

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING AN ADDITIONAL POINT OF APPROPRIATION

Pursuant to ORS 537.705, 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 6964 submitted by

DAVID OBERSINNER
7886 NORTH HOWELL ROAD NE
SILVERTON, OREGON 97381.

The right to be modified, as evidenced by Certificate 50514, was perfected under Permit G-7501 with a date of priority of MAY 16, 1977. The right allows the use of A WELL, in the PUDDING RIVER BASIN, for SUPPLEMENTAL IRRIGATION OF 103.9 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.55 cubic foot per second, if available at the original well; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 32, T 5 S, R 1 W, W.M.; 670 FEET SOUTH AND 1140 FEET WEST FROM THE NE CORNER, SECTION 32., or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 per acre for each acre irrigated during the irrigation season of each year, provided further that in the event operation of this well results in reduction of the natural flow of the Pudding River, water from said well, in addition to that appropriated within the limitations of the duty of water as fixed herein, shall be discharged as ordered by the Watermaster into the channel of the Pudding River in the amount to offset such reduction, and provided further that the amount of water rediverted from the channel of the Pudding River shall not exceed the amount by which the flow of the Pudding River at the point of diversion is increased above the natural flow by the operation of said well.

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

The authorized place of use is as follows:

SW¼ NE¼ 3.1 ACRES
SE¼ NW¼ 5.1 ACRES
ABOVE AS PROJECTED WITHIN MCKAY DLC 43
SE¼ NE¼ 0.2 ACRE
AS PROJECTED WITHIN MCKAY DLC 43
SE¼ SE¼ 19.2 ACRES
LOT 3 (NE¼ SW¼) 10.2 ACRES
LOT 4 (SE¼ SW¼) 0.2 ACRE
LOT 1 (NE¼ SE¼) 13.3 ACRES
LOT 2 (NW¼ SE¼) 32.7 ACRES
SW¼ SE¼ 19.9 ACRES
SECTION 29
TOWNSHIP 5 SOUTH, RANGE 1 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.

The applicant proposes an additional point of appropriation at:

SE¼ SE¼, SECTION 29, T 5 S, R 1 W, W.M.; 140 FEET NORTH AND 350 FEET WEST FROM SE CORNER, SECTION 29.

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 appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.
3. When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Certificate 50514 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 12/18/95.


Martha O. Pagel, Director