

STATE OF OREGON

COUNTY OF YAMHILL

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 540.523, 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, TEMPORARY TRANSFER 8535 submitted by

LEON S. EICHLER
12025 SW LANCEFIELD ROAD
MCMINNVILLE, OREGON 97128.

The right to be modified, as evidenced by a portion of Certificate 33129, was perfected under Permit 28726 with a date of priority of APRIL 1, 1963. The right allows the use of the SOUTH YAMHILL RIVER, a tributary of the YAMHILL RIVER, for IRRIGATION OF 66.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.83 cubic foot per second, if available at the authorized point of diversion: SW¼ SW¼, AS PROJECTED WITHIN JEFFRIES DLC 67, SECTION 13, T 5 S, R 5 W, W.M.; 540 FEET NORTH AND 5200 FEET WEST FROM THE SE CORNER OF GARRISON DLC 66, 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 2¼ 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:

SE¼ SW¼ 4.2 ACRES
AS PROJECTED WITHIN JEFFRIES DLC 67
SE¼ SW¼ 4.2 ACRES
SW¼ SE¼ 5.5 ACRES
BOTH AS PROJECTED WITHIN GARRISON DLC 66
SW¼ SE¼ 3.5 ACRES
AS PROJECTED WITHIN JEFFRIES DLC 67
SE¼ SE¼ 0.9 ACRE
SECTION 13

NE¼ NE¼ 0.5 ACRE
AS PROJECTED WITHIN GARRISON DLC 66
NE¼ NE¼ 17.0 ACRES
NW¼ NE¼ 25.7 ACRES
NE¼ NW¼ 5.0 ACRES
ALL AS PROJECTED WITHIN JEFFRIES DLC 67
SECTION 24

TOWNSHIP 5 SOUTH, RANGE 5 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 TEMPORARILY change the place of use to:

NW¼ NW¼ 6.0 ACRES

SW¼ NW¼ 30.0 ACRES

NW¼ SW¼ 15.0 ACRES

SW¼ SW¼ 3.0 ACRES

ALL AS PROJECTED WITHIN JEFFRIES DLC 67
SECTION 19

TOWNSHIP 5 SOUTH, RANGE 4 WEST, W.M.

NE¼ NE¼ 1.0 ACRE

SE¼ NE¼ 2.0 ACRES

NE¼ SE¼ 8.0 ACRES

SE¼ SE¼ 1.5 ACRES

ALL AS PROJECTED WITHIN JEFFRIES DLC 67
SECTION 24

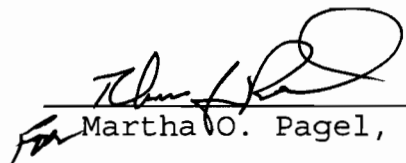
TOWNSHIP 5 SOUTH, RANGE 5 WEST, W.M.

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

1. The change is temporary. The change shall be effective upon issuance of this order.
2. The former place of use shall not be irrigated as part of this water right during the 2000 and 2001 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2001 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.

5. The use of the remaining water right described by Certificate 33129 shall continue to be in accordance with the terms and conditions of Certificate 33129.

WITNESS the signature of the Water Resources
Director, affixed JUN 29 2000.



For Martha O. Pagel, Director