

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN POINTS OF DIVERSION
AND ADDITIONAL POINTS OF DIVERSION

Pursuant to ORS 540.510 to 540.530, 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 6895 submitted by

GOSCHIE FARMS, INC.
7365 MERIDIAN ROAD NE
SILVERTON, OREGON 97381.

The first right to be modified, as evidenced by Certificate 15776, was perfected under Permit 15894 with a date of priority of AUGUST 8, 1944. The right allows the use of ABIQUA CREEK, a tributary of the PUDDING RIVER, 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 authorized point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 19, T 6 S, R 1 E, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified, as evidenced by Certificate 16724, was perfected under Permit 15913 with a date of priority of AUGUST 5, 1944. The right allows the use of ABIQUA CREEK, a tributary of the PUDDING RIVER, for IRRIGATION OF 24.5 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.31 cubic foot per second, if available at the authorized points of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 24, T 6 S, R 1 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The third right to be modified, as evidenced by Certificate 15784, was perfected under Permit 16033 with a date of priority of OCTOBER 23, 1944. The right allows the use of ABIQUA CREEK, a tributary of the PUDDING RIVER, 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 authorized point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 19, T 6 S, R 1 E, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The fourth right to be modified, as evidenced by Certificate 16834, was perfected under Permit 17554 with a date of priority of FEBRUARY 17, 1947. The right allows the use of ABIQUA CREEK, a tributary of the PUDDING RIVER, for IRRIGATION OF 17.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.22 cubic foot per second, if available at the authorized points of diversion: NE¼ SE¼ and SE¼ SE¼, SECTION 24, T 6 S, R 1 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The fifth right to be modified, as evidenced by Certificate 27879, was perfected under Permit 24772 with a date of priority of MARCH 25, 1957. The right allows the use of ABIQUA CREEK, a tributary of the PUDDING RIVER, for IRRIGATION OF 56.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.70 cubic foot per second, if available at the authorized point of diversion: SW¼ SW¼, SECTION 19, T 6 S, R 1 E, W.M., 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 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 places of use are located as follows:

PERMIT 15894

NE¼ SW¼ 8.0 ACRES
SE¼ SW¼ 12.0 ACRES
SECTION 19
TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

PERMIT 15913

SE¼ NE¼ 9.5 ACRES
NE¼ SE¼ 15.0 ACRES
SECTION 24
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

PERMIT 16033

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 18.0 ACRES
SECTION 19
TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

PERMIT 17554

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.5 ACRES	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.4 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.4 ACRES	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.7 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.6 ACRE	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.2 ACRES
SECTION 24	SECTION 19
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.	TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

PERMIT 24772

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 12.6 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 29.4 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 14.2 ACRES
SECTION 19
TOWNSHIP 6 SOUTH, RANGE 1 EAST, 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 change the points of diversion for Permits 15913 and 17554, and to add additional points of diversion for Permits 15894, 16033, and 24772, to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 19, T 6 S, R 1 E, W.M.; 4790 FEET SOUTH AND 720 FEET EAST FROM THE NW CORNER OF SECTION 19.

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 19, T 6 S, R 1 E, W.M.; 5090 FEET SOUTH AND 1570 FEET EAST FROM THE NW CORNER OF SECTION 19.

THESE CHANGES TO THESE EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new points of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.

3. When required by the Department, the water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The type and plans of the headgates and measuring devices 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 surface water source as the original points of diversion.
5. The water user shall install and maintain fish screen or fish by-pass devices. The type and plans of the screen or by-pass devices must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificates 15776, 15784, 16724, 16834, and 27879 are cancelled. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources
Director, affixed 7/2/98.



Martha O. Pagel, Director