

STATE OF OREGON

COUNTY OF LANE

ORDER APPROVING AN ADDITIONAL POINT OF APPROPRIATION

Pursuant to ORS 537.705, 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 9338 submitted by

BLUE RIVER WATER DISTRICT
DICK PIERCE
P.O. BOX 292
BLUE RIVER, OREGON 97413.

The right to be modified, as evidenced by Certificate 46411, was perfected under Permit G-3556 with a date of priority of JANUARY 13, 1967. The right allows the use of A WELL, in the MCKENZIE RIVER BASIN, 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 1.0 cubic foot per second, if available at the original well; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 29, T 16 S, R 4 E, W.M.; 757 FEET SOUTH AND 38 FEET WEST FROM THE SW CORNER OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 29, or its equivalent in case of rotation, measured at the well.

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

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 authorized place of use is as follows:

S $\frac{1}{2}$
SECTION 20

S $\frac{1}{2}$ SW $\frac{1}{4}$
W $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 21

N $\frac{1}{2}$ NW $\frac{1}{4}$
SECTION 28

N $\frac{1}{2}$ NE $\frac{1}{4}$
NW $\frac{1}{4}$
SECTION 29

TOWNSHIP 16 SOUTH, RANGE 4 EAST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

The applicant proposes an additional point of appropriation located:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 29, T 16 S, T 4 E, W.M.; 752 FEET SOUTH AND 30 FEET WEST FROM THE SW CORNER OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 29.

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

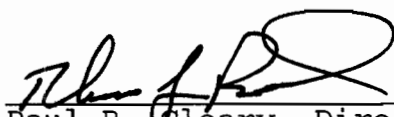
1. The proposed change shall be completed on or before October 1, 2008.
2. The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully authorized under the right.

3. When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the 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 aquifer as the original point of appropriation.
5. The proposed well seal shall be constructed in the same clay strata found at a depth of 32 to 45 feet in the authorized well (Well Log ID# - LANE 9594).
6. The proposed well shall not exceed a total depth of 138 feet below land surface.

Certificate 46411 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 APR 14 2003.


for Paul R. Cleary, Director