

STATE OF OREGON

COUNTY OF JACKSON

ORDER APPROVING A CHANGE IN 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 7662 submitted by

EAGLE POINT GOLF CLUB, LLC  
100 EAGLE POINT DRIVE  
EAGLE POINT, OREGON 97524.

The right to be modified, as evidenced by a portion of Certificate 75101, was perfected under Permit 6396 with a date of priority of APRIL 21, 1915. The right allows the use of BIG BUTTE CREEK, a tributary of the ROGUE RIVER, for IRRIGATION of 29.9 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.36 cubic foot per second, if available at the authorized points of diversion: NE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 10; LOT 4 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ ), SECTION 3; T 35 S, R 2 E, WM; 1130 FEET SOUTH AND 700 FEET WEST FROM THE NE CORNER, SECTION 10; 1030 FEET SOUTH AND 290 FEET EAST FROM THE NW CORNER, SECTION 3, 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 4 $\frac{1}{2}$  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:

NE $\frac{1}{4}$  NE $\frac{1}{4}$  15.0 ACRES  
SECTION 10

NW $\frac{1}{4}$  NW $\frac{1}{4}$  14.9 ACRES  
SECTION 11

TOWNSHIP 36 SOUTH, RANGE 1 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 of 26.5 acres of irrigation to:

SW $\frac{1}{4}$  SE $\frac{1}{4}$  3.2 ACRES  
SECTION 3

NW $\frac{1}{4}$  NE $\frac{1}{4}$  2.4 ACRES  
SW $\frac{1}{4}$  NE $\frac{1}{4}$  1.5 ACRES  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  10.2 ACRES  
NW $\frac{1}{4}$  NW $\frac{1}{4}$  7.7 ACRES  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  1.1 ACRES  
SECTION 10

NE $\frac{1}{4}$  NW $\frac{1}{4}$  0.4 ACRE  
SECTION 11

TOWNSHIP 36 SOUTH, RANGE 1 WEST, W.M.

3.4 acres of the water right being removed from the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 10, described above, will be transferred by a separate transfer application to be submitted by the Eagle Point Irrigation District. The water right is being removed to make way for a water right to be placed on the same land under the provisions of Transfer Application 7664.

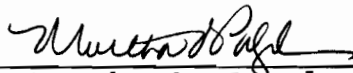
Portions of the proposed place of use have rights of record which will be removed by Transfer Application 7660.

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, 1999.
2. The former place of use shall no longer be irrigated as a part of this water right.
3. The amount of water to which the 26.5 acres of irrigation is entitled is limited to an amount actually beneficially used and shall not exceed 0.32 cubic foot per second.
4. Prior to December 31, 1998, a transfer application shall be submitted by the Eagle Point Irrigation District to change the place of use of 3.4 acres of irrigation from the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 10. If the transfer application from Eagle Point Irrigation District is not received by the Department prior to December 31, 1998, the Department may initiate proceedings to cancel the water right for the 3.4 acres.

Certificate 75101 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 22 1997.



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Martha O. Pagel, Director