

STATE OF OREGON

COUNTY OF DOUGLAS

ORDER APPROVING A CHANGE IN 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 8610 submitted by

CAROL BECKLEY
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ELKTON, OREGON 97436.

The right to be modified, as evidenced by a portion of Certificate 22347, was perfected under Permit 20332 with a date of priority of MAY 10, 1951. The right allows the use of the UMPQUA RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION OF 0.7 ACRE. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.009 CUBIC FOOT PER SECOND, if available at the authorized point of diversion: NW¼ SW¼, AS PROJECTED WITHIN HARTS DLC 42, SECTION 19, T 22 S, R 7 W, W.M, 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 amount of water used for irrigation, together with the amount secured under any other right existing on 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 2.5 acre-feet per acre 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 SW¼ 0.7 ACRE
AS PROJECTED WITHIN HARTS DLC 42
SECTION 19
TOWNSHIP 22 SOUTH, RANGE 7 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 use to RESERVOIR MAINTENANCE OF TWO PONDS, during the irrigation season.

The location of the two ponds is as follows:

NW¼ SW¼ 0.3 ACRE (POND 1)
NW¼ SW¼ 0.4 ACRE (POND 2)
AS PROJECTED WITHIN HARTS DLC 42
SECTION 19
TOWNSHIP 22 SOUTH, RANGE 7 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, 2002.

2. 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.
3. The amount of water used for reservoir maintenance, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 1.75 acre-feet during the irrigation season of each year.

Certificate 22347 is canceled. 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 OCT 16 2001.


For Paul R. Cleary, Director