

STATE OF OREGON

COUNTY OF LINCOLN

ORDER APPROVING A CHANGE IN PLACE OF USE
AND POINT OF DIVERSION

Pursuant to ORS 537.211, 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, PERMIT AMENDMENT 7862 submitted by

SOUTHWEST LINCOLN COUNTY WATER DISTRICT
P.O. BOX 368
WALDPORT, OREGON 97394.

The first permit to be modified is Permit 31979 with a date of priority of SEPTEMBER 6, 1966. The permit allows the use of VINGIE CREEK, a tributary of the PACIFIC OCEAN, for DOMESTIC USE. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 0.3 CUBIC FOOT PER SECOND, if available at the authorized point of diversion: NW¼ NW¼, SECTION 24, T 14 S, R 12 W, W.M.; 1052.7 FEET SOUTH AND 3837.7 FEET EAST FROM THE N¼ CORNER OF SECTION 23, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second permit to be modified is Permit 52498 with a date of priority of JANUARY 13, 1989. The permit allows the use of VINGIE CREEK, a tributary of the PACIFIC OCEAN, for MUNICIPAL USE. The amount of water to which this permit is entitled is limited to an amount actually beneficially used and shall not exceed 0.6 CUBIC FOOT PER SECOND DURING THE PERIOD OF JULY 1 THROUGH JULY 31 AND 1.0 CUBIC FOOT PER SECOND DURING THE PERIOD OF AUGUST 1 THROUGH JUNE 30, if available at the authorized point of diversion: NW¼ NW¼, SECTION 24, T 14 S, R 12 W, W.M.; 1052.7 FEET SOUTH AND 3837.7 FEET EAST FROM THE N¼ CORNER OF SECTION 23, 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.

The authorized places of use are located as follows:

PERMIT 31979

GOVERNMENT LOT 4
E½ SE¼
SECTION 19

N½ NE¼
W½
SECTION 30

W½
SECTION 31

TOWNSHIP 13 SOUTH, RANGE 11 WEST, W.M.

GOVERNMENT LOT 4
SECTION 24

ALL
SECTION 25

ALL
SECTION 36

TOWNSHIP 13 SOUTH, RANGE 12 WEST, W.M.

GOVERNMENT LOTS 2,3,AND 4
GOVERNMENT LOTS 5,6,AND 7
SECTION 1

GOVERNMENT LOTS 1 AND 2
GOVERNMENT LOTS 3 AND 4

NE¼ NE¼
E½ SW¼
W½ E½
SECTION 14

ALL
SECTION 2

GOVERNMENT LOTS 1 AND 2
GOVERNMENT LOTS 3 AND 4

ALL
SECTION 22

NE¼ NE¼
W½ E½
SECTION 11

W½ NE¼
NW¼
W¼ SW¼
SECTION 23

TOWNSHIP 14 SOUTH, RANGE 12 WEST, W.M.

PERMIT 52498

E $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 19

W $\frac{1}{2}$
SECTION 31

N $\frac{1}{2}$ NE $\frac{1}{4}$
W $\frac{1}{2}$
SECTION 30

TOWNSHIP 13 SOUTH, RANGE 11 WEST, W.M.

S $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 24

ALL
SECTION 36

ALL
SECTION 25

TOWNSHIP 13 SOUTH, RANGE 12 WEST, W.M.

GOVERNMENT LOTS 2,3,AND 4
GOVERNMENT LOTS 5,6,AND 7
SECTION 1

ALL
SECTION 2

N $\frac{1}{2}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
W $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 11

N $\frac{1}{2}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
E $\frac{1}{2}$ SW $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 14

ALL
SECTION 22

W $\frac{1}{2}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$
W $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 23

TOWNSHIP 14 SOUTH, RANGE 12 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 change the place of use to:

S $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 18

ALL
SECTION 19

ALL
SECTION 20

S $\frac{1}{2}$ NW $\frac{1}{4}$
SECTION 26

NE $\frac{1}{4}$
NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 27

NE $\frac{1}{4}$
W $\frac{1}{2}$
N $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 28

ALL
SECTION 29

ALL
SECTION 30

ALL
SECTION 31

ALL
SECTION 32

NW $\frac{1}{4}$
W $\frac{1}{2}$ SW $\frac{1}{4}$
SECTION 33

TOWNSHIP 13 SOUTH, RANGE 11 WEST, W.M.

GOVERNMENT LOT 4
SECTION 24

ALL
SECTION 36

ALL
SECTION 25

TOWNSHIP 13 SOUTH, RANGE 12 WEST, W.M.

GOVERNMENT LOTS 2,3,4,5,AND 6
SECTION 6

TOWNSHIP 14 SOUTH, RANGE 11 WEST, W.M.

GOVERNMENT LOTS 1,2,3,AND 4
GOVERNMENT LOTS 5,6,7,AND 8
GOVERNMENT LOTS 11,AND 12
SECTION 1

ALL
SECTION 2

ALL
SECTION 11

S $\frac{1}{2}$ NW $\frac{1}{4}$
N $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 12

NW $\frac{1}{4}$ NW $\frac{1}{4}$
SECTION 13

ALL
SECTION 14

ALL
SECTION 22

ALL
SECTION 23

ALL
SECTION 26

ALL
SECTION 27

ALL
SECTION 34

ALL
SECTION 35

TOWNSHIP 14 SOUTH, RANGE 12 WEST, W.M.

GOVERNMENT LOT 2
SECTION 3

TOWNSHIP 15 SOUTH, RANGE 12 WEST, W.M.

The applicant proposes to change the point of diversion to:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 14, T 14 S, R 12 W, W.M.; 1240 FEET
SOUTH AND 145 FEET EAST FROM THE C $\frac{1}{4}$ CORNER OF SECTION 14.

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 diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
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 surface water source as the original point of diversion.

4. All other terms and conditions of the permit remain the same.
5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

Permit 52498, in the name of SOUTHWEST LINCOLN COUNTY WATER DISTRICT, is amended as described herein.

WITNESS the signature of the Water Resources
Director, affixed 6/15/98.



Martha O. Pagel, Director