

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.705, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 6712 submitted by

ALFRED VON FLUE
11645 EVERGREEN ROAD NE
SILVERTON, OREGON 97381.

The right to be modified, as evidenced by Certificate 46601, was perfected under Permit G-5790 with a date of priority of MAY 10, 1973. The right allows the use of A WELL, a tributary of DRIFT CREEK, for IRRIGATION OF 15.5 ACRES. The right is limited to 0.19 cubic foot per second, if available at the original well; located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 9, T. 7S., R. 1W., W.M., 1200 FEET SOUTH AND 1790 FEET WEST FROM THE SW CORNER, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, or its equivalent in case of rotation, measured at the well.

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 as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$	7.0	ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	8.5	ACRES

SECTION 9

TOWNSHIP 7 SOUTH, RANGE 1 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.

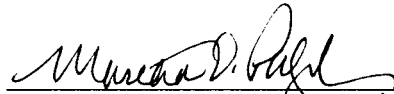
The applicant proposes to change the POINT OF APPROPRIATION to the SW $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 9, T. 7S., R. 1W., W.M., 1910 FEET SOUTH, AND 1235 FEET EAST FROM THE NW CORNER SECTION 9.

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, 1996.
2. The quantity of water diverted at the new point of appropriation (well) shall not exceed the quantity of water customarily available from the original point of appropriation or the quantity of water lawfully available from the original point of appropriation, whichever is less.
3. When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the 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 aquifer as the original point of appropriation.

Certificate 46601 is cancelled. 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 SEP 6 1995.



Martha O. Pagan, Director