

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 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, as conditioned or limited herein, TRANSFER 8348 submitted by

CARL F JENSEN
6532 HOWELL PRAIRIE ROAD
SILVERTON, OREGON 97381.

The right to be modified, as evidenced by Certificate 56528, was perfected under Permit G-6570 with a date of priority of SEPTEMBER 10, 1975. The right allows the use of A WELL, in the PUDDING RIVER BASIN, for IRRIGATION OF 61.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.760 cubic foot per second, if available at the original well; NW¼ SW¼, AS PROJECTED WITHIN J. HOWELL DLC 47, SECTION 3, T 7 S, R 2 W, W.M.; 2630 FEET NORTH AND 1440 FEET EAST FROM THE SW CORNER OF DLC 47, or its equivalent in case of rotation, measured at the well.

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 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 2½ 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:

NE¼ SW¼ 2.8 ACRES
NW¼ SW¼ 38.0 ACRES
SW¼ SW¼ 5.4 ACRES
ALL AS PROJECTED WITHIN J. HOWELL DLC 47
SECTION 3

NE¼ SE¼ 7.6 ACRES
SE¼ SE¼ 7.2 ACRES
BOTH AS PROJECTED WITHIN J. HOWELL DLC 47
SECTION 4

TOWNSHIP 7 SOUTH, RANGE 2 WEST, W.M.

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 change the point of appropriation to:

NW¼ SW¼, AS PROJECTED WITHIN J. HOWELL DLC 47, SECTION 3, T 7 S, R 2 W, W.M.; 1550 FEET NORTH AND 2350 FEET EAST FROM THE SW CORNER OF DLC 47.

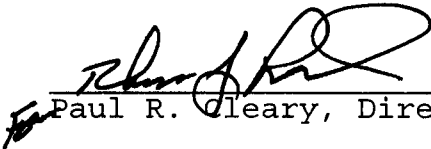
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2003.
2. The quantity of water diverted at the new point of appropriation (well) shall not exceed the quantity of water lawfully available from the original point of appropriation.

3. 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.
4. Water shall be acquired from the same aquifer as the original point of appropriation.

Certificate 56528 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 AUG 13 2002.


Paul R. Cleary, Director