

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 TRANSFER 5953 submitted by

RONALD P BURLEY  
22451 CITATION DRIVE  
LOS GATOS, CALIFORNIA 95030

to use the waters of APPLIGATE RIVER, a tributary of ROGUE RIVER, for IRRIGATION OF 36.0 ACRES.

The right to be transferred, as evidenced by Certificates 53622 AND 53623, was perfected under Permit 3743 with a date of priority of MARCH 25, 1918. This right is limited to 0.45 cubic foot per second, if available at the original point of diversion:

SE 1/4 SW /14, AS PROJECTED IN THE LONG DLC 39, SECTION 30, T 38 S, R 3 W, W.M.; KUBLI DITCH - 2510 FEET SOUTH AND 3370 FEET WEST FROM THE NE CORNER, LONG DLC 39,

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:

NE 1/4 SE 1/4, SECTION 22, T 38 S, R 4 W, W.M; 640 FEET SOUTH AND 400 FEET WEST FROM THE EAST 1/4, SECTION 22.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4 1/2 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.

A description of the place of use is as follows:

SE 1/4 NE 1/4	11.0 ACRES
NE 1/4 SE 1/4	2.0 ACRES
SECTION 22	
SW 1/4 NW 1/4	8.0 ACRES
NW 1/4 SW 1/4	15.0 ACRES

SECTION 23

TOWNSHIP 38 SOUTH, RANGE 4 WEST, W.M.

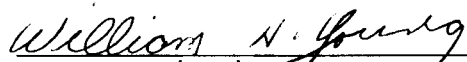
The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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. 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.

Certificates 53622 AND 53623 are cancelled. 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 NOVEMBER 6, 1991.

  
\_\_\_\_\_  
William H. Young