

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING ADDITIONAL POINTS OF APPROPRIATION

Pursuant to ORS 537.705, 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 6399 submitted by

KRAEMER FARMS
13318 DOMONIC ROAD
MT. ANGEL, OREGON 97362.

The first right to be modified, as evidenced by Certificate 48480, was perfected under Permit G-6668 with a date of priority of SEPTEMBER 18, 1974. The right allows the use of A WELL (WELL 1), a tributary of the BUTTE CREEK BASIN, for IRRIGATION OF 182.9 ACRES. The right is limited to 1.30 cubic foot per second, if available at the original well; NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within T. JACK DLC 43, SECTION 17, T 6 S, R 1 E, WM; 1110 FEET SOUTH AND 80 FEET EAST FROM THE NW CORNER, SECTION 17, or its equivalent in case of rotation, measured at the well.

The second right to be modified, as evidenced by a PORTION of Certificate 58966, was perfected under Permit G-7584 with a date of priority of MAY 19, 1977. The right allows the use of THOMAS WELL 1 (WELL 1), a tributary of the ZOLLNER CREEK BASIN, for IRRIGATION OF 48.5 ACRES. The right is limited to 0.61 cubic foot per second, if available at the original well; NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within T. JACK DLC 43, SECTION 17, T 6 S, R 1 E, WM; 1110 FEET SOUTH AND 80 FEET EAST FROM THE NW CORNER, SECTION 17, or its equivalent in case of rotation, measured at the well.

The third right to be modified, as evidenced by a PORTION of Certificate 60972, was perfected under Permit G-9180 with a date of priority of MAY 13, 1980. The right allows the use of WELL 1, a tributary of the ZOLLNER CREEK BASIN, for SUPPLEMENTAL IRRIGATION OF 23.6 ACRES. The right is limited to 0.30 cubic foot per second, if available at the original well; NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within T. JACK DLC 43, SECTION 17, T 6 S, R 1 E, WM; 1110 FEET SOUTH AND 80 FEET EAST FROM THE NW CORNER, SECTION 17, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation under these rights 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:

SEPTEMBER 18, 1974

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 33.4 ACRES
SECTION 7

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.4 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 37.6 ACRES

both as projected within T. JACK DLC 43
SECTION 8

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.1 ACRES
as projected within THOMAS DLC 48

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33.1 ACRES
as projected within T. JACK DLC 43

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.6 ACRES

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 13.5 ACRES

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15.0 ACRES

all as projected within THOMAS DLC 48
SECTION 17

LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) 35.8 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.4 ACRES

SECTION 18

TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

MAY 19, 1977

LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) 2.2 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.8 ACRE

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.5 ACRES

LOT 2 (SE $\frac{1}{4}$ NE $\frac{1}{4}$) 23.6 ACRES

LOT 3 (NE $\frac{1}{4}$ SE $\frac{1}{4}$) 11.4 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.9 ACRES

SECTION 18

TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

MAY 13, 1980

SUPPLEMENTAL

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 17.6 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 6.0 ACRES

SECTION 7

TOWNSHIP 6 SOUTH, RANGE 1 EAST, 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 add points of appropriation as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 17; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 18, T 6 S, R 1 E, WM; HANK THOMAS WELL - 1400 FEET SOUTH AND 3040 FEET EAST; LONE PINE WELL - 1425 FEET SOUTH AND 2075 FEET EAST; DRAKE WELL - 1900 FEET SOUTH AND 1660 FEET WEST; ALL FROM THE NW CORNER, SECTION 17.

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 quantity of water diverted at the new points of appropriation (well), together with the quantity of water diverted from the old point of appropriation, shall not exceed the quantity of water available from the original point of appropriation.
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 48480, 58966, and 60972 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 30 1994.


A. REED MARBUT
Martha O. Pagel, Director