

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 540.523, 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 8466 submitted by

CARL JENSEN, JR.
7157 STATE STREET
SALEM, OREGON 97301.

The right to be modified, as evidenced by a PORTION of Permit G-11345, with a date of priority of DECEMBER 11, 1990. The right allows the use of a WELL, in the PUDDING RIVER BASIN, for IRRIGATION of 26.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.33 cubic foot per second, if available at the original well; SW¼ NW¼, as projected within EOFF DLC 65, SECTION 25, T 7 S, R 2 W, WM; 50 FEET NORTH AND 100 FEET WEST FROM THE E'LY INTERIOR CORNER, DLC 55, or its equivalent in case of rotation, measured at the well.

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 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.

The authorized place of use is as follows:

NE¼ SW¼ 14.4 ACRES
NW¼ SW¼ 12.0 ACRES
both as projected within EOFF DLC 65
SECTION 25
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.

The water user shall report a March static water level in the well to the Ground Water/Hydrology Section of the Water Resources Department by April 15 of each year. The measurement shall be made and calculations detailed by a certified Water Rights Examiner, registered Professional Geologist, certified Engineering Geologist, or Professional Engineer.

Use of water from the well shall not be allowed if the well displays an (A) average water level decline of 3 or more feet per year for 5 consecutive years, or (B) a water level decline of 15 or more feet in fewer than 5 consecutive years, or (C) a water level decline of 25 or more feet, or (D) a hydraulic interference decline of 25 or more feet in any neighboring well with senior priority which provides water for an authorized use.

The Water Resources Department has determined that the initial water level in the well is the level of the initial March report (40.5 feet below land surface). This is the level from which the cited declines in (A), (B) and (C) above will be referenced.

The well shall be maintained in accordance with the General Standards for Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times. When required by the Department, the water user shall install and maintain a weir, meter, or other suitable device, and shall keep a complete record of the amount of ground water withdrawn.

Failure to comply with any of the provisions of this right may result in action, including, but not limited to, restriction on the use, civil penalties, or cancellation of the right.

The use of water shall be limited when it interferes with any prior surface of ground water rights.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described. The water user is advised that new regulation may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with the water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The applicant proposes to TEMPORARY change the place of use, for 5 years, to:

NW¼ SW¼ 10.0 ACRES
as projected within EOFF DLC 65
SECTION 25

NE¼ SE¼ 16.4 ACRES
as projected within EOFF DLC 65
SECTION 26
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.

