

STATE OF OREGON

COUNTY OF MARION

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, as conditioned or limited herein, TRANSFER 6853 submitted by

WARREN S. AND JANICE L. GRAY  
12496 DIECKMAN LANE SE  
AUMSVILLE, OREGON 97325.

The right to be modified, as evidenced by a portion of Certificate 26421, was perfected under Permit 21054 with a date of priority of JANUARY 24, 1952. The right allows the use of a SIDE CHANNEL OF THE NORTH SANTIAM RIVER, a tributary of the NORTH SANTIAM RIVER, for IRRIGATION OF 41.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.52 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$  NW $\frac{1}{4}$  & NW $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within PRITCHARD DLC 43, SECTION 20, T 9 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 place of use is located as follows:

NE $\frac{1}{4}$  NW $\frac{1}{4}$  24.0 ACRES  
NW $\frac{1}{4}$  NW $\frac{1}{4}$  17.2 ACRES  
SECTION 20  
both as projected within J. PRITCHARD DLC 43  
TOWNSHIP 9 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 point of diversion to:

NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within J. PRITCHARD DLC 43, SECTION 20, T 9 S, R 1 W, W.M.; 1080 FEET NORTH AND 740 FEET WEST FROM SOUTHEAST CORNER DLC 43.

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, 1997.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully 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 26421 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. 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 December 7, 1995.

  
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Martha O. Pagel, Director