

STATE OF OREGON

COUNTY OF JOSEPHINE

ORDER APPROVING A CHANGE AN ADDITIONAL 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 7528 submitted by

GEORGE C. WHITE
2612 HOLLAND LOOP ROAD
CAVE JUNCTION, OREGON 97523.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for JOSEPHINE County as evidenced by a PORTION of Certificate 33022. The decree is recorded in the Order Record of the Water Resources Director in Volumes 1 and 3, at Page 252 and 396. The date of priority is 1857.

The right allows the use of SUCKER CREEK, a tributary of the EAST FORK ILLINOIS RIVER, for IRRIGATION OF 19.7 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.39 cubic foot per second and that the use of water for irrigation purposes shall be confined to the season April 1st. to October 31st of each year, if available at the authorized point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 35, T 39 S, R 8 W, W.M.; 930 FEET SOUTH AND 1620 FEET WEST FROM THE E $\frac{1}{4}$ CORNER, SECTION 35, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 16.4 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.3 ACRES
SECTION 35
TOWNSHIP 39 SOUTH, RANGE 8 WEST, 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.

The applicant proposes an additional point of diversion at:

NE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 35, T 39 S, R 8 W, W.M.; 445 FEET SOUTH AND 3025 FEET WEST FROM THE E $\frac{1}{4}$ CORNER, SECTION 35.

T-7528.PKS

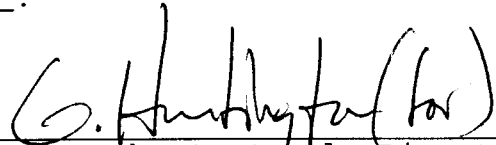
Special Order Volume 50, Page 635.

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, 1997.
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 lawfully available at the original point of diversion.
3. 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.
4. Regulation will be as a surface diversion. If Sucker Creek goes dry immediately upstream of the new diversion points, water use will be curtailed.

Certificate 33022 is cancelled. 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 September 30, 1996.



Martha O. Pagel, Director