

STATE OF OREGON

COUNTY OF LAKE

**ORDER APPROVING A CHANGE 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 7186 submitted by

THOMAS J. and KARMAN O'LEARY
P.O. BOX 38
SILVER LAKE, OREGON 97638

The right to be modified, as evidenced by a PORTION of Certificate 53233, was perfected under Permit G-9075 with a date of priority of SEPTEMBER 17, 1980 for 0.71 cubic foot per second and DECEMBER 29, 1980 for 0.15 cubic foot per second. The right allows the use of A WELL in the FORT ROCK BASIN for IRRIGATION OF 69.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.86 cubic foot per second, if available at the original well; LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$), SECTION 4, T 27 S, R 19 E; 1360 FEET NORTH and 1320 FEET EAST from the CENTER $\frac{1}{4}$ CORNER, SECTION 4, 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:

LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$) 29.1 ACRES
LOT 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) 39.9 ACRES
SECTION 4
TOWNSHIP 27 SOUTH, RANGE 19 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 applicants propose to change the place of use to:

SE¹/₄ SW¹/₄ 38.5 acres

SW¹/₄ SE¹/₄ 30.5 acres

SECTION 14

TOWNSHIP 28 SOUTH, RANGE 14 EAST, W.M.

The applicants propose to change the point of appropriation to:

SW¹/₄ SE¹/₄, SECTION 14, T 28 S, R 14 E, W.M.; 1070 FEET NORTH & 2830 FEET EAST FROM THE SW CORNER, SECTION 14.

The applicants propose to diminish the right from primary irrigation to supplemental irrigation.

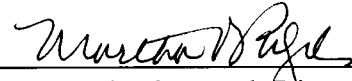
The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

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 point of appropriation (well), 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 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.
5. The former place of use shall no longer be irrigated as part of this water right.

Certificate 53233 is canceled. 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 7/7/98.



Martha O. Pagel, Director