

STATE OF OREGON

COUNTY OF WASHINGTON

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 TRANSFER 6302 submitted by

EUGENE EVERS
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to use the waters of the WEST FORK OF DAIRY CREEK, a tributary of the DAIRY CREEK, for the purpose of IRRIGATING 88.7 ACRES.

The right to be transferred, as evidenced by certificate 14464, was perfected under Permit 13523 with a date of priority of MARCH 1, 1939.

The right to be transferred, as evidence by certificate 39603, was perfected under Permit 14595 with a date of priority of AUGUST 15, 1940 FOR 0.25 CUBIC FOOT PER SECOND AND SEPTEMBER 13, 1940 FOR 0.05 CFS.

These rights are limited to 0.82 cfs under certificate 14464, and 0.30 cfs under certificate 39603, if available at the original point of diversion: NW 1/4 SE 1/4, AS PROJECTED WITHIN DLC 53, SECTION 18, T 1 N, R 3 W, W.M.; 2046 FEET NORTH AND 2244 FEET WEST FROM THE SE CORNER OF SECTION 18, or its equivalent in case of rotation, measured at the point of diversion from the source.

The new point of diversion is located as follows:

SE 1/4 NE 1/4, AS PROJECTED WITHIN DLC 53, SECTION 18, T 1 N, R 3 W, W.M.; 1990 FEET SOUTH AND 330 FEET WEST FROM THE NE CORNER OF SECTION 18.

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.

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

A description of the place of use is as follows:

	<u>1939</u>	<u>1940</u>
NE 1/4 SW 1/4	33.0 ACRES	3.0 ACRES
NW 1/4 SW 1/4	15.0 ACRES	
SE 1/4 SW 1/4		6.2 ACRES
NW 1/4 SE 1/4	17.0 ACRES	2.3 ACRES
SW 1/4 SE 1/4		12.2 ACRES

ALL AS PROJECTED WITHIN DLC 53
SECTION 18
TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

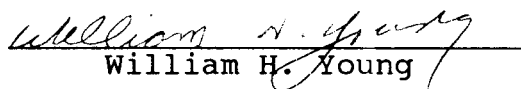
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

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. The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water 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.

Certificates 14464 and 39603 are hereby canceled. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed December 27, 1990.


William H. Young

Recorded in Special Order Records at Volume 44, page 470.