

STATE OF OREGON

COUNTY OF YAMHILL

ORDER APPROVING A CHANGE IN POINT 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 8694 submitted by

GOLDEN VALLEY FARMS
7385 HOWELL PRAIRIE ROAD NE
SILVERTON, OREGON 97381.

The right to be modified, as evidenced Certificate 24650, was perfected under Permit 20755 with a date of priority of SEPTEMBER 21, 1951. The right allows the use of the WILLAMETTE RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 100.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.25 cubic feet per second, if available at the authorized point of diversion: NW¼ SW¼, AS PROJECTED WITHIN GAY DLC 58, SECTION 4, T 6 S, R 3 W, 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 any 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.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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

The authorized place of use is located as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.83 ACRE
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.83 ACRES
BOTH AS PROJECTED WITHIN GAY DLC 58
SECTION 4

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.16 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 34.32 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.64 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 28.80 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 26.42 ACRES
ALL AS PROJECTED WITHIN GAY DLC 58
SECTION 5

TOWNSHIP 6 SOUTH, RANGE 3 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 change the point of diversion to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, AS PROJECTED WITHIN GAY DLC 58, SECTION 4, T 6 S, R 3 W, W.M.; 850 FEET NORTH AND 60 FEET EAST FROM THE SW CORNER OF SECTION 4.

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, 2003.
2. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully 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. Water shall be acquired from the same surface water source as the original point of diversion.

Certificate 24650 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 JUL 22 2002.


Paul R. Cleary, Director