

STATE OF OREGON

COUNTY OF POLK

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 8802 submitted by

THE CONFEDERATED TRIBES OF GRAND RONDE
9615 GRAND RONDE ROAD
GRAND RONDE, OREGON 97347.

The right to be modified, as evidenced by a portion of Certificate 49476, was perfected under Permit 9913 with a date of priority of OCTOBER 24, 1930. The right allows the use of the YAMHILL RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 1.92 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.023 cubic foot per second, if available at the authorized point of diversion: NW¼ NW¼, SECTION 17, T 6 S, R 7 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

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 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 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:

NW¼ NW¼ 1.10 ACRES (TAXLOT 101)
SECTION 17

NE¼ NE¼ 0.82 ACRE (TAXLOT 101)
SECTION 18

TOWNSHIP 6 SOUTH, RANGE 7 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:

SW¼ SW¼ 0.230 ACRE (TAXLOT 1100)
SW¼ SW¼ 0.081 ACRE (TAXLOT 1200)
SW¼ SW¼ 1.133 ACRES (TAXLOT 1300)
SW¼ SW¼ 0.286 ACRE (TAXLOT 1400)
SW¼ SW¼ 0.117 ACRE (TAXLOT 1500)
SECTION 8

NW¼ NW¼ 0.052 ACRE
SECTION 17

NE¼ NE¼ 0.021 ACRE
SECTION 18

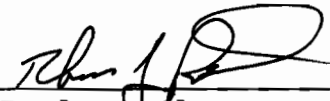
TOWNSHIP 6 SOUTH, RANGE 7 WEST, W.M.

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

1. This change is temporary. This 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 2001, 2002, 2003, 2004 and 2005 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2005 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. 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.

WITNESS the signature of the Water Resources

Director, affixed JUL 13 2001.



Paul R. Cleary, Director