

STATE OF OREGON

COUNTY OF POLK

ORDER APPROVING A CHANGE IN 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 6533 submitted by

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The right to be modified, as evidenced by a PORTION of Certificate 41885, was perfected under Permit 32204 with a date of priority of MARCH 13, 1967. The right allows the use of the LITTLE LUCKIAMUTE RIVER, a tributary of the LUCKIAMUTE RIVER, for IRRIGATION OF 70.5 ACRES. This right is limited to 0.88 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within SMITH DLC 56, SECTION 8, T 9 S, R 5 W, W.M.; 200 FEET SOUTH AND 1630 FEET EAST FROM THE NW CORNER OF SMITH DLC 56, 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:

NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.6 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	28.8 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	7.3 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	10.5 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	11.3 ACRES

all as projected within SMITH DLC 50
SECTION 8
TOWNSHIP 9 SOUTH, RANGE 5 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 point of diversion to:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 8, T 9 S, R 5 W, W.M.; 30 FEET SOUTH AND 1500 FEET EAST FROM THE NW CORNER OF SMITH DLC 56.


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, 1994.
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 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.

Certificate 41885 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. 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 August 26, 1993.


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 / Martha O. Pagel

Recorded in Special Order Records at Volume 47, Page 317 .

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