

STATE OF OREGON

COUNTY OF COOS

ORDER APPROVING A CHANGE IN PLACE OF USE,
A CHANGE IN POINT OF DIVERSION, AND
A CHANGE IN CHARACTER 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 7394 submitted by

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The right to be modified, as evidenced by a portion of Certificate 34441, was perfected under Permit 29235 with a date of priority of NOVEMBER 12, 1963. The right allows the use of the SOUTH FORK COQUILLE RIVER, a tributary of the COQUILLE RIVER, for IRRIGATION OF 0.5 ACRE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.006 cubic foot per second, if available at the authorized point of diversion: LOT 9 (NW $\frac{1}{4}$ NE $\frac{1}{4}$), SECTION 5, T 30 S, R 12 W, W.M.; 840 FEET SOUTH AND 750 FEET EAST FROM THE N $\frac{1}{4}$ CORNER OF SECTION 5, 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 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:

LOT 9 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) 0.5 ACRE
SECTION 5
TOWNSHIP 30 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:

	<u>COMMERCIAL</u>	<u>HUMAN CONSUMPTION</u>
SW $\frac{1}{4}$ SE $\frac{1}{4}$	TAX LOT 1300,1400	TAX LOT 2900
SE $\frac{1}{4}$ SE $\frac{1}{4}$		TAX LOT 2900

SECTION 32
TOWNSHIP 29 SOUTH, RANGE 12 WEST, W.M.

The applicant proposes to change the point of diversion to:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 32, T 29 S, R 12 W, W.M.; 410 FEET NORTH AND 570 FEET EAST FROM THE S $\frac{1}{4}$ CORNER OF SECTION 32.

The applicant proposes to change the character of use of 0.006 cubic foot per second (cfs) of irrigation use to 0.005 CFS COMMERCIAL USE AND 0.001 CFS FOR HUMAN CONSUMPTION.

THESE CHANGES 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 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 lawfully available at the original point of diversion.
3. 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. The amount of water used for COMMERCIAL USE, together with the amount secured under any other right existing for the same lands, is limited to 0.005 cubic foot per second and shall be limited to a diversion not to exceed 1.04 acre-feet for each acre irrigated during the irrigation season of each year.
5. The amount of water used for HUMAN CONSUMPTION, together with the amount secured under any other right existing for the same lands, is limited to 0.001 cubic foot per second and shall be limited to a diversion not to exceed 0.20 acre-feet for each acre irrigated during the irrigation season of each year.

6. Water shall be acquired from the same surface water source as the original point of diversion.
7. The former place of use shall no longer be irrigated as a part of this water right.
8. 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.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificate 34441 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 NOV 19 1998.


for Martha O. Pagel, Director