

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 8258 submitted by

RON VANDECOEVERING  
11607 BARON ROAD NE  
MT. ANGEL, OREGON 97362.

The right to be modified was perfected under Permit 51434 with a date of priority of MAY 31, 1990. The right allows the use of a RESERVOIR constructed under Permits R-1644, R-3000, and R-5408, on BOCHSLER CREEK, a tributary of ZOLLNER CREEK, for IRRIGATION of 43.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 40.97 ACRE FEET STORED WATER ONLY, if available at the authorized point of diversion: SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 35, T 5 S, R 1 W, WM; 2010 FEET SOUTH AND 830 FEET WEST FROM THE N $\frac{1}{4}$  CORNER, SECTION 35, 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 a diversion of not to exceed 2 $\frac{1}{2}$  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 place of use is located as follows:

|                                      |            |
|--------------------------------------|------------|
| SE $\frac{1}{4}$ NW $\frac{1}{4}$    | 7.0 ACRES  |
| NE $\frac{1}{4}$ SW $\frac{1}{4}$    | 10.1 ACRES |
| SE $\frac{1}{4}$ SW $\frac{1}{4}$    | 25.9 ACRES |
| SECTION 35                           |            |
| TOWNSHIP 5 SOUTH, RANGE 1 WEST, 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 TEMPORARILY change the place of use to:

SW $\frac{1}{4}$  SW $\frac{1}{4}$  10.6 ACRES  
SECTION 25

NW $\frac{1}{4}$  NW $\frac{1}{4}$  22.6 ACRES  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  9.8 ACRES

SECTION 36

TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

Satisfactory proof that the appropriation has been perfected has been received for Permit 51434.

THIS 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 upon issuance of this order.
2. The former place of use shall not be irrigated as part of this water right during the 1999 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 1999 irrigation season.
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.
5. The use of the remaining water right described by Permit 51434 shall continue to be in accordance with the terms and conditions of Permit 51434.

6. The use of direct flow from Bochsler Creek is limited to March 1 to April 30 of each year. Direct flow may not be used under the term of this order.

WITNESS the signature of the Water Resources

MAY 06 1999

Director, affixed \_\_\_\_\_.

  
For \_\_\_\_\_  
Martha O. Pagel, Director