

STATE OF OREGON

COUNTY OF COOS

ORDER APPROVING AN ADDITIONAL POINT OF APPROPRIATION

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 9345 submitted by

COOS BAY-NORTH BEND WATER BOARD
PO BOX 539
COOS BAY, OREGON 97420.

The right to be modified, as evidenced by Certificate 74901, was perfected under Permit G-10837 with a date of priority of SEPTEMBER 27, 1997. The right allows the use of WELL NO. 58 IN THE NORTH INLET BASIN FOR MAINTAINING SAND POINT LAKE WATER LEVEL FOR RECREATION. The amount of water to which his right is entitled is limited to an amount actually beneficially used and shall not exceed 44 GALLONS PER MINUTE, if available at the authorized point of diversion: SE¼ NW¼, SECTION 22, T 24 S, R 13 W, W.M.; NORTH 84 DEGREES WEST, 3600 FEET FROM THE EAST QUARTER CORNER OF SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

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 right shall be limited to appropriation of water only to the extent that it does not impair or substantially interfere with prior surface water rights as well as prior ground water rights of others.

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

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 21

NW $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 22

TOWNSHIP 24 SOUTH, RANGE 13 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 an additional point of diversion to:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 15, T 24 S, R 13 W, W.M.; NORTH 80 DEGREES 38 FEET EAST, 2,400 FEET BEARING FROM NW CORNER SECTION 22.

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, 2004.

2. The quantity of water diverted at the new point of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully 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.
4. Water shall be acquired from the same aquifer as the original point of appropriation.

Certificate 74901 is canceled. 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 **JUL 24 2003** .



Paul R. Cleary, Director