

STATE OF OREGON

COUNTY OF LAKE

ORDER APPROVING CHANGES 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 7909 submitted by

K & E FARMS, INC.
P.O. Box 28
CHRISTMAS VALLEY, OREGON 97641

The right to be modified, as evidenced by a PORTION of Certificate 53855, was perfected under Permit G-9018 with a date of priority of AUGUST 7, 1980. The right allows the use of A WELL, in the FORT ROCK BASIN, for IRRIGATION of 61.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.77 cubic foot per second if available at the original well; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 31, T. 26 S., R. 18 E., W.M.; 1420 FEET NORTH AND 1320 FEET EAST FROM THE CENTER $\frac{1}{4}$ CORNER, SECTION 31, 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.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 31.2 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 30.6 ACRES
SECTION 31
TOWNSHIP 26 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:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 30.55 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 30.55 ACRES
SECTION 27
TOWNSHIP 27 SOUTH, RANGE 16 EAST, W.M.

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.6 ACRE
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.1 ACRE
SECTION 32
TOWNSHIP 27 SOUTH, RANGE 16 EAST, W.M.

The applicant proposes to change the point of appropriation for 0.76 cfs, for the lands in Section 27, to:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 27, T. 27 S., R. 16 E., W.M.; 1 - 1302 FEET NORTH and 1332 FEET WEST FROM THE NE CORNER, SECTION 27;

and to change the point of appropriation for 0.01 cfs, for the lands in Section 32, to:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 32, T. 27 S., R. 16 E., W.M.; 2 - 1320 FEET SOUTH and 1320 FEET WEST FROM THE NE CORNER, SECTION 32,

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.
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 types and plans of the measuring device 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 53855 is canceled. 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 5/6/98.



Martha O. Pagel, Director