

STATE OF OREGON

COUNTY OF JACKSON

ORDER APPROVING A CHANGE IN 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, as conditioned or limited herein, TRANSFER 6051 submitted by

FRANK L. BROWN  
5260 LOST CREEK ROAD  
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 a PORTION of Certificate 17220, as modified by an order entered June 19, 1978. The decree is recorded in the Order Record of the Water Resources Director in Volume 14, at Page 498. The date of priority is 1904.

The right allows the use of SOUTH FORK LITTLE BUTTE CREEK, a tributary of LITTLE BUTTE CREEK, for IRRIGATION OF 4.0 ACRES. This right is limited to 0.10 cubic foot per second, if available at the authorized point of diversion: SW 1/4 NW 1/4, SECTION 3, T 37 S, R 2 E, W.M.; 1630 FEET SOUTH AND 580 FEET EAST FROM THE NW CORNER OF SECTION 3, or its equivalent in case of rotation, measured at the point of diversion from the source, from April 1 to October 1 of each year.

The authorized place of use is located as follows:

NE 1/4 NE 1/4        4.0 ACRES  
                    SECTION 4  
TOWNSHIP 37 SOUTH, RANGE 2 EAST, W.M.

The applicant proposes to change the place of use to:

NE 1/4 NE 1/4        4.0 ACRES  
                    SECTION 4  
TOWNSHIP 37 SOUTH, RANGE 2 EAST, W.M.

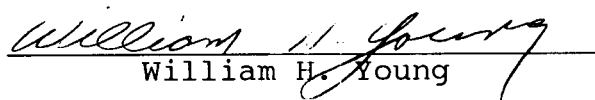
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

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, 1992.
2. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 17220 has been cancelled. A new certificate will be issued to confirm that portion of the right modified by an order entered June 19, 1978, approving transfer 3970 and 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 NOVEMBER 12, 1991.

  
William H. Young

Recorded in Special Order Records at Volume 45, Page 464.

T-6051.LHN