

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 8129 submitted by

GENE PORTER
HC 84 BOX 100
SILVER LAKE, OREGON 97638

The first right to be modified, as evidenced by a PORTION of Certificate 27305, was perfected under Permit U-394 with a date of priority of MARCH 29, 1951. The right allows the use of A WELL, a tributary of the FORT ROCK BASIN, for IRRIGATION OF 3.12 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.04 cubic foot per second, if available at the original well; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 2, T 27 S, R 15 E, W.M.; S 13° 23' W 2538.5 FEET FROM THE NE CORNER, SECTION 2, or its equivalent in case of rotation, measured at the well.

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 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The second right to be modified, as evidenced by Certificate 68546, was perfected under Permit G-10046 with a date of priority of APRIL 28, 1980. The right allows the use of A WELL, a tributary of the FORT ROCK BASIN, for IRRIGATION OF 118.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.48 cubic feet per second, if available at the original well; SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 15, T 27 S, R 17 E, W.M.; 1310 feet NORTH and 2630 feet WEST from the SE CORNER SECTION 15, or its equivalent in case of rotation, measured at the well.

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 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The user shall keep the measuring device in good working order and keep a record of the water withdrawn.

The third right to be modified, as evidenced by a PORTION of Certificate 58871, was perfected under Permit G-10219 with a date of priority of SEPTEMBER 1, 1983. The right allows the use of A WELL, a tributary of the FORT ROCK BASIN, for IRRIGATION OF 2.24 ACRES. The right is limited to 0.03 cubic foot per second, if available at the original well; SE¼ NE¼, SECTION 2, T 27 S, R 15 E, W.M.; 2450 feet SOUTH and 600 feet WEST from the NE CORNER SECTION 2, or its equivalent in case of rotation, measured at the well.

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 3.0 acre-feet for each acre irrigated during the irrigation season of each year. IN THE EVENT OF A REQUEST FOR A CHANGE IN POINT OF APPROPRIATION, AN ADDITIONAL POINT OF APPROPRIATION OR REPAIR OF THIS WELL, THE QUANTITY OF WATER ALLOWED HEREIN TOGETHER WITH ANY OTHER RIGHT FROM THIS POINT OF APPROPRIATION SHALL NOT EXCEED THE CAPACITY OF THIS WELL AT THE TIME OF PERFECTION OF THIS RIGHT.

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

The authorized place of use is as follows:

PERMIT U-394

SW¼ NE¼ 3.12 ACRES
SECTION 2
TOWNSHIP 27 SOUTH, RANGE 15 EAST, W.M.

PERMIT G-10046

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 39.70 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 19.70 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 19.80 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 39.40 ACRES

SECTION 15

TOWNSHIP 27 SOUTH, RANGE 15 EAST, W.M.

PERMIT G- 10219

LOT 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) 2.24 ACRES

SECTION 1

TOWNSHIP 27 SOUTH, RANGE 15 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:

PERMIT U-394

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.12 ACRES

PERMIT G-10046

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30.99 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30.99 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 25.63 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 30.99 ACRES

PERMIT G- 10219

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.24 ACRES
SECTION 1

TOWNSHIP 27 SOUTH, RANGE 15 EAST, W.M.

The applicant proposes to change the point of appropriation to:

NW¼ NE¼, SECTION 1, T 27 S, R 15 E, W.M.; S 45° 14' 32" W 1864.7 feet from the NE CORNER, SECTION 1.

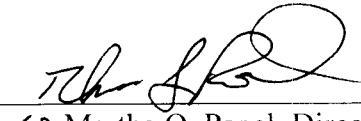
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

THESE CHANGES TO EXISTING WATER RIGHTS 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, 2000.
2. The quantity of water diverted at the new point of appropriation (well) shall not exceed the quantity of water available from the original points of appropriation.
3. The water user shall install in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type 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 points of appropriation.
5. The former places of use shall no longer be irrigated as part of these water rights.

Certificates 27305, 68546 and 58871 are canceled. New certificates will be issued to confirm that portion of the rights NOT involved in this transfer. When satisfactory proof of the completed changes are received, a new certificate confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed APR 16 1999.



for Martha O. Pagel, Director

Under the provisions of OAR 137-004-0080, the applicant may petition for reconsideration of this order. The petition shall set forth specific grounds for reconsideration. The petition for reconsideration must be filed within 60 days after the date this order is served.