

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING AN ADDITIONAL POINT OF DIVERSION

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 7603 submitted by

DAVID AND REBECCA CAMPBELL  
5272 BRUSH CREEK DRIVE NE  
SILVERTON, OREGON 97381.

The right to be modified, as evidenced by Certificate 29420, was perfected under Permit 26167 with a date of priority of MAY 15, 1959. The right allows the use of BRUSH CREEK, a tributary of SILVER CREEK, for IRRIGATION OF 24.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.30 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$  SW $\frac{1}{4}$ , AS PROJECTED WITHIN COX DLC 45, SECTION 33, 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 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 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 $\frac{1}{4}$  SW $\frac{1}{4}$  24.2 ACRES  
AS PROJECTED WITHIN COX DLC 45  
SECTION 33  
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 at:

SW $\frac{1}{4}$  SW $\frac{1}{4}$ , AS PROJECTED WITHIN COX DLC 45, SECTION 33, T 6 S, R 1 W, W.M.; 1100 FEET NORTH AND 350 FEET EAST FROM THE SW CORNER, SECTION 33.

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, 1998.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point 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 source as the original point of diversion.

Certificate 29420 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 March 26, 1997.



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Martha O. Pagel, Director