

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 7520 submitted by

ROBERT DITCHEN
9712 NUSOM ROAD NE
SILVERTON, OREGON 97381.

The right to be modified, as evidenced by a portion of Certificate 46795, was perfected under Permit G-6269 with a date of priority of DECEMBER 2, 1974. The right allows the use of A WELL, in the LITTLE PUDDING RIVER BASIN, for IRRIGATION OF 20.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.25 cubic foot per second, if available at the original well; SE NW, as projected within HOWELL DLC 47, SECTION 3, T 7 S, R 2 W, WM; 20 FEET SOUTH AND 20 FEET EAST FROM THE NW CORNER OF THE SE NW, as projected within HOWELL DLC 47, 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 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:

SW¼ NW¼ 14.1 ACRES
SE¼ NW¼ 5.9 ACRES
both as projected within HOWELL DLC 47
SECTION 3
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be reduced.

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 TEMPORARILY change the place of use to:

SE¼ NW¼ 20.0 ACRES
as projected within HOWELL DLC 47
SECTION 3
TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.

An order of the Water Resources Director, entered July 25, 1996, at Special Order Volume 50, Page 516, rejected this temporary transfer application. The rejection resulted from missed communication by staff. The temporary transfer application should not have been rejected. The rejection order should be rescinded.

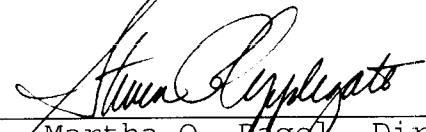
THIS TEMPORARY CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The change is temporary. The change shall be effective immediately. The use shall revert to the authorized place of use at the end of the 1998 irrigation season.
2. The former place of use shall no longer be irrigated as part of this water right during the term of this order.
3. The portion of Permit G-11472 which covers the same land shall be diminished to supplemental irrigation during the term of this order.
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.

The order of the Water Resources Director, entered July 25, 1996, at Special Order Volume 50, Page 516, rejecting Temporary Transfer Application 7520 is rescinded, and of no further force or effect.

Certificate 56382 is suspended until the end of the 2000 irrigation season, October 31, 2000, or revocation of this order, whichever occurs first. The use of the remaining water right described by Certificate 56382 shall continue to be in accordance with the terms and conditions of Certificate 56382.

WITNESS the signature of the Water Resources Director, affixed August 20, 1996.

for 
Martha O. Page, Director