

STATE OF OREGON

COUNTY OF DOUGLAS

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 6764 submitted by

ROI JEAN LAURANCE
8559 TILLER TRAIL HIGHWAY
CANYONVILLE, OREGON 97417.

The FIRST right to be modified, as evidenced by Transfer 4580, was perfected under Permit 4615 with a date of priority of MAY 25, 1920. Proof to the satisfaction of the Director that use of water has been accomplished under the terms and conditions of Transfer 4580 has been received. The right allows the use of the SOUTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 40.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.5 cubic foot per second, if available at the authorized point of diversion: SE¼ SE¼, AS PROJECTED WITHIN DLC 39, SECTION 7, T 30 S, R 4 W, W.M.; 850 FEET NORTH AND 20 FEET WEST FROM THE SE CORNER, SECTION 7, or its equivalent in

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.

case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent 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 located as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SECTION 7

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 20.0 ACRES
SECTION 18
TOWNSHIP 30 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 place of use of 20.0 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0 ACRES
AS PROJECTED WITHIN DLC 42
SECTION 8
TOWNSHIP 30 SOUTH, RANGE 4 WEST, W.M.

The applicant further proposes an additional point of diversion for 40.0 acres to:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 7, T 30 S, R 4 W, W.M.; 729 FEET NORTH AND 652 FEET WEST FROM THE SE CORNER, SECTION 7.

The SECOND right to be modified, as evidenced by Certificate 66488, was perfected under Permit 42555 with a date of priority of SEPTEMBER 14, 1977. The right allows the use of the SOUTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 70.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.88 cubic foot per second, if available at the authorized point of diversion: SE¼ SE¼, AS PROJECTED WITHIN DLC 39, SECTION 7, T 30 S, R 4 W, W.M.; 850 FEET NORTH AND 20 FEET WEST FROM THE SE CORNER, SECTION 7, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for 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 2.5 acre-feet 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 located as follows:

SW¼ SW¼ 30.0 ACRES
SECTION 8

NW¼ NW¼ 40.0 ACRES
BOTH AS PROJECTED WITHIN DLC 42
SECTION 17
TOWNSHIP 30 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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

The applicant proposes to change the place of use of 20.0 acres within the SW¼ SW¼ to:

NE¼ NE¼ 20.0 ACRES
AS PROJECTED WITHIN DLC 41
SECTION 18
TOWNSHIP 30 SOUTH, RANGE 4 WEST, W.M.

The applicant further proposes an additional point of diversion for 70.0 acres to:

SE¼ SE¼, SECTION 7, T 30 S, R 4 W, W.M.; 729 FEET NORTH AND 652 FEET WEST FROM THE SE CORNER, SECTION 7.

The THIRD right to be modified, as evidenced by Certificate 66490, was perfected under Permit 45965 with a date of priority of MAY 13, 1981. The right allows the use of the SOUTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 95.4 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.19 cubic feet per second, if available at the authorized point of diversion: SE¼ SE¼, AS PROJECTED WITHIN DLC 39, SECTION 7, T 30 S, R 4 W, W.M.; 850 FEET NORTH AND 20 FEET WEST FROM THE SE CORNER, SECTION 7, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for 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 2.5 acre-feet 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 located as follows:

SW¼ NW¼ 34.9 ACRES
NW¼ SW¼ 9.6 ACRES
BOTH AS PROJECTED WITHIN DLC 42
SECTION 17

SE¼ NE¼ 30.4 ACRES
NE¼ SE¼ 20.5 ACRES
BOTH AS PROJECTED WITHIN DLC 41
SECTION 18
TOWNSHIP 30 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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

The applicant proposes an additional point of diversion for 95.4 acres to:

SE¼ SE¼, SECTION 7, T 30 S, R 4 W, W.M.; 729 FEET NORTH AND 652 FEET WEST FROM THE SE CORNER, SECTION 7.

The FOURTH right to be modified, as evidenced by Certificate 66489, was perfected under Permit 44995 with a date of priority of MARCH 13, 1980. The right allows the use of the SOUTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 31.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.39 cubic foot per second, if available at the authorized point of diversion: SE¼ SE¼, AS PROJECTED WITHIN DLC 39, SECTION 7, T 30 S, R 4 W, W.M.; 850 FEET NORTH AND 20 FEET WEST FROM THE SE CORNER, SECTION 7, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under any other right existing for 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 2.5 acre-feet 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 located as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 4.0 ACRES
AS PROJECTED WITHIN DLC 42
SECTION 17

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 19.7 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 7.3 ACRES
BOTH AS PROJECTED WITHIN DLC 41
SECTION 18
TOWNSHIP 30 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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

The applicant proposes an additional point of diversion for 31.0 acres to:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 7, T 30 S, R 4 W, W.M.; 729 FEET NORTH AND 652 FEET WEST FROM THE SE 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 from 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. 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.
7. 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.

Transfer 4580 and Certificates 66488, 66489, 66490 are canceled. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources

Director, affixed APR 01 2003.



Paul R. Cleary, Director