

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN POINT OF APPROPRIATION

Pursuant to ORS 537.211, after notice was given and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, PERMIT AMENDMENT T-9103 submitted by

LAWRENCE AND BARBARA SULLIVAN
5495 CORDON ROAD NE
SALEM, OREGON 97305.

The permit to be modified is Permit G-13949 with a date of priority of SEPTEMBER 16, 1999. The permit allows the use of A WELL, in the LITTLE PUDDING RIVER BASIN, for PRIMARY IRRIGATION OF 46.1 ACRES. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 0.576 cubic foot per second, if available at the original well; NE¼ SW¼, SECTION 33, T 6 S, R 2 W, W.M.; 1350 FEET NORTH AND 1510 FEET EAST FROM THE SW CORNER OF SECTION 33, 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.

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 as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.1 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 34.0 ACRES
SECTION 33

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 change the point of appropriation to:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 33, T 6 S, R 2 W, W.M.; 1300 FEET NORTH AND 2000 FEET EAST FROM THE SW CORNER OF SECTION 33.

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

1. The quantity of water diverted at the new point of appropriation (well), together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
2. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
3. Water shall be acquired from the same aquifer as the original point of appropriation.
4. All other terms and conditions of the permit remain the same.

