STATE OF OREGON

COUNTY OF LINN

ORDER APPROVING A CHANGE IN PLACE OF USE

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 8041 submitted by

WALTER W. AND JO ANN POPE
31798 CHESTNUT LANE
LEBANON, OREGON 97355.

The right to be modified, as evidenced by a portion of Certificate 37955, was perfected under Permit 31835 with a date of priority of AUGUST 10, 1966. The right allows the use of the SOUTH SANTIAM RIVER, a tributary of the SANTIAM RIVER, for IRRIGATION OF 4.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.06 cubic foot per second, if available at the authorized point of diversion: LOT 6 (NW¼ NE¼), SECTION 24, T 12 S, R 2 W, W.M.; 1770 FEET NORTH AND 4800 FEET WEST FROM THE NW CORNER OF RICHMOND CHEADLE DLC 38, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for 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 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:

NW¼ NE¼ 1.0 ACRES
SW¼ NE¼ 3.8 ACRES
BOTH AS PROJECTED WITHIN RICHARD CHEADLE DLC 86
SECTION 24
TOWNSHIP 12 SOUTH, RANGE 2 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:

SE¼ NW¼ 4.8 ACRES
AS PROJECTED WITHIN RICHARD CHEADLE DLC 86
SECTION 24
TOWNSHIP 12 SOUTH, RANGE 2 WEST, 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, 2000.

2. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 37955 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 06 1999.

for Martha O. Pagel, Director

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 filled within 60 days after the date this order is served.