

STATE OF OREGON

COUNTY OF JOSEPHINE

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, as conditioned or limited herein, TRANSFER 6419 submitted by

ROBERT M. SRONCE  
7823 WILLIAMS HIGHWAY  
GRANTS PASS, OREGON 97527.

The first 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 64422. The decree is recorded in the Order Record of the Water Resources Director in Volume 16, at Page 523. The date of priority is 1903.

The right allows the use of APPELEGATE RIVER, a tributary of ROGUE RIVER, for IRRIGATION OF 0.6 ACRES. This right is limited to 0.1 cubic foot per second, if available at the original point of diversion: BUNCH-SWINDEN DITCH, SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 20, T 37 S, R 5 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified, as evidenced by a PORTION of Certificate 63299, was perfected under Permit 46416 with a date of priority of AUGUST 17, 1981. The right allows the use of APPELEGATE LAKE RESERVOIR CONSTRUCTED UNDER PERMIT R-7810, a tributary of APPELEGATE RIVER, for SUPPLEMENTAL IRRIGATION OF 0.6 ACRES. This right is limited to 1.28 ACRE-FEET STORED WATER ONLY, if available at the authorized point of diversion: APPELEGATE DAM - S $\frac{1}{2}$  SE $\frac{1}{4}$ , SECTION 25, T 40 S, R 4 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation under these rights is limited to a diversion of not to exceed 4 $\frac{1}{2}$  acre-feet for each acre irrigated during the irrigation season of each year. The stored water right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and is subject to the terms and conditions of Contract 1-07-10-W0287, or a satisfactory replacement, between the Bureau of Reclamation and the applicant, a copy of which is on file in the records of the Water Resources Department.

The authorized point of diversion is located as follows:

LOT 1 (SW $\frac{1}{4}$  NW $\frac{1}{4}$ ), SECTION 20, T 37 S, R 5 W, W.M.; 1550 FEET SOUTH AND 180 FEET EAST FROM THE NW CORNER OF SECTION 20.

The authorized place of use is located as follows:

NE $\frac{1}{4}$  NW $\frac{1}{4}$  0.6 ACRE  
as projected within DLC 40  
SECTION 20  
TOWNSHIP 37 SOUTH, RANGE 5 WEST, W.M.

The applicant proposes to change the point of diversion to:

NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 20, T 37 S, R 5 W, W.M.; 370 FEET NORTH AND 776.91 FEET WEST FROM THE SE CORNER OF THE NE $\frac{1}{4}$  NW $\frac{1}{4}$  OF SECTION 20.

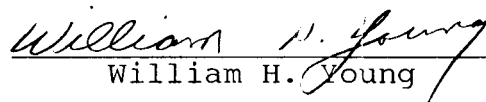
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

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 quantity of water diverted at the new point of diversion, together with that diverted at the old 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.

Certificates 63299 and 64422 are cancelled. New certificates will be issued to confirm the portions of these rights NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed December 12, 1991.

  
William H. Young

Recorded in Special Order Records at Volume 45, Page 496