

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING AN ADDITIONAL 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 7939 submitted by

JOHN J. AND VICKI L. ZIELINSKI
11383 RIVER ROAD NE
GERVAIS, OREGON 97026.

The first right to be modified, as evidenced by Certificate 48475, was perfected under Permit G-2938 with a date of priority of NOVEMBER 5, 1965. The right allows the use of WELL 1, in the WILLAMETTE RIVER BASIN, for IRRIGATION OF 75.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.94 cubic foot per second, if available at the original well; NE $\frac{1}{4}$ NE $\frac{1}{4}$, AS PROJECTED WITHIN DELORES DLC 51, SECTION 6, T 6 S, R 2 W, W.M.; 2470 FEET NORTH AND 840 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 6, or its equivalent in case of rotation, measured at the well.

The second right to be modified, as evidenced by a PORTION of Certificate 48631, was perfected under Permit G-3244 with a date of priority of FEBRUARY 21, 1967. The right allows the use of WELL 1, in the LITTLE PUDDING RIVER BASIN, for IRRIGATION OF 138.6 ACRES. The amount of water to which this right is entitled

NOTICE: Under the provisions of OAR 137-004-0080, the applicant may petition for reconsideration of this order. The petition shall set forth specific grounds for reconsideration. The petition for reconsideration must be filed within 60 days after the date this order is served.

is limited to an amount actually beneficially used and shall not exceed 1.0 cubic foot per second, if available at the original well; NE¼ NE¼, AS PROJECTED WITHIN DELORES DLC 51, SECTION 6, T 6 S, R 2 W, W.M.; 2470 FEET NORTH AND 840 FEET WEST FROM THE E¼ CORNER OF SECTION 6, or its equivalent in case of rotation, measured at the well.

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:

PERMIT G-2938

SW¼ SE¼ 3.4 ACRES
SE¼ SE¼ 23.9 ACRES
ALL AS PROJECTED WITHIN
DELORES DLC 72
SECTION 31

SW¼ SW¼ 23.9 ACRES
SE¼ SW¼ 14.4 ACRES
ALL AS PROJECTED WITHIN
DELORES DLC 72
SECTION 32

TOWNSHIP 5 SOUTH,
RANGE 2 WEST, W.M.

NE¼ NW¼ 0.4 ACRE
NW¼ NW¼ 4.0 ACRES
ALL AS PROJECTED WITHIN
DELORES DLC 51
SECTION 5

NE¼ NE¼ 4.0 ACRES
NW¼ NE¼ 1.2 ACRES
ALL AS PROJECTED WITHIN
DELORES DLC 51
SECTION 6

TOWNSHIP 6 SOUTH,
RANGE 2 WEST, W.M.

PERMIT G-3244

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.2 ACRE
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 27.4 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.8 ACRES
ALL AS PROJECTED WITHIN
DELORES DLC 51
LOT 4 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) 1.6 ACRES
SECTION 5

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 36.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 15.3 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.2 ACRES
ALL AS PROJECTED WITHIN
DELORES DLC 51
LOT 2 (SW $\frac{1}{4}$ NE $\frac{1}{4}$) 9.1 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 14.8 ACRES
AS PROJECTED WITHIN
DELORES DLC 51
LOT 1 (SE $\frac{1}{4}$ NE $\frac{1}{4}$) 23.2 ACRES
SECTION 6

TOWNSHIP 6 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 add an additional point of appropriation to:

WELL 1A - SE $\frac{1}{4}$ NE $\frac{1}{4}$, AS PROJECTED WITHIN DELORES DLC 51, SECTION 6, T 6 S, R 2 W, W.M.; 890 FEET NORTH AND 840 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 6.

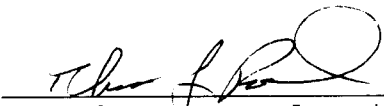
THIS CHANGE TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 2000.
2. The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.

3. 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.

Certificates 48475 and 48631 are cancelled. A new certificate will be issued to confirm that portion of Permit G-3244 NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources
Director, affixed JUN 23 1999.


FOR Martha O. Pagel, Director