

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN PLACE OF USE
AND 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 7948 submitted by

STANLEY V. AND BEVERLY A. SEIFER
11045 WAYPARK DRIVE NE
SALEM, OREGON 97305.

The right to be modified, as evidenced by a portion of Special Order Volume Vol. 49, Page 286, entered August 29, 1995, approving Transfer Application 6924, was perfected under Permit 24352 with a date of priority of JULY 20, 1956. The right allows the use of the PUDDING RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 81.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.01 cubic feet per second, if available at the original point of diversion: SE¼ SE¼, AS PROJECTED WITHIN PARKER DLC 49, SECTION 6, T 6 S, R 1 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

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 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 2½ 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 point of diversion is located as follows:

NW¼ NE¼, SECTION 8, T 6 S, R 1 W, W.M.; 200 FEET SOUTH AND 1600 FEET EAST FROM THE SW CORNER OF DLC 58.

The authorized place of use is located as follows:

NE¼ SW¼ 5.2 ACRES

NW¼ SE¼ 27.0 ACRES

SECTION 4

SW¼ SE¼ 0.3 ACRE

SE¼ SE¼ 0.3 ACRE

BOTH AS PROJECTED WITHIN CAREY DLC 58

SECTION 5

NE¼ NE¼ 8.1 ACRES

AS PROJECTED WITHIN CAREY DLC 58

LOT 1 (NE¼ NE¼) 2.0 ACRES

NW¼ NE¼ 2.4 ACRES

AS PROJECTED WITHIN CAREY DLC 58

NW¼ NE¼ 4.8 ACRES

AS PROJECTED WITHIN JOHNSON DLC 56

LOT 2 (NW¼ NE¼) 3.0 ACRES

SW¼ NE¼ 3.3 ACRES

AS PROJECTED WITHIN JOHNSON DLC 56

LOT 2 (SW¼ NE¼) 8.4 ACRES

NE¼ NW¼ 1.2 ACRES

AS PROJECTED WITHIN CAREY DLC 58

NE¼ NW¼ 1.7 ACRES
AS PROJECTED WITHIN JOHNSON DLC 56
NE¼ NW¼ 0.5 ACRE
SE¼ NW¼ 4.8 ACRES
BOTH AS PROJECTED WITHIN PARKER DLC 49
SE¼ NW¼ 0.1 ACRE
AS PROJECTED WITHIN JOHNSON DLC 56
LOT 3 (SE¼ NW¼) 1.7 ACRES
LOT 6 (NE¼ SW¼) 6.2 ACRES
SECTION 8

TOWNSHIP 6 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 place of use to:

SW¼ SW¼ 10.8 ACRES
AS PROJECTED WITHIN PARKER DLC 49
SECTION 5

SW¼ SE¼ 4.0 ACRES
SE¼ SE¼ 13.8 ACRES
BOTH AS PROJECTED WITHIN PARKER DLC 49
SECTION 6

NE¼ NE¼ 31.2 ACRES
NW¼ NE¼ 6.2 ACRES
BOTH AS PROJECTED WITHIN PARKER DLC 49
SECTION 7

NW¼ NW¼ 15.0 ACRES
AS PROJECTED WITHIN PARKER DLC 49
SECTION 8

TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

The applicant proposes to change the point of diversion to:

SE¼ SE¼, AS PROJECTED WITHIN PARKER DLC 49, SECTION 6,
T 6 S, R 1 W, W.M.; 525 FEET NORTH AND 250 FEET WEST FROM THE
SE CORNER OF SECTION 6.

Satisfactory proof of the completion of the changes approved by
the order of the Water Resources Director entered August 29,
1995, at Special Order Volume 49, Pages 286, approving
Transfer Application 6924, is confirmed as described above.

The receiving landowner is:

MURIAL DITCHEN
7385 HOWELL PRAIRIE ROAD NE
SILVERTON, OREGON 97381

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

1. The proposed changes shall be completed on or before
October 1, 2001.
2. The quantity of water diverted at the new point of diversion
shall not exceed the quantity of water lawfully available at
the original point of diversion.
3. 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 point of diversion.
5. The former authorized place of use shall no longer be
irrigated as a part of this water right.

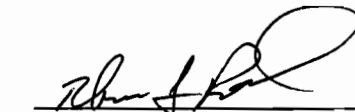
6. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

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 **JUN 21 2000** .



for Martha O. Pagel, Director