

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.705, 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 6878 submitted by

JAMES BUTSCH  
15234 BUTSCH LANE NE  
MT. ANGEL, OREGON 97362.

The right to be modified, as evidenced by Certificate 36311, was perfected under Permit G-3308 with a date of priority of MAY 27, 1966. The right allows the use of A WELL, in the PUDDING RIVER BASIN, for IRRIGATION OF 58.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.73 cubic foot per second, if available at the original well; SE $\frac{1}{4}$  SW $\frac{1}{4}$ , AS PROJECTED WITHIN RONDEAU DLC 47, SECTION 34, T 5 S, R 2 W, W.M.; 400 FEET NORTH AND 2100 FEET EAST FROM SW CORNER, RONDEAU 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 2 $\frac{1}{2}$  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:

NE $\frac{1}{4}$  SE $\frac{1}{4}$  2.8 ACRES  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  11.8 ACRES  
BOTH AS PROJECTED WITHIN RONDEAU DLC 47  
SECTION 33

NE $\frac{1}{4}$  SW $\frac{1}{4}$  1.1 ACRES  
NW $\frac{1}{4}$  SW $\frac{1}{4}$  5.4 ACRES  
SW $\frac{1}{4}$  SW $\frac{1}{4}$  31.4 ACRES  
SE $\frac{1}{4}$  SW $\frac{1}{4}$  6.2 ACRES  
ALL AS PROJECTED WITHIN RONDEAU DLC 47  
SECTION 34  
TOWNSHIP 5 SOUTH, RANGE 2 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:

SE¼ SE¼, AS PROJECTED WITHIN RONDEAU DLC 47, SECTION 34, T 5 S, R 2 W, W.M.; 70 FEET NORTH AND 80 FEET EAST FROM SW CORNER, RONDEAU DLC 47.

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, 1997.
2. 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.
3. When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Certificate 36311 is cancelled. 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 1, 1996.

  
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Martha O. Pagel, Director