

STATE OF OREGON

COUNTY OF JACKSON

ORDER APPROVING A CHANGE IN PLACE OF USE AND 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 6612 submitted by

WARREN J. FERGUSON
1643 ANDERSON CREEK ROAD
TALENT, OREGON 97540.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County as evidenced by a PORTION of Certificate 60562. The decree is recorded in the Order Record of the Water Resources Director in Volume 4, at Page 1. The date of priority is 1857.

The right allows the use of water from ANDERSON CREEK, a tributary of BEAR CREEK, for IRRIGATION OF 5.1 ACRES. This right is limited to 0.06 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 33, T 38 S, R 1 W, W.M.; BALDWIN DITCH - 425 FEET SOUTH AND 320 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 33, 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 $\frac{1}{4}$ NW $\frac{1}{4}$	3.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	2.1 ACRES
SECTION 34	
TOWNSHIP 38 SOUTH, RANGE 1 WEST, W.M.	

The applicant proposes to change the place of use of 1.2 acres from the SW $\frac{1}{4}$ NW $\frac{1}{4}$ to the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 34. The applicant also proposes to change the point of diversion to:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 34, T 38 S, R 1 W, W.M.; 515 FEET NORTH AND 1030 FEET EAST FROM THE W $\frac{1}{4}$ CORNER OF SECTION 34.

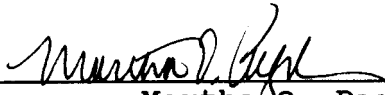
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

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, 1993.
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 former place of use shall no longer be irrigated as a part of this water right.

Certificate 60562 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
OCTOBER 12, 1992.



Martha O. Pagel

Recorded in the Special Order Volume 46, Page 458 .