

STATE OF OREGON

COUNTY OF LINN

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

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 TRANSFER 6418 submitted by

EUGENE AND IVY VAN LEEUWEN
37793 GILKEY ROAD
SCIO, OREGON 97374

to use the waters of THOMAS CREEK, a tributary of the SOUTH SANTIAM RIVER, for the purpose of IRRIGATING 72.0 ACRES.

The right to be transferred, as evidenced by certificate 54435, was perfected under Permit 42758 with a date of priority of MARCH 4, 1977. This right is limited to 0.90 cubic foot per second, if available at the original point of diversion: Lot 9 (SW 1/4 SE 1/4), SECTION 15, T 10 S, R 2 W, W.M.; 5790 FEET NORTH AND 940 FEET WEST FROM THE SE CORNER OF DLC 65, or its equivalent in case of rotation, measured at the point of diversion from the source.

The new point of diversion is located as follows:

Lot 8 (SE 1/4 SW 1/4), SECTION 15, T 10 S, R 2 W, W.M.; 5960 FEET NORTH AND 2950 FEET WEST FROM THE SE CORNER OF DLC 65.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use is as follows:

SW 1/4 SW 1/4	1.8 ACRES
SE 1/4 SW 1/4	9.9 ACRES
BOTH AS PROJECTED WITHIN DLC 65	
LOT 8 (SE 1/4 SW 1/4)	1.6 ACRES
SECTION 15	

SW 1/4 NE 1/4	0.7 ACRE
NE 1/4 NW 1/4	25.4 ACRES
NW 1/4 NW 1/4	0.1 ACRE
SE 1/4 NW 1/4	32.5 ACRES
ALL AS PROJECTED WITHIN DLC 65	
SECTION 22	
TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.	

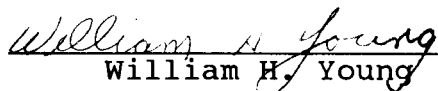
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

THIS CHANGE TO AN EXISTING WATER RIGHT 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, 1992.
2. The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water available at the original point of diversion.
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Certificate 54435 is canceled. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director, affixed November 20, 1990.


William H. Young

Recorded in Special Order Records at Volume 44, page 407.

T-6418.ORD