

STATE OF OREGON

COUNTY OF POLK

ORDER APPROVING A CHANGE IN POINT OF DIVERSION AND PLACE OF USE

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 TRANSFER 6316 submitted by

SAMUEL AND VIOLET WETZEL
7265 HARMONY RD
SHERIDAN, OREGON 97378

to use the waters of MILL CREEK, a tributary of the SOUTH YAMHILL RIVER, for the purpose of IRRIGATING 24.0 ACRES.

The right to be transferred, as evidenced by certificate 24648, was perfected under Permit 20552 with a date of priority of May 29, 1951. This right is limited to 0.3 cubic foot per second, if available at the original point of diversion: SW 1/4 SW 1/4, AS PROJECTED WITHIN DLC 41, SECTION 16, T 6 S, R 6 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The new point of diversion is located as follows:

NE 1/4 NE 1/4, AS PROJECTED WITHIN DLC 55, SECTION 28, T 6 S, R 6 W, W.M.; 530 FEET NORTH AND 270 FEET EAST FROM THE SW CORNER OF DLC 55.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the new place of use is as follows:

NW 1/4 NW 1/4 13.0 ACRES (Kumley)
SECTION 27

NE 1/4 NE 1/4 11.0 ACRES
SECTION 28
TOWNSHIP 6 SOUTH, RANGE 6 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.

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, 1991.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion.
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. The following former place of use shall no longer be irrigated as a part of this water right:

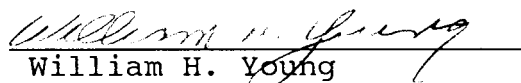
SW 1/4 SW 1/4 1.8 ACRES
SECTION 16

NW 1/4 NW 1/4 17.8 ACRES
SW 1/4 NW 1/4 4.4 ACRES
SECTION 21

ALL AS PROJECTED WITHIN DLC 41
TOWNSHIP 6 SOUTH, RANGE 6 WEST, W.M.

Certificate 24648 is canceled. 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 February 27, 1990.


William H. Young

Recorded in Special Order Records at Volume 44, page 65.

T-6316.TES