

STATE OF OREGON

COUNTY OF POLK

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.211, 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, PERMIT AMENDMENT T-8355 submitted by

DAVID SETNIKER  
P.O. BOX 338  
INDEPENDENCE, OREGON 97351.

The permit to be modified is Permit G-12474 with a date of priority of DECEMBER 31, 1992. The permit allows the use of A WELL, in the WILLAMETTE RIVER BASIN, for IRRIGATION OF 260.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 43.8 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 1.86 cubic feet per second, if available at the original well; SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 16, T 8 S, R 4 W, W.M.; 2040 FEET SOUTH AND 450 FEET WEST FROM THE C $\frac{1}{4}$  CORNER OF SECTION 16, or its equivalent in case of rotation, measured at the well.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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 2½ 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 place of use is as follows:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SE¼ NE¼	7.0 ACRES	
SE¼ SW¼	19.3 ACRES	
NE¼ SE¼	27.7 ACRES	
SW¼ SE¼	35.9 ACRES	
SE¼ SE¼	34.9 ACRES	
SECTION 8		
SW¼ NW¼	7.8 ACRES	
SE¼ NW¼	2.0 ACRES	
NE¼ SW¼	11.7 ACRES	
NW¼ SW¼	40.0 ACRES	
SW¼ SW¼	39.8 ACRES	
SE¼ SW¼	13.0 ACRES	
SECTION 9		
NE¼ NW¼	7.6 ACRES	7.7 ACRES
NW¼ NW¼	12.0 ACRES	23.5 ACRES
SW¼ NW¼		9.1 ACRES
SE¼ NW¼		3.3 ACRES
SECTION 16		
NE¼ NE¼	1.6 ACRES	0.2 ACRE
SECTION 17		

TOWNSHIP 8 SOUTH, RANGE 4 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 change the point of appropriation to:

WELL 1A - NW¼ NE¼, SECTION 21, T 8 S, R 4 W, W.M.;  
200 FEET SOUTH AND 1950 FEET WEST FROM THE NE CORNER OF  
SECTION 21.

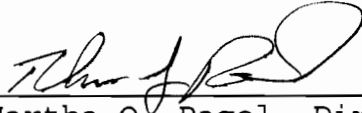
WELL 1B - NE¼ NE¼, SECTION 21, T 8 S, R 4 W, W.M.;  
200 FEET SOUTH AND 600 FEET WEST FROM THE NE CORNER OF  
SECTION 21.

THIS CHANGE TO AN EXISTING WATER PERMIT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The quantity of water diverted at the new points of appropriation (well) shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. 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.
3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. All other terms and conditions of the permit remain the same.

Permit G-12474, in the name of DAVID SETNIKER is amended as described herein.

WITNESS the signature of the Water Resources  
Director, affixed JUN 01 2000.

  
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Martha O. Pagel, Director