

STATE OF OREGON

COUNTY OF JACKSON

ORDER APPROVING A CHANGE IN PLACE OF USE
AND AN ADDITIONAL 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 8719 submitted by

H.J. HANSCOM AND TERRY MATLOCK
P.O. BOX 2033
WHITE CITY, OREGON 97503.

The FIRST 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 17198. The decree is recorded in the Order Record of the Water Resources Director in Volume 14, at Page 498. The date of priority is 1872.

The right allows the use of SALT CREEK, a tributary of LITTLE BUTTE CREEK, for IRRIGATION of 4.2 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.084 cubic foot per

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.

second, if available at the authorized point of diversion MEASURED AT THE HEAD OF THE DITCH OR AT THE POINT WHERE THE SAME LEAVES THE NATURAL STREAM, FROM APRIL 1ST TO OCTOBER 1ST OF EACH YEAR.

The authorized place of use is located as follows:

NW¼ SE¼ 0.8 ACRE
SW¼ SE¼ 3.4 ACRES
SECTION 7
TOWNSHIP 36 SOUTH, RANGE 2 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 an additional point of diversion:

NW¼ SE¼, SECTION 7, T 36 S, R 2 E, W.M.; 1700 FEET NORTH AND 700 FEET EAST FROM THE S¼ CORNER, SECTION 7.

The SECOND 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 17197. The decree is recorded in the Order Record of the Water Resources Director in Volume 14, at Page 498. The date of priority is 1878.

The right allows the use of SALT CREEK, a tributary of LITTLE BUTTE CREEK, for IRRIGATION of 32.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.59 cubic foot per second, if available at the authorized point of diversion MEASURED AT THE HEAD OF THE DITCH OR AT THE POINT WHERE THE SAME LEAVES THE NATURAL STREAM, FROM APRIL 1ST TO OCTOBER 1ST OF EACH YEAR.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 7.0 ACRES (POU)
SECTION 13
TOWNSHIP 36 SOUTH, RANGE 1 EAST, W.M.

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 13.5 ACRES
SECTION 7

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.5 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.0 ACRES (POU)
SECTION 18
TOWNSHIP 36 SOUTH, RANGE 2 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 place of use of 9.0 ACRES as delineated to:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.9 ACRE
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.6 ACRES
SECTION 18
TOWNSHIP 36 SOUTH, RANGE 2 EAST, W.M.

The applicant proposes an additional point of diversion for all 32.0 ACRES as follows:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 7, T 36 S, R 2 E, W.M.; 1700 FEET NORTH AND 700 FEET EAST FROM THE S $\frac{1}{4}$ CORNER, SECTION 7.

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

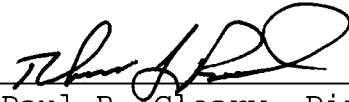
1. The proposed changes shall be completed on or before October 1, 2004.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. **Prior** to diverting water at the new point of diversion, 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, at both the **ADDITIONAL** and **AUTHORIZED** points of diversion. 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.
6. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificates 17197 and 17198 are canceled. New certificates will be issued to confirm that portion of those rights NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed DEC 06 2002.


Paul R. Cleary, Director