

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 6762 submitted by

PEMBROKE FARMS  
7017 QUARRY AVENUE NE  
SILVERTON, OREGON 97381.

The first right to be modified, as evidenced by a portion of Certificate 14666, was perfected under Permit 14020 with a date of priority of AUGUST 31, 1939. The right allows the use of ABIQUA CREEK, a tributary of the PUDDING RIVER, for IRRIGATION OF 9.1 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.11 cubic foot per second, if available at the authorized point of diversion: LOT 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ), SECTION 23, T 6 S, R 1 W, W.M., 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 24231, was perfected under Permit 21354 with a date of priority of MAY 6, 1952. The right allows the use of ABIQUA CREEK, a tributary of the PUDDING RIVER, for IRRIGATION OF 12.9 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.16 cubic foot per second, if available at the authorized point of diversion: LOT 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ), SECTION 23, T 6 S, R 1 W, W.M., 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:

**PERMIT 14020**

NE $\frac{1}{4}$  SW $\frac{1}{4}$  0.6 ACRE  
SE $\frac{1}{4}$  SW $\frac{1}{4}$  3.3 ACRES  
LOT 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) 5.2 ACRES  
SECTION 23

**PERMIT 21354**

NE $\frac{1}{4}$  SW $\frac{1}{4}$  6.9 ACRES  
NW $\frac{1}{4}$  SW $\frac{1}{4}$  3.4 ACRES  
LOT 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) 2.6 ACRES  
SECTION 23

TOWNSHIP 6 SOUTH, RANGE 1 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:

**PERMIT 14020**

NE $\frac{1}{4}$  SW $\frac{1}{4}$  2.5 ACRES  
SE $\frac{1}{4}$  SW $\frac{1}{4}$  3.4 ACRES  
LOT 3 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) 1.4 ACRES  
SW $\frac{1}{4}$  SE $\frac{1}{4}$  1.8 ACRES  
SECTION 23

**PERMIT 21354**

SE $\frac{1}{4}$  SW $\frac{1}{4}$  7.8 ACRES  
SW $\frac{1}{4}$  SE $\frac{1}{4}$  5.1 ACRES  
SECTION 23

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

THIS CHANGE TO THESE 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, 1999.
2. The former places of use shall no longer be irrigated as a part of these water rights.

Certificates 14666 AND 24231 are cancelled. New certificates will be issued to confirm those portions of these 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 15, 1998.

  
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Martha O. Pagel, Director