

STATE OF OREGON

COUNTY OF BENTON

ORDER APPROVING A CHANGE IN 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 8745 submitted by

STANLEY AND NANCY STARR
4691 SW HOLLYHOCK CIRCLE
CORVALLIS, OREGON 97333.

The right to be modified, as evidenced by a PORTION of Certificate 36962, was perfected under Permit G-3341 with a date of priority of JUNE 28, 1966. The right allows the use of TWO WELLS, in the WILLAMETTE RIVER BASIN, for IRRIGATION OF 15.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.20 cubic foot per second, if available at the original wells; SW¼ NE¼, AS PROJECTED WITHIN COOK DLC 86, SW¼ NW¼, AS PROJECTED WITHIN SYLVESTER DLC 47, SECTION 17, T 11 S, R 4 W, W.M.; 1170 FEET SOUTH AND 2520 FEET WEST; 1070 FEET SOUTH AND 560 FEET WEST, BOTH FROM THE SE CORNER OF TAYLOR DLC 46, or its equivalent in case of rotation, measured at the well.

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 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 2½ acre feet per acre 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:

WEST WELL

SW¼ NW¼ 13.2 ACRES
AS PROJECTED WITHIN SYLVESTER DLC 47
SECTION 17

SE¼ NE¼ 2.4 ACRES
AS PROJECTED WITHIN SYLVESTER DLC 47
SECTION 18

TOWNSHIP 11 SOUTH, RANGE 4 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 change the point of appropriation to:

SE¼ NE¼, AS PROJECTED WITHIN SYLVESTER DLC 47, SECTION 18, T 11 S, R 4 W, W.M.; 1200 FEET SOUTH AND 2250 FEET WEST FROM THE NE CORNER OF DLC 47.

The receiving landowners are:

PATRICK W. AND RHONDA K. HYNES
4835 NE HIGHWAY 20
CORVALLIS, OREGON, 97330

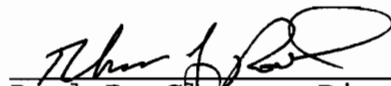
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2002.
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.
4. Water shall be acquired from the same aquifer as the original point of appropriation.

Certificate 36962 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 **MAY 29 2001** .


For Paul R. Cleary, Director