

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.211, 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, PERMIT AMENDMENT T-7755 submitted by

BOB FESSLER  
11796 MONITOR-MCKEE ROAD NE  
WOODBURN, OREGON 97071.

The permit to be modified is Permit G-12167 with a date of priority of AUGUST 13, 1993. The permit allows the use of A WELL, in the PUDDING RIVER BASIN, for IRRIGATION OF 9.7 ACRES AND AGRICULTURAL USE ON 23.7 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 0.40 CUBIC FOOT PER SECOND (CFS) , BEING 0.1125 CFS FOR IRRIGATION AND 0.2875 CFS FOR AGRICULTURAL USE, if available at the original well; NW¼ SE¼, SECTION 21, T 5 S, R 1 W, W.M.; 2400 FEET NORTH AND 1390 FEET WEST FROM THE SE CORNER OF SECTION 21, or its equivalent in case of rotation, measured at the well.

The amount of water used for agricultural use is limited to a diversion of 0.15 cubic foot per second per acre. For the irrigation of containerized nursery plants, the amount of water diverted is limited to ONE-FORTIETH of one cubic foot per second (or its equivalent) and 5.0 acre feet per acre per year. For the irrigation of in ground nursery plants the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2½ acre feet per acre per year. The use of water for agricultural use may be made at anytime of the year that the use is beneficial. For the irrigation of any other crop, the amount of water diverted is limited to ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2½ acre feet per acre during the irrigation season of each year. The period of allowed use for irrigation is March 1 through October 31.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

	<u>IRRIGATION</u>	<u>AGRICULTURAL USE</u>
NW¼ SE¼		12.6 ACRES
SW¼ SE¼	9.5 ACRES	
	SECTION 21	
NW¼ NE¼	0.2 ACRE	0.2 ACRE
	SECTION 28	
TOWNSHIP 5 SOUTH, RANGE 1 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:

NW¼ SE¼, SECTION 21, T 5 S, R 1 W, W.M.; 1530 FEET NORTH AND 1430 FEET WEST FROM THE SE CORNER OF SECTION 21.

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

1. The quantity of water diverted at the new point of appropriation (well) shall not exceed the quantity of water lawfully available from the original point of appropriation.
2. Water shall be acquired from the same aquifer as the original point of appropriation.
3. All other terms and conditions of the permit remain the same.

Permit G-12167, in the name of BOB FESSLER is amended as described herein.

WITNESS the signature of the Water Resources Director,  
**JUN 27 1997**  
affixed \_\_\_\_\_.

  
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Martha O. Page, Director