

STATE OF OREGON

COUNTY OF LAKE

**ORDER APPROVING A CHANGE IN PLACE OF USE
and POINT OF APPROPRIATION**

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 7374 submitted by

DAVE ROTH
P.O. BOX 358
CHRISTMAS VALLEY, OREGON 97641

The right to be modified, as evidenced by certificate 53541, was perfected under Permit G-9262 with a date of priority of FEBRUARY 6, 1981. The right allows the use of A WELL, in the FORT ROCK BASIN, for IRRIGATION OF 125.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.57 cubic feet per second, if available at the original well; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 3, T 25 S, R 18 E, W.M.; 1400 FEET SOUTH AND 1320 FEET WEST FROM THE NE CORNER, SECTION 3, or its equivalent in case of rotation, measured at the well.

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, provided further that 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 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:

LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)	30.2 ACRES
LOT 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)	30.6 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	34.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	30.8 ACRES

SECTION 3

TOWNSHIP 25 SOUTH, RANGE 18 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:

STUTZMAN

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.6 ACRES

HOGAN

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 31.2 ACRES

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 31.3 ACRES

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 31.3 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 31.2 ACRES

SECTION 5

TOWNSHIP 25 SOUTH, RANGE 17 EAST, W.M.

The applicant proposes to change the point of appropriation to:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 5, T 27 S, R 17 E, W.M.; STUTZMAN - 1320 FEET SOUTH AND 1340 FEET EAST FROM NW CORNER; HOGAN - 1300 FEET NORTH AND 1330 FEET EAST FROM THE SW CORNER, BOTH SECTION 5.

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

THESE CHANGES TO AN EXISTING WATER RIGHT 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, 1999.
2. The quantity of water diverted at the new points of appropriation (wells), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation, nor exceed the capacity of the original point of appropriation at the time of perfection of this right.
3. When required by the Department the water user shall install in-line flow meters or other suitable devices for measuring and recording the quantity of water used. The type and plans of the measuring devices 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 aquifer as the original point of appropriation.
5. The former place of use shall no longer be irrigated as part of this water right.

Certificate 53451 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 4/30/98.



Martha O. Pagel, Director