

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 8089 submitted by

GOSCHIE FARMS, INC.
7365 MERIDIAN ROAD NE
SILVERTON, OREGON 97381.

The right to be modified, as evidenced by Certificate 76098, was perfected under Permit 54014 with a date of priority of APRIL 27, 1990. The right allows the use of ABIQUA CREEK, a tributary of the PUDDING RIVER, for IRRIGATION of 32.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.41 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 19, T 6 S, R 1 E, WM; 4790 FEET SOUTH AND 720 FEET EAST FROM THE NW CORNER, SECTION 19, or its equivalent in case of rotation, measured at the point of diversion from the source. **The period of allowed use is limited to March 1 through June 30 and September 1 through October 31 of each year.**

The amount of water used for irrigation, together with the amount secured under an 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 and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre-feet 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 28.5 ACRES

SW¼ NW¼ 4.1 ACRES

SECTION 19

TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The water user shall maintain and operate fish screening and bypass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

Failure to comply with any of the provision of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to use water for the above purpose is restricted to beneficial use, without waste, on the lands or place of use described. The water user is advised that new regulations may require use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The applicant proposes to TEMPORARILY change the place of use to:

NE $\frac{1}{4}$ SW $\frac{1}{4}$	12.7 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	7.9 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	12.0 ACRES

SECTION 19
TOWNSHIP 6 SOUTH, RANGE 1 EAST, 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, 2000, and 2001 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2001 irrigation season.