTAL IRRIGATION of 14.8 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 0.14 cubic foot per second, if available at the original well; SE¼ SE¼, SECTION 34, T 5 S, R 1 W, WM; 1170 FEET NORTH AND 450 FEET WEST FROM THE SE CORNER, SECTION 34, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 per acre 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.

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The authorized place of use is located as follows:

NE¼ SE¼	0.4 ACRE
NW¼ SE¼	14.4 ACRES
SECTION 34	
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.	

The applicant proposes to TEMPORARILY change the place of use to:

SE¼ SE¼	0.7 ACRE
SECTION 34	

SW¼ SW¼ 11.6 ACRES

SE¼ SW¼ 2.5 ACRES

SECTION 35

TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

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

1. The changes are temporary. The changes shall be effective upon issuance of this order.
2. The former place of use shall not be irrigated as part of these water rights during the 2000 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 2000 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. The use of water under Permit G-12133 is subject to all other terms and conditions of the permit.
6. The use of the remaining water right described by Certificate 21099 and Permit G-12133 shall continue to be in accordance with the terms and conditions of Certificate 21099 and Permit G-12133.

WITNESS the signature of the Water Resources Director,

APR 25 2000

affixed _____.



For Martha G. Pagel, Director