

STATE OF OREGON

COUNTY OF LAKE

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

Pursuant to ORS 537.705, 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 8330 submitted by

Flowerree Farms, Inc.
c/o John Flowerree
P.O. Box 4462
Sunriver, Oregon 97707

The first right to be modified, as evidenced by a PORTION of Certificate 53853, was perfected under Permit G-8197 with a date of priority of APRIL 19, 1978. The right allows the use of WELL #12, in the FORT ROCK BASIN, for IRRIGATION OF 7.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.09 cubic foot per second, if available at the original well; SW¼ SE¼, SECTION 35, T 26 S, R 18 E; 1330 FEET NORTH AND 1330 FEET WEST FROM THE SE CORNER, SECTION 35, or its equivalent in case of rotation, measured at the well.

This is an order in other than 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 second right to be modified, as evidenced by a PORTION of Certificate 75849, was perfected under Permit G-9020 with a date of priority of JUNE 11, 1980. The right allows the use of 2 WELLS, in the FORT ROCK BASIN, for IRRIGATION OF 14.0 ACRES. The amount of water to which this right is entitled is limited to and amount actually beneficially used and shall not exceed 0.18 cubic feet per second, being 0.09 cfs from WELL 1 AND WELL 2, if available at the original wells; NW¼ NW¼, NE¼ SW¼, SECTION 8, T 27 S, R 19 E; WELL 1-1340 FEET NORTH AND 1320 FEET WEST, WELL 2-1320 FEET SOUTH AND 1300 FEET WEST, BOTH FROM THE CENTER ¼ CORNER, SECTION 8, or its equivalent in case of rotation, measured at the well.

The third right to be modified, as evidenced by a PORTION of Certificate 55177, was perfected under Permit G-9026 with a date of priority of AUGUST 27, 1978. The right allows the use of WELL 1, in the FORT ROCK BASIN, for IRRIGATION OF 7.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.09 cubic foot per second, if available at the original well; NE¼ NE¼, SECTION 35, T 26 S, R 18 E; well 1 - 1260 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER, SECTION 35, or its equivalent in case of rotation, measured at the well.

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 3.0 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 places of use is as follows:

PERMIT G-8197

NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.4 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.6 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	1.9 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	1.1 ACRES

SECTION 35
TOWNSHIP 26 SOUTH, RANGE 18 EAST, W.M.

PERMIT 9020

	<u>WELL 1</u>		<u>WELL 2</u>	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	7.0 ACRES	NE $\frac{1}{4}$ SW $\frac{1}{4}$	2.1 ACRES	
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.1 ACRES	
		SW $\frac{1}{4}$ SW $\frac{1}{4}$	1.5 ACRES	
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	2.3 ACRES	

SECTION 8
TOWNSHIP 27 SOUTH, RANGE 19 EAST, W.M.

PERMIT G-9026

NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.4 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	1.9 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.2 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.5 ACRES

SECTION 35
TOWNSHIP 26 SOUTH, RANGE 18 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.

The applicant proposes to change the places of use to:

PERMIT G-8197

NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.0 ACRES
-----------------------------------	-----------

PERMIT G-9020

NE¼ SW¼ 14.0 ACRES

PERMIT G-9026

NE¼ SW¼ 7.0 ACRES
SECTION 36
TOWNSHIP 26 SOUTH, RANGE 18 EAST, W.M.

The applicant proposes to change the points of appropriation to:

SE¼ SE¼, SECTION 20, T 27 S, R 18 E, W.M.; 490 FEET
NORTH AND 110 FEET WEST FROM THE SE CORNER, SECTION 20.

THESE CHANGES TO EXISTING WATER RIGHTS 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, 2001.
2. The quantity of water diverted at the new point of
appropriation (well), together with the quantity diverted at
the old points of appropriation, shall not exceed the
quantity of water lawfully available from the original
points of appropriation.
3. When required by the Department the water user shall install
an in-line flow meter or other suitable device for measuring
and recording the quantity of water used. The type and
plans of the measuring device must be approved by the
Department prior to beginning construction and shall be
installed under the general supervision of the Department.
3. Water shall be acquired from the same aquifer as the
original points of appropriation.

4. The former places of use shall no longer be irrigated as part of these water rights.

Certificates 53853 75849 and 55177 are canceled. New certificates will be issued to confirm that portion of the rights NOT involved in this transfer. When satisfactory proof of the completed changes are received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,

affixed MAR 29 2000.


For Martha O. Pagel, Director