

STATE OF OREGON

COUNTY OF MARION

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 7587 submitted by

DAVID J. BIELENBERG
16425 HERIGSTAD ROAD NE
SILVERTON, OREGON 97381.

The right to be modified, as evidenced by a portion of Certificate 53246, was perfected under Permit 43312 with a date of priority of JUNE 28, 1978. The right allows the use of ABIQUA CREEK, a tributary of the PUDDING RIVER, for IRRIGATION OF 11.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.14 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 24, T 6 S, R 1 W, WM; 980 FEET NORTH AND 1350 FEET WEST FROM THE SE CORNER, SECTION 24, or its equivalent in case of rotation, measured at the point of diversion from the source.

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 2 $\frac{1}{2}$ 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:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 11.0 ACRES
SECTION 25
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 TEMPORARILY change the place of use to:

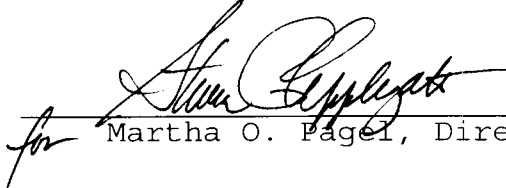
SE¼ NE¼ 5.6 ACRES
NE¼ SE¼ 5.4 ACRES
SECTION 25
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

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 immediately. The use of water shall revert to the authorized place of use at the end of the 1996 irrigation season.
2. The former place of use shall no longer be irrigated as a part of this water right during the term of this order.
3. the approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.

Certificate 53246 is suspended until the end of the 1996 irrigation season, October 31, 1996, or revocation of this order, which ever occurs first. The use of the remaining water right described by Certificate 53246 shall continue to be in accordance with the terms and conditions of Certificate 53246.

WITNESS the signature of the Water Resources Director, affixed August 19, 1996.


for Martha O. Page, Director