

STATE OF OREGON

COUNTY OF JACKSON

ORDER APPROVING A CHANGE IN POINT OF DIVERSION AND PLACE OF USE

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 TRANSFER 6280 submitted by

GENE PIKE  
8005 EAST EVANS CREEK ROAD  
ROGUE RIVER, OREGON 97537

to use the waters of EVANS CREEK, a tributary of the ROGUE RIVER, for the purpose of IRRIGATING 4.0 ACRES.

The rights to be transferred were confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County as evidenced by certificates 48967 and 48968. The decree is recorded in the Order Record of the WATER RESOURCES DIRECTOR in Volume 4, at page 1. The date of priority for both rights is 1896.

These rights are limited to 0.072 cubic foot per second, if available at the original point of diversion: WILLIAMS AND WHALEN DITCH, or its equivalent in case of rotation, measured at the point of diversion from the source.

The new point of diversion is located as follows:

NW 1/4 SW 1/4, SECTION 11, T 35 S, R 4 W, W.M.; 210 FEET NORTH AND 250 FEET WEST FROM THE SE CORNER OF NW 1/4 SW 1/4 OF SECTION 11.

A description of the new place of use is as follows:

SE 1/4 SW 1/4 4.0 ACRES  
SECTION 11  
TOWNSHIP 35 SOUTH, RANGE 4 WEST, 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.

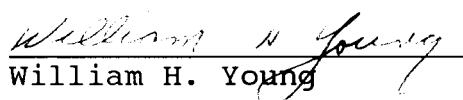
THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 1991.
2. The quantity of water diverted at the new point of 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.
4. The following former place of use shall no longer be irrigated as a part of this water right:

SE 1/4 NW 1/4 3.2 ACRES (CERTIFICATE 48968)  
SE 1/4 NW 1/4 0.8 ACRE (CERTIFICATE 48967)  
SECTION 11  
TOWNSHIP 35 SOUTH, RANGE 4 WEST, W.M.

Certificates 48967 and 48968 are canceled. New certificates will be issued to confirm that portion of the rights NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed  
FEBRUARY 14, 1990.

  
William H. Young

Recorded in Special Order Records at Volume 44, page 42.

T-6280.TES