

STATE OF OREGON

COUNTY OF JACKSON

ORDER APPROVING A CHANGE IN PLACE OF USE
AND POINT OF DIVERSION

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 7664 submitted by

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

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County as evidenced by a PORTION of Certificate 72152. The decree is recorded in the Order Record of the Water Resources Director in Volume 14, at Page 498. The date of priority is 1883.

The right allows the use of LITTLE BUTTE CREEK, a tributary of the ROGUE RIVER, for IRRIGATION of 30.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.58 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 31, T 35 S, R 1 E, WM; 560 FEET NORTH AND 2990 FEET EAST FROM THE SW CORNER, SECTION 31, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 30.6 ACRES
SECTION 35
TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

The applicant proposes to change the place of use to:

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

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.7 ACRE
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 14.9 ACRES
SECTION 11

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

The applicant also proposed to change the point of diversion to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 3, T 36 S, R 1 W, WM; 125 FEET
NORTH AND 450 FEET EAST FROM THE SW CORNER, SECTION 3.

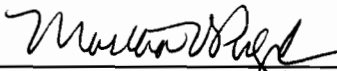
Portions of the proposed place of use have rights of record which will be removed by Transfer Application 7662.

THESE CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old 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. Water shall be acquired from the same surface water source as the original point of diversion.
5. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 72152 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.



Martha O. Pagel, Director