

STATE OF OREGON

COUNTY OF POLK

ORDER APPROVING A 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, TRANSFER 6843 submitted by

DONG KUEN CHAEY
2647 PERRYDALE ROAD
DALLAS, OREGON 97338.

The first right to be modified, as evidenced by Certificate 37147, was perfected under Permit 30802 with a date of priority of JULY 20, 1965. The right allows the use of an UNNAMED STREAM, A RESERVOIR CONSTRUCTED UNDER PERMIT R-4651, AND REIMER RESERVOIR CONSTRUCTED UNDER PERMIT 2147, tributary of SALT CREEK, for IRRIGATION 27.7 ACRES. This right is limited to 0.35 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within ORCHARD DLC 41, SECTION 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within BROWN DLC 40, SECTION 9; T 7 S, R 5 W, WM; 2280 FEET NORTH 450 FEET WEST FROM THE SE CORNER, SECTION 4, 1090 FEET SOUTH AND 30 FEET EAST FROM THE NW CORNER, BROWN DLC 40, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified, as evidenced by a PORTION of Certificate 37148, was perfected with a priority date of JULY 20, 1965. The right allows the use of an UNNAMED STREAM, A RESERVOIR CONSTRUCTED UNDER PERMIT 2147 (Reimer Reservoir), AND RESERVOIR CONSTRUCTED UNDER PERMIT R-4651, tributary of SALT CREEK, for IRRIGATION 25.6 ACRES. This right is limited to 0.32 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within ORCHARD DLC 41, SECTION 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within BROWN DLC 40, SECTION 9; T 7 S, R 5 W, WM; 2280 FEET NORTH 450 FEET WEST FROM THE SE CORNER, SECTION 4, 1090 FEET SOUTH AND 30 FEET EAST FROM THE NW CORNER, BROWN DLC 40, or its equivalent in case of rotation, measured at the point of diversion from the source.

The third right to be modified, as evidenced by a PORTION of Certificate 42975, was perfected with a priority date of DECEMBER 20, 1971. The right allows the use of water from a RESERVOIR ENLARGED UNDER PERMIT R-5934, a tributary of SALT CREEK, for SUPPLEMENTAL IRRIGATION OF 53.3 ACRES. This right is limited to 2.69 acre feet, if available at the authorized point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within BROWN DLC 40, SECTION 9, T 7 S, R 5 W, WM; 1090 FEET SOUTH AND 30 EAST FROM THE NW CORNER, BROWN DLC 40.

The amount of water used for irrigation under these rights is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second from direct flow (or its equivalent) and 2½ acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage from the reservoir constructed under Permit R-4651, Reimer Reservoir constructed under Permit R-2147, and the reservoir enlarged under Permit R-5934, provided further that the right for supplemental irrigation shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

<u>PERMIT 36631</u>		
	<u>PERMIT 30802</u>	<u>PERMIT 30803</u>
NE¼ NW¼		5.9 ACRES
NW¼ NW¼		9.0 ACRES
SW¼ NW¼	17.2 ACRES	7.3 ACRES
SE¼ NW¼	2.5 ACRES	3.4 ACRES
NE¼ SW¼	0.8 ACRE	
NW¼ SW¼	7.2 ACRES	
all as projected within BROWN DLC 40		
SECTION 9		
TOWNSHIP 7 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 place of use to:

<u>PERMIT 36631</u>		
	<u>PERMIT 30802</u>	<u>PERMIT 30803</u>
NW¼ NE¼	6.5 ACRES	
SW¼ NE¼	6.0 ACRES	
NW¼ NW¼	4.9 ACRES	
SW¼ NW¼	9.5 ACRES	
SE¼ NW¼		12.4 ACRES
NE¼ SW¼		12.0 ACRES
NW¼ SW¼		1.0 ACRE
NW¼ SE¼		0.2 ACRE
all as projected within BROWN DLC 40		
NW¼ NW¼	0.8 ACRE	
as projected within WHITTLEY DLC 39		
SECTION 9		
TOWNSHIP 7 SOUTH, RANGE 5 WEST, W.M.		

THIS CHANGE TO EXISTING WATER RIGHTS 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 former place of use shall no longer be irrigated as a part of this water right.

Certificates 37147, 37148, and 42975 are cancelled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,
affixed NOV 8 1994.

A. Reed Marbut
A. REED MARBUT
Martha O. Pagel, Director