

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 8240 submitted by

CHRIS AND JOE BOCHSLER  
11851 WILCO HIGHWAY  
MT. ANGEL, OREGON 97362.

The right to be modified, as evidenced by a PORTION of an Order of the Water Resources Director, entered May 22, 1992, at Special Order Volume 46, Page 262, approving Transfer 6518, was perfected under Permit G-3730 with a date of priority of JUNE 22, 1967. The right allows the use of TWO WELLS, in the ZOLLNER CREEK (PUDDING RIVER) BASIN, for IRRIGATION of 50.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.39 cubic foot per second, if available at the original well; NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 35, T 5 S, R 1 W, WM; 1500 FEET NORTH AND 130 FEET EAST FROM THE SW CORNER, SECTION 35, or its equivalent in case of rotation, measured at the well.

The authorized points of appropriation are located as follows:

SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 34, NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SECTION 35, T 5 S, R 1 W, WM; 1170 FEET NORTH AND 450 FEET WEST, 1500 FEET NORTH AND 130 FEET EAST, BOTH FROM THE SW CORNER, SECTION 35.

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:

SE $\frac{1}{4}$  NE $\frac{1}{4}$             3.6 ACRES  
NE $\frac{1}{4}$  SE $\frac{1}{4}$             14.4 ACRES

SECTION 34

SW $\frac{1}{4}$  NW $\frac{1}{4}$             9.8 ACRES  
NW $\frac{1}{4}$  SW $\frac{1}{4}$             22.2 ACRES

SECTION 35

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

The quantity of water diverted at the new point of appropriation (well), together with the quantity of water diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.

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 of construction and shall be installed under the general supervision of the Department.

Water shall be acquired from the same aquifer as the original point of appropriation.

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 TEMPORARILY change the place of use to:

SE $\frac{1}{4}$  SE $\frac{1}{4}$             1.8 ACRES

SECTION 34

NE $\frac{1}{4}$  SW $\frac{1}{4}$             9.0 ACRES

NW $\frac{1}{4}$  SW $\frac{1}{4}$             15.0 ACRES

SW $\frac{1}{4}$  SW $\frac{1}{4}$             17.1 ACRES

SE $\frac{1}{4}$  SW $\frac{1}{4}$             7.1 ACRES

SECTION 35

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

THIS TEMPORARY 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 Transfer 6518 shall continue to be in accordance with the terms and conditions of Transfer 6518.

WITNESS the signature of the Water Resources Director,  
affixed                     MAY 12 1999                    .

  
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Martha O. Pagel, Director

Under the provisions of OAR 137-004-0080, the applicant may petition for reconsideration of this order. The petition shall set forth specific grounds for reconsideration. The petition for reconsideration must be filed within 60 days after the date this order is served.