

STATE OF OREGON

COUNTY OF LANE

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.531, 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 8784 submitted by

RANDY HENDERSON  
91455 RIVER ROAD  
JUNCTION CITY, OREGON 97448.

The right to be modified, as evidenced by Certificate 33441, was perfected under Permit 28063 with a date of priority of MAY 11, 1962. The right allows the use of SPRING CREEK, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 25.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.32 cubic foot per second, if available at the authorized points of diversion: NE¼ NW¼, AS PROJECTED WITHIN J. BROWN DLC 44, SECTION 35, T 16 S, R 4 W, W.M.; 830 FEET NORTH AND 200 FEET EAST; 1400 FEET NORTH AND 20 FEET WEST; BOTH FROM THE NW CORNER OF G. MAUPIN DLC 42, 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 any 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 2½ acre-feet for each acre irrigated during the irrigation season of each year.

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

The authorized place of use is located as follows:

PERMIT 28063

SE $\frac{1}{4}$  SW $\frac{1}{4}$  12.1 ACRES  
SW $\frac{1}{4}$  SE $\frac{1}{4}$  2.4 ACRES  
BOTH AS PROJECTED WITHIN J. BROWN DLC 44  
SECTION 26

NW $\frac{1}{4}$  NE $\frac{1}{4}$  4.9 ACRES  
SW $\frac{1}{4}$  NE $\frac{1}{4}$  1.3 ACRES  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  4.0 ACRES  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  0.7 ACRE  
ALL AS PROJECTED WITHIN J. BROWN DLC 44  
SECTION 35

TOWNSHIP 16 SOUTH, RANGE 4 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 point of diversion to a well located:

NW $\frac{1}{4}$  NE $\frac{1}{4}$ , AS PROJECTED WITHIN J. BROWN DLC 44,  
SECTION 35, T 16 S, R 4 W, W.M.; 670 FEET NORTH AND 514 FEET EAST  
FROM THE NW CORNER OF G. MAUPIN DLC 42.

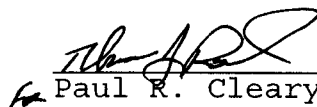
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2003.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original points 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.
4. Water shall be acquired from the same surface water source as the original points of diversion.

Certificate 33441 is cancelled. 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           MAY 30 2002          .

  
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Paul R. Cleary, Director