

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 7010 submitted by

VICTOR PETROFF, TRUSTEE MADELON PETROFF LIVING TRUST
6770 SW PRESLYNN DR.
PORTLAND, OREGON 97225

The right to be modified, as evidenced by a PORTION of Certificate 43194, was perfected under Permit G-4041 with a date of priority of MARCH 26, 1968. The right allows the use of A WELL, a tributary of the LABISH DRAINAGE DITCH, for IRRIGATION of 50.0 acres. The amount of water to which this right is entitled is limited to an amount beneficially used and shall not exceed 0.62 cubic foot per second, if available at the original well (WELL #1) located: NE¼ SW¼ as projected within VANDALE DLC 70, SECTION 30, T.6S., R.2W., W.M., 1040 FEET SOUTH AND 310 FEET EAST FROM THE SW CORNER VANDALE DLC 70, 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 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 place of use is as follows:

NE¼ SW¼ 27.7 ACRES
LOT 4 (NW¼ SE¼) 17.3 ACRES
NW¼ SE¼ 5.0 ACRES

as projected within STEPHENS DLC 37

SECTION 30

TOWNSHIP 6 SOUTH, RANGE 2 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 to ADD AN ADDITIONAL POINT OF APPROPRIATION located: NE¼ SW¼, SECTION 30, T.6S., R.2W., 1550 FEET SOUTH AND 330 FEET EAST FROM THE SW CORNER DLC 70.

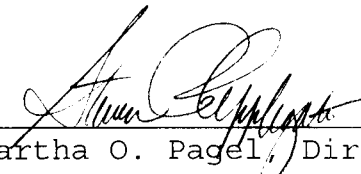
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

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 that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.
3. Water shall be acquired from the same aquifer as the original point of appropriation.

Certificate 43194 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 JAN 16 1996.


for Martha O. Pagel, Director