

STATE OF OREGON

COUNTY OF JEFFERSON

ORDER APPROVING A CHANGE IN CHARACTER 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 7062 submitted by

CYRUS AND REBECCA FIELD
31469 PETERSON ROAD
PHILOMATH, OREGON 97370.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for DESCHUTES County as evidenced by Certificate 13623, as modified by an Order of the Water Resources Director, entered at Special Order Volume 47, Page 283, on August 12, 1993. The decree is recorded in the Order Record of the Water Resources Director in Volume 9, at Page 362. The date of priority is 1888.

The right allows the use of LAKE CREEK, a tributary of the METOLIUS RIVER, for IRRIGATION OF 2.0 ACRES. This right is limited to 0.03 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 16, T 13 S, R 9 E, WM; 7 FEET NORTH AND 2338 FEET WEST FROM THE S $\frac{1}{4}$, SECTION 16, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation under this right is limited to a diversion of ONE-SIXTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2.0 ACRES
SECTION 16
TOWNSHIP 13 SOUTH, RANGE 9 EAST, 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 character of use to up to 0.33 CFS FLOW IN A DITCH AND THROUGH A POND, FOR RECREATION, INCLUDING SWIMMING, BOATING, FISHING AND WILDLIFE ATTRACTION, ON THE APPLICANT'S PROPERTY.

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, 1995.

2. The total quantity which may be diverted, during the irrigation season of each year, for this use shall not exceed 6.0 acre feet, measure at the 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.
5. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 13623 is cancelled. 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 MAY 10 , 1994.



Martha O. Pagel, Director