

STATE OF OREGON

COUNTY OF KLAMATH

ORDER APPROVING A CHANGE IN 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 7731 submitted by

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The first right to be modified, as evidenced by Certificate 46872, was perfected under Permit G-5457 with a date of priority of SEPTEMBER 14, 1971. The right allows the use of A WELL, in the LOST RIVER BASIN, for IRRIGATION OF 37.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.47 cubic foot per second, if available at the original well; SW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 32, T 40 S, R 11 E, WM; 40 FEET NORTH AND 600 FEET EAST FROM THE CENTER, SECTION 32, or its equivalent in case of rotation, measured at the well.

The second right to be modified, as evidence by a portion of Certificate 65082, was perfected under Permit G-9244 with a date of priority of MARCH 5, 1981. The right allows the use of A WELL, in the LOST RIVER BASIN, for IRRIGATION OF 58.9 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.73 cubic foot per second, if available at the original well; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 33, T 40 S, R 11 E, WM; 1400 FEET SOUTH AND 840 FEET EAST FROM THE NW CORNER, SECTION 33.

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 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:

	<u>PERMIT G-5457</u>	<u>PERMIT G-9244</u>
NE¼ SE¼ SE¼ NE¼	30.8 ACRES	37.9 ACRES
	SECTION 32	
SW¼ NW¼ NW¼ SW¼	6.8 ACRES	21.0 ACRES
	SECTION 33	
TOWNSHIP 40 SOUTH, RANGE 11 EAST, W.M.		

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be reduced.

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 point of appropriation to:

NE¼ SE¼, SECTION 32, T 40 S, R 11 E, WM; 2680 FEET SOUTH AND 1220 FEET WEST FROM THE NW 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.

THIS CHANGE TO EXISTING WATER RIGHTS 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, 1998.
2. The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation.
3. When required by the Department the water user shall install an 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 point of appropriation.

Certificates 46872 and 65082 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 JUL 14 1997.



Martha O. Pagel, Director