

STATE OF OREGON

COUNTY OF KLAMATH

ORDER APPROVING A CHANGE IN PLACE OF USE

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 9100 submitted by

BONANZA VIEW DAIRY PARTNERSHIP
4721 HARPOLD ROAD
BONANZA, OREGON 97623.

The right to be modified, as evidenced by a PORTION of Certificate 65493, was perfected under Permit G-9436 with a date of priority of AUGUST 27, 1981. The right allows the use of TWO WELLS, in the LOST RIVER BASIN, for IRRIGATION OF 10.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.125 cubic foot per second, if available at the original wells; SE¼ NE¼, SECTION 21, NW¼ NW¼, SECTION 22, T 39 S, R 11 E, W.M.; WELL 1 - 2300 FEET SOUTH AND 140 FEET WEST, WELL 2 - 450 FEET SOUTH AND 800 FEET EAST, BOTH FROM THE NW CORNER, SECTION 22, or its equivalent in case of rotation, measured at the wells.

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. In the event of a request for a change in point of appropriation, an additional point of appropriation, or repair of this well, the quantity of water allowed herein together with any other right from this

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is a final 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.

point of appropriation shall not exceed the capacity of this well at the time of perfection of this right.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.2 ACRE
SECTION 15

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.2 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7.6 ACRES
SECTION 22

TOWNSHIP 39 SOUTH, RANGE 11 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 place of use to:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.0 ACRES
SECTION 9

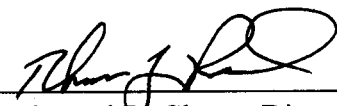
TOWNSHIP 39 SOUTH, RANGE 11 EAST, W.M.

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, 2004.
2. The former place of use shall no longer be irrigated as part of this water right.
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.

Certificate 65493 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 02 2002.



for Paul R. Cleary, Director