

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 6548 submitted by

JOHN RACHOR
9390 HIGHWAY 140
EAGLE POINT, OREGON 97524.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County as evidenced by Certificate 17201. The decree is recorded in the Order Record of the Water Resources Director in Volume 14, at Page 498. The date of priority is 1884.

The right allows the use of LITTLE BUTTE CREEK, a tributary of the ROGUE RIVER, for IRRIGATION OF 40.0 ACRES. This right is limited to 1.0 cubic foot per second, FROM APRIL 1st TO OCTOBER 1st EACH YEAR, if available at the authorized point of diversion: NIEDERMYER OR MONIA DITCH, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 11, T 36 S, R 1 E, WM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7.0 ACRES
SECTION 3

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.0 ACRES
SECTION 4

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.6 ACRES
SECTION 9

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 20.4 ACRES
SECTION 10

TOWNSHIP 36 SOUTH, RANGE 1 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 point of diversion to:

NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 10, T 36 S, R 1 E, WM; 470 FEET SOUTH AND 1320 FEET EAST FROM THE NW CORNER OF SECTION 10.


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, 1994.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.
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 17201 is canceled. 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 August 26, 1993.


A. REED MARBUT

 Martha O. Pagel

Recorded in Special Order Records at Volume 47, Page 315 .

T-6548.LHN