

STATE OF OREGON

COUNTY OF LINN

ORDER APPROVING ADDITIONAL POINTS OF DIVERSION (WELLS)

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 6860 submitted by

CITY OF BROWNSVILLE
P.O. BOX 188
BROWNSVILLE, OREGON 97327.

The right to be modified, as evidenced by Certificate 67874, was perfected under Permit 27871 with a date of priority of FEBRUARY 23, 1962. The right allows the use of the CALAPOOIA RIVER, a tributary of the WILLAMETTE RIVER, for MUNICIPAL USE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.67 cubic foot per second, if available at the original point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, AS PROJECTED WITHIN DLC 51, SECTION 31, T 13 S, R 2 W, W.M.; NORTH 71 DEGREES EAST 1600 FEET FROM THE SW CORNER SECTION 31, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized point of diversion is:

AN INFILTRATION GALLERY IN THE SW $\frac{1}{4}$ SW $\frac{1}{4}$, AS PROJECTED WITHIN A. KIRK DLC 37, SECTION 31, T 13 S, R 2 W, W.M.; 500 FEET NORTH AND 30 FEET EAST FROM THE SW CORNER OF SECTION 31.

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

The authorized place of use is located as follows:

W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 31	NW $\frac{1}{4}$ SECTION 6 TOWNSHIP 14 SOUTH, RANGE 2 WEST W.M.
NW $\frac{1}{4}$ SW $\frac{1}{4}$ SECTION 32 TOWNSHIP 13 SOUTH, RANGE 2 WEST W.M.	N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SECTION 1 TOWNSHIP 14 SOUTH, RANGE 3 WEST W.M.
E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ SECTION 36 TOWNSHIP 13 SOUTH, RANGE 3 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 ADDITIONAL POINTS OF DIVERSION (WELLS) at:

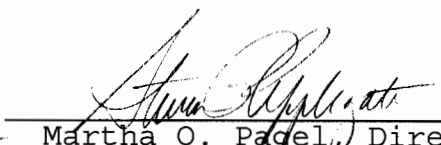
A WELL FIELD CONTAINING 4 WELLS, SE¼ SE¼, SECTION 36, T 13 S, R 3 W, W.M.; WELL B: 1020 FEET N 28°30' W, WELL C: 1070 FEET N 28° W, WELL D: 1110 FEET N 27°30' W, AND WELL E: 1190 FEET N 27° W, ALL FROM SW CORNER, SECTION 31, T 13 S, R 2 W, W.M.

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, 1997.
2. The quantity of water diverted at the new points of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. When required by the Department, 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.
4. Water shall be acquired from the same source as the original point of diversion.
5. If, within five years of the date of this order, the Department finds that the diversion causes substantial interference with existing ground water rights that would not have occurred in the absence of the change, the use of water from the new point of diversion shall be subordinate to any ground water right, including exempt uses, existing at the time of this order, injured by the change.
6. The Department shall approve an application to return to the last authorized surface water point of diversion if the water right holder submits an application within five years of the date of this order.

Certificate 67874 is cancelled. 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 November 27, 1995.

for  Martha O. Pagel, Director