

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 8331 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 75551, was perfected under Permit G-7849 with a date of priority of JANUARY 13, 1978. The right allows the use of WELL 1, in the FORT ROCK BASIN, for IRRIGATION OF 8.9 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.11 cubic foot per second, if available at the original well; SE¼ SW¼, SECTION 21, T27S, R18E; 1320 FEET NORTH AND 1330 FEET EAST FROM THE SE CORNER, SECTION 20, 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 T-6673, was perfected under Permit G-7849 with a date of priority of JANUARY 13, 1978. The right allows the use of A WELL, in the FORT ROCK BASIN, for IRRIGATION OF 6.9 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.09 cubic foot per second, if available at the original well; SE¼ SE¼, SECTION 20, T27S, R18E; 490 FEET NORTH AND 110 FEET WEST FROM THE SE CORNER, SECTION 20, 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, 1980. The right allows the use of WELL 2, in the FORT ROCK BASIN, for IRRIGATION OF 2.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.04 cubic foot per second, if available at the original well; SE¼ NE¼, SECTION 35, T26S, R18E; 2540 FEET SOUTH AND 140 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 place of use is as follows:

POU and POA

POU ONLY

PERMIT G-7849

PERMIT G-7849, T-6673

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.8 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.8 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.8 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 2.5 ACRES
SECTION 21
TOWNSHIP 27 SOUTH,
RANGE 18 EAST, W.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 6.9 ACRES
SECTION 29
TOWNSHIP 27 SOUTH,
RANGE 18 EAST, W.M.

PERMIT G-9026

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.8 ACRES
SECTION 20
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-7849

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 15.8 ACRES

PERMIT G-9026

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.8 ACRES
SECTION 29
TOWNSHIP 27 SOUTH, RANGE 18 EAST, W.M.

The applicant proposes to change the points of appropriation for a portion of Permit G-7849 and Permit G-9026 to:

SE¼ SE¼, SECTION 20, T27S, R18E, W.M.; 490 FEET NORTH AND 110 FEET WEST FROM THE SE CORNER, SECTION 20.

Proof, satisfactory to the Director, of the completed changes approved by Transfer 6673 have been received.

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 in-line flow meters or other suitable devices for measuring and recording the quantity of water used. The type and plans of the measuring devices 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 aquifer as the original points of appropriation.
5. The former places of use shall no longer be irrigated as part of these water rights.

Certificates 75551, 55177 and Transfer 6673 are cancelled. 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