

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

COUNTY OF MARION

IN THE MATTER OF DIMINUTION OF )  
A WATER RIGHT IN THE NAME OF ) ORDER  
LEROY AND EILEEN FERY )

An affidavit was received from LEROY AND EILEEN FERY, the owners of certain land and the water right appurtenant to it.

Having obtained a more reliable source of water for the primary irrigation of said lands, the affidavit requests that a portion of the water right appurtenant to said lands, be diminished from primary irrigation to supplemental irrigation.

The right to be modified, as evidenced by a PORTION of Certificate 23050 was perfected under Permit 20857 with a date of priority of AUGUST 31, 1951.

The right allows the use of MARION CREEK, a tributary of the NORTH SANTIAM RIVER for IRRIGATION OF 1.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.02 cubic foot per second, if available at the authorized point of diversion: SW¼ SE¼, as projected within PICKARD DLC 58, SECTION 28, T. 9S., R.2W., W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

A description of the place of use to which this right is appurtenant is as follows:

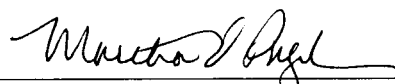
SW¼ SE¼ 1.2 ACRES  
as projected within PICKARD DLC 58  
SECTION 28  
TOWNSHIP 9 SOUTH, RANGE 2 WEST, W.M.

The remainder of the water right described by Certificate 23050 is NOT being diminished.

OAR 690-11-200(4) provides "A primary right may, at the request of the owner of the right, be diminished to supplemental status to allow for a new primary application from a more dependable source of water."

Certificate 23050 is cancelled. That portion of water right Certificate 23050 described herein is diminished from irrigation to supplemental irrigation. A new certificate shall be issued to reflect the change due to this proceeding.

WITNESS the signature of the Water Resources Director,  
affixed November 7, 1995.



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Martha O. Pagel, Director