

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 7988 submitted by

ROBERT AND PAMELA ZIELINSKI
12423 RIVER ROAD NE
GERVAIS, OREGON 97026.

The first right to be modified, as evidenced by a PORTION of Certificate 36087, was perfected under Permit G-2954 with a date of priority of FEBRUARY 15, 1965. The right allows the use of TWO WELLS, in the WILLAMETTE RIVER BASIN, for IRRIGATION OF 122.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.53 CUBIC FEET PER SECOND (CFS), BEING 0.94 CFS FROM WELL 3 AND 0.59 CFS FROM WELL 4, if available at the original wells; NE $\frac{1}{4}$ SE $\frac{1}{4}$, AS PROJECTED WITHIN LADTROOTE DLC 52, SECTION 31, NE $\frac{1}{4}$ SW $\frac{1}{4}$, AS PROJECTED WITHIN LADTROOTE DLC 52, SECTION 32, T 5 S, R 2 W, W.M.; WELL 3 - 1100 FEET NORTH AND 5200 FEET EAST, WELL 4 - 1570 FEET AND 7340 FEET EAST, BOTH FROM THE SW CORNER OF HAGEY DLC 69, or its equivalent in case of rotation, measured at the wells.

The second right to be modified, as evidenced by Certificate 50719, was perfected under Permit G-7865 with a date of priority of NOVEMBER 7, 1977. The right allows the use of A WELL, in the PATTERSON CREEK BASIN, for IRRIGATION OF 61.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.77 CUBIC FOOT PER SECOND (CFS), if available at the original well; NE $\frac{1}{4}$ SE $\frac{1}{4}$, AS PROJECTED WITHIN LADTROOTE DLC 52, SECTION 31, T 5 S, R 2 W, W.M.; 750 FEET SOUTH AND 180 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 31, or its equivalent in case of rotation, measured at the well.

The third right to be modified, as evidenced by Certificate 50720, was perfected under Permit G-7866 with a date of priority of NOVEMBER 7, 1977. The right allows the use of A WELL, in the PATTERSON CREEK BASIN, for IRRIGATION OF 59.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.74 CUBIC FOOT PER SECOND (CFS), if available at the original well; SE $\frac{1}{4}$ NE $\frac{1}{4}$, AS PROJECTED WITHIN LADTROOTE DLC 52, SECTION 31, T 5 S, R 2 W, W.M.; 450 FEET NORTH AND 800 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 31, or its equivalent in case of rotation, measured at the well.

The fourth right to be modified, as evidenced by Certificate 61082, was perfected under Permit G-8854 with a date of priority of APRIL 24, 1980. The right allows the use of TWO WELLS, in the PATTERSON CREEK BASIN, for IRRIGATION OF 30.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.38 CUBIC FOOT PER SECOND (CFS), BEING 0.19 CFS FROM EACH WELL, if available at the original wells; NE $\frac{1}{4}$ SE $\frac{1}{4}$, AS PROJECTED WITHIN LADTROOTE DLC 52, SECTION 31, NE $\frac{1}{4}$ SW $\frac{1}{4}$, AS PROJECTED WITHIN LADTROOTE DLC 52, SECTION 32, T 5 S, R 2 W, W.M.; WELL 3 - 3000 FEET SOUTH AND 2640 FEET WEST, WELL 4 - 2500 FEET SOUTH AND 520 FEET WEST, BOTH FROM THE NE CORNER OF LADTROOTE DLC 52, or its equivalent in case of rotation, measured at the well.

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 2 $\frac{1}{2}$ 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 places of use are as follows:

PERMIT G-2954

WELL 3

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 28.2 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.8 ACRES
BOTH AS PROJECTED WITHIN
LADTROOTE DLC 52
SECTION 31

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 11.6 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 28.2 ACRES
BOTH AS PROJECTED WITHIN
LADTROOTE DLC 52
SECTION 32

WELL 4

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.0 ACRES
BOTH AS PROJECTED WITHIN
OGLE DLC 53
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 16.9 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 16.7 ACRES
BOTH AS PROJECTED WITHIN
LADTROOTE DLC 52
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.7 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.9 ACRES
BOTH AS PROJECTED WITHIN
OGLE DLC 53
SECTION 32

TOWNSHIP 5 SOUTH, RANGE 2 WEST, W.M.

PERMIT G-7865

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.6 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.8 ACRE
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 15.3 ACRES
ALL AS PROJECTED WITHIN LADTROOTE DLC 52
SECTION 31

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.8 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.2 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15.2 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 13.2 ACRES
ALL AS PROJECTED WITHIN LADTROOTE DLC 52
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.1 ACRE
AS PROJECTED WITHIN DELORES DLC 72
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.4 ACRE
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.4 ACRE
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.2 ACRE
ALL AS PROJECTED WITHIN OGLE DLC 53
SECTION 32

TOWNSHIP 5 SOUTH, RANGE 2 WEST, W.M.

PERMIT G-7866

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.7 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 35.3 ACRES

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.0 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.5 ACRES

ALL AS PROJECTED WITHIN LADTROOTE DLC 52
SECTION 31

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.1 ACRES

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.6 ACRE

ALL AS PROJECTED WITHIN LADTROOTE DLC 52
SECTION 32

TOWNSHIP 5 SOUTH, RANGE 2 WEST, W.M.

PERMIT G-8854

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 20.6 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.6 ACRE

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 8.8 ACRES

ALL AS PROJECTED WITHIN OGLE DLC 53
SECTION 32

TOWNSHIP 5 SOUTH, RANGE 2 WEST, 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 additional points of appropriation at:

WELL 3 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, AS PROJECTED WITHIN LADTROOTE DLC 52, SECTION 31, T 5 S, R 2 W, W.M.; 3000 FEET SOUTH AND 2640 FEET WEST FROM THE NE CORNER OF LADTROOTE DLC 52.

WELL 4 - NE $\frac{1}{4}$ SW $\frac{1}{4}$, AS PROJECTED WITHIN LADTROOTE DLC 52, SECTION 32, T 5 S, R 2 W, W.M.; 2500 FEET SOUTH AND 520 FEET WEST FROM THE NE CORNER OF LADTROOTE DLC 52.

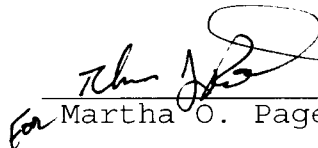
WELL 5 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, AS PROJECTED WITHIN LADTROOTE DLC 52, SECTION 31, T 5 S, R 2 W, W.M.; 450 FEET NORTH AND 800 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 31.

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, 2000.
2. The quantity of water diverted at the new points of appropriation (wells), together with the quantity diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation.
3. When required by the Department the water user shall install in-line flow meters or other suitable devices for measuring and recording the quantity of water used. The type and plans of the measuring devices 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 points of appropriation.

Certificates 36087, 50719, 50720, and 61082 are cancelled. A new certificate will be issued to confirm that portion of Permit G-2954 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 JAN 20 1999.



For Martha O. Pagel, Director