

STATE OF OREGON

COUNTY OF LINN

ORDER APPROVING A CHANGE IN PLACE OF USE

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 6371 submitted by

BILLIE McCURRY
39848 HIGHWAY 226
SCIO, OREGON 97374

to use the waters of THOMAS CREEK, a tributary of the SOUTH SANTIAM RIVER, for IRRIGATING 10.0 ACRES.

The right to be transferred, as evidenced by Certificate 40795, was perfected under Permit 32841 with a date of priority of AUGUST 16, 1967. This right is limited to 0.13 cubic foot per second, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 10, T 10 S, R 1 W, W.M.: 860 FEET NORTH AND 2640 FEET EAST FROM THE SW CORNER OF SECTION 10.

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.

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

A description of the new place of use is as follows:

SW 1/4 NW 1/4 5.0 ACRES
SE 1/4 NW 1/4 5.0 ACRES
SECTION 16
TOWNSHIP 10 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.

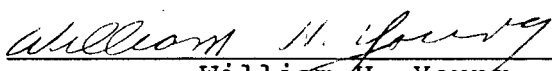
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1992.
2. 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. The following former place of use shall no longer be irrigated as a part of this water right:

SE 1/4 NW 1/4 10.0 ACRES
SECTION 16
TOWNSHIP 10 SOUTH, RANGE 1 WEST, W.M.

Certificate 40795 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 17, 1990.



William H. Young

Recorded in Special Order Records at Volume 44, Page 457.