

STATE OF OREGON

COUNTY OF LANE

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 8611 submitted by

JOE BREWER
28305 GOWDYVILLE ROAD
LORANE, OREGON 97451.

The right to be modified, as evidenced by a portion of Certificate 827, was perfected under Permit 423 with a date of priority of SEPTEMBER 13, 1910. The right allows the use of KELLY'S CREEK, a tributary of the SIUSLAW RIVER, for IRRIGATION OF 8.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.11 cubic foot per second, if available at the authorized point of diversion: SW¼ SE¼, T 20 S, R 4 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

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

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 authorized place of use is located as follows:

SE¼ SW¼ 8.4 ACRES
SECTION 30
TOWNSHIP 20 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 TEMPORARILY change the place of use to:

SW¼ SE¼ 8.4 ACRES
SECTION 30
TOWNSHIP 20 SOUTH, RANGE 4 WEST, W.M.

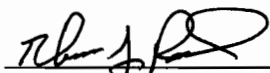
THIS TEMPORARY CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. 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 portions of the water right evidenced by Permit S-52415 appurtenant to the proposed place of use, shall not be used during the 2001, 2002, 2003, 2004 and 2005 irrigation seasons.
4. The use shall revert to the authorized place of use at the end of the 2001, 2002, 2003, 2004 and 2005 irrigation seasons.
5. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.

6. 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.
7. The use of the remaining water right described by Certificate 827 shall continue to be in accordance with the terms and conditions of Certificate 827.

WITNESS the signature of the Water Resources

Director, affixed **JAN 3 0 2001** .



For Paul R. Cleary, Director