

STATE OF OREGON

COUNTY OF MARION

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 6919 submitted by

DICKMAN FARMS, INC.
15829 MT ANGEL-SCOTTS MILLS HIGHWAY NE
SILVERTON, OREGON 97381.

The first right to be modified, as evidenced by a portion of Certificate 16778, was perfected under Permit 16524 with a date of priority of AUGUST 17, 1945. The right allows the use of BUTTE CREEK, a tributary of the PUDDING RIVER, for IRRIGATION OF 8.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.10 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, AND SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 31, T 5 S, R 1 E, WM, 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 51601, was perfected under Permit 39747 with a date of priority of JULY 11, 1975. the right allows the use of BUTTE CREEK, a tributary of the PUDDING RIVER, for IRRIGATION OF 1.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.02 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 31, T 5 S, R 1 E, WM; 1300 FEET NORTH AND 500 FEET EAST FROM THE S $\frac{1}{4}$ CORNER, SECTION 31, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for 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 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 located as follows:

	<u>PERMIT 16524</u>	<u>PERMIT 39747</u>
NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.2 ACRES	
SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.1 ACRE	1.5 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.8 ACRE	
SW $\frac{1}{4}$ SE $\frac{1}{4}$		0.3 ACRE
SECTION 31		
TOWNSHIP 5 SOUTH, RANGE 1 EAST, 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 places of use to:

	<u>PERMIT 16524</u>	<u>PERMIT 39747</u>
SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.8 ACRES	1.8 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	3.3 ACRES	
SECTION 31		
TOWNSHIP 5 SOUTH, RANGE 1 EAST, 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, 1998..
2. The former place of use shall no longer be irrigated as a part of this water right.

Certificates 16678 and 51601 are cancelled. New certificates will be issued to confirm that portion 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 April 21, 1997.



Martha O. Pagel, Director