

STATE OF OREGON

COUNTY OF JACKSON

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 8780 submitted by

RONALD AND MELODY BEAN
40971 HWY 62
PROSPECT, OREGON 97536.

The right to be modified, as evidenced by a portion of Certificate 55884, was perfected under Permit 46162 with a date of priority of MARCH 29, 1979. The right allows the use of NORTH FORK ROGUE RIVER, a tributary of ROGUE RIVER, for DOMESTIC USE FOR ONE FAMILY. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.005 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, SECTION 29, T 32 S, R 3 E, W.M.; NYE DITCH - 590 FEET SOUTH AND 100 FEET EAST FROM W¼ CORNER SECTION 29, or its equivalent in case of rotation, measured at the point of diversion from the source.

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 located as follows:

NE¼ SW¼ (TAX LOT 2200)
SECTION 10
TOWNSHIP 33 SOUTH, RANGE 2 EAST, 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:

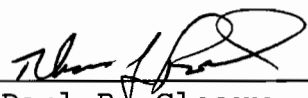
NW¼ SW¼ (TAX LOT 3400)
SECTION 10
TOWNSHIP 33 SOUTH, RANGE 2 EAST, W.M.

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, 2003.
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 former place of use shall no longer use domestic water from the previous site as a part of this water right.

Certificate 55884 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 DEC 17 2001.



For Paul R. Cleary, Director