

STATE OF OREGON

COUNTY OF POLK

ORDER APPROVING A CHANGE IN PLACE OF USE  
AND A CHANGE IN CHARACTER OF USE

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 8197 submitted by

PAUL H. GERRIE  
6905 SPRING VALLEY ROAD NW  
SALEM, OREGON 97304.

The right to be modified, as evidenced by a portion of Certificate 7614, was perfected under Permit 4796 with a date of priority of SEPTEMBER 30, 1920. The right allows the use of an UNNAMED SPRING AND SEEPAGE, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 1.3 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.02 cubic foot per second, if available at the authorized point of diversion: Lot 2 (NE¼ SW¼), SECTION 24, T 6 S, R 4 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.

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:

LOT 2 (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) 0.1 ACRE  
LOT 2 (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ) 0.3 ACRE  
NW $\frac{1}{4}$  SE $\frac{1}{4}$  0.9 ACRE  
AS PROJECTED WITHIN WALKER DLC 51  
SECTION 24

TOWNSHIP 6 SOUTH, RANGE 4 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 place of use to:

NW $\frac{1}{4}$  SE $\frac{1}{4}$   
AS PROJECTED WITHIN WALKER DLC 51  
SECTION 24

TOWNSHIP 6 SOUTH, RANGE 4 WEST, W.M.

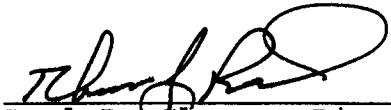
The applicant proposes to change the character of use from IRRIGATION OF 1.3 ACRES to COMMERCIAL USE AND DOMESTIC USE.

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 former place of use shall no longer be irrigated as a part of this water right.
3. The use of water for commercial and domestic uses shall be limited to 0.02 cubic foot per second during the irrigation season of each year.

Certificate 7614 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. 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          .

*for*   
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Paul R. Cleary, Director