

STATE OF OREGON
COUNTY OF JACKSON

ORDER APPROVING A CHANGE IN 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 7101 submitted by

RICHARD D. IRISH
2567 EAST EVANS CREEK ROAD
ROGUE RIVER, OREGON 97537.

The right to be modified, as evidenced by a portion of Certificate 2015, was perfected under Permit 1173 with a date of priority of APRIL 10, 1912. The right allows the use of EVANS CREEK, a tributary of the ROGUE RIVER, for IRRIGATION OF 16.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.20 cubic foot per second, if available at the authorized point of diversion: NW¼ SE¼, SECTION 4, T 36 S, R 4 W, W.M.; 2508 FEET NORTH AND 2409 FEET WEST OF THE SE CORNER, SECTION 4, or its equivalent in case of rotation, measured at the point of diversion from the source.

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

The authorized place of use is located as follows:

NW¼ SE¼ 16.0 ACRES
SECTION 4
TOWNSHIP 36 SOUTH, RANGE 4 WEST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described

The applicant proposes to change the point of diversion to:

NW¼ SE¼, SECTION 4, T 36 S, R 4 W, W.M.; 1220 FEET SOUTH AND 2060 FEET WEST OF THE E¼ CORNER, SECTION 4.

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, 1998.
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. 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.
4. Water shall be acquired from the same surface water source as the original point of diversion.

Certificate 2015 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 February 27, 1997.



Martha O. Pagel, Director