

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

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 6386 submitted by

CASPER AND MATHILDA OTT  
3568 BLANCHET AVENUE  
ST. PAUL, OREGON 97137.

The right to be modified, as evidenced by a PORTION of Certificate 43508, was perfected under Permit 34822 with a date of priority of DECEMBER 15, 1969. The right allows the use of water from the WILLAMETTE RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION OF 43.1 ACRES. This right is limited to 0.54 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within CLASSENS DLC 69, SECTION 13, T 4 S, R 3 W, W.M.; 490 FEET NORTH AND 590 FEET EAST FROM THE NW CORNER OF ACCOLTI DLC 68, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 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:

SW $\frac{1}{4}$  SW $\frac{1}{4}$  15.6 ACRES  
SECTION 18

NW $\frac{1}{4}$  NW $\frac{1}{4}$  4.5 ACRES  
SECTION 19

BOTH AS PROJECTED WITHIN ACCOLTI DLC 73  
TOWNSHIP 4 SOUTH, RANGE 2 WEST, W.M.

SE $\frac{1}{4}$  SE $\frac{1}{4}$  18.3 ACRES  
SECTION 13

NE $\frac{1}{4}$  NE $\frac{1}{4}$  4.7 ACRE  
SECTION 24

BOTH AS PROJECTED WITHIN ACCOLTI DLC 68  
TOWNSHIP 4 SOUTH, RANGE 3 WEST, W.M.

The applicant proposes to change the point of diversion to:

NW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within CLASSENS DLC 69, SECTION 13, T 4 S, R 3 W, W.M.; 1050 FEET NORTH AND 1870 FEET EAST OF THE NW CORNER OF ACCOLTI DLC 68.


The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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, 1993.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water 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.

Certificate 43508 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. 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 MAY 26, 1992.

  
Martha O. Pagel

Recorded in Special Order Records at Volume 46, Page 272 .