

STATE OF OREGON

COUNTY OF MARION

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

Pursuant to ORS 540.510 to 540.530 AND 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 TRANSFER 6360 submitted by

DICKMAN FARMS, INC.  
15829 MT. ANGLE-SCOTTS MILLS HWY NE  
SILVERTON, OREGON 97381

to use the waters of BUTTE CREEK, a tributary of PUDDING RIVER, for PRIMARY IRRIGATION OF 33.7 ACRES, AND TO USE THE WATERS OF 2 WELLS FOR SUPPLEMENTAL IRRIGATION OF 32.7 ACRES.

The right to be transferred, as evidenced by Certificate 62396, was perfected under Permit 47801 with a date of priority of MAY 26, 1981. This right is limited to 0.21 cubic foot per second from Butte Creek, if available at the original point of diversion, or its equivalent in case of rotation, measured at the point of diversion from the source.

The right to be transferred, as evidenced by Certificate 62398, was perfected under Permit G-10144 with a date of priority of SEPTEMBER 20, 1983. This right is limited to 0.21 cubic foot per second from two wells, or its equivalent in case of rotation, measured at the point of appropriation from the wells.

The points of diversion are located as follows:

NE 1/4 NW 1/4, AS PROJECTED WITHIN DLC 41, SECTION 8, T 6 S, R 1 E, W.M.; ORIGINAL POINT OF DIVERSION - 1130 FEET SOUTH AND 100 FEET WEST, ADDITIONAL POINT OF DIVERSION - 740 FEET SOUTH AND 350 WEST, BOTH FROM THE NORTH 1/4 CORNER OF SECTION 8.

The points of appropriation (wells) are located as follows:

NW 1/4 NW 1/4, SE 1/4 NW 1/4, SECTION 17, T 6 S, R 1 E, W.M.; 1200 FEET SOUTH AND 80 FEET EAST, 1470 FEET SOUTH AND 1990 FEET EAST, BOTH FROM THE NW CORNER OF SECTION 17.

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.

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

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

	<u>BUTTE CREEK</u>	<u>BUTTE CREEK AND WELLS</u>
NW 1/4 NE 1/4	1.0 ACRE	
NW 1/4 NW 1/4		0.1 ACRE
SW 1/4 NW 1/4		27.4 ACRES
SE 1/4 NW 1/4		0.2 ACRE
NW 1/4 SW 1/4		5.0 ACRES

ALL AS PROJECTED WITHIN DLC 41  
SECTION 8  
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.

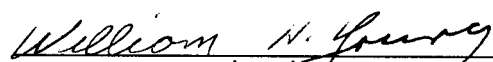
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1992.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old 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 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. The following former place of use shall no longer be irrigated as a part of this water right:

NW 1/4 SW 1/4 33.7 ACRES  
SECTION 7  
TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

Certificates 62396 and 62398 are hereby cancelled. New certificates will be issued to confirm that portion of each right NOT involved in this transfer or canceled an order entered January 7, 1991. When satisfactory proof of the completed change is received, new certificates confirming this water right will be issued.

WITNESS the signature of the Water Resources Director, affixed January 7, 1991.

  
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William H. Young

Recorded in Special Order Records at Volume , Page 8.