

STATE OF OREGON

COUNTY OF JACKSON

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 7555 submitted by

CARL J. STOKES  
1700 PINE GATE WAY  
WHITE CITY, OREGON 97503.

The first right to be modified, as evidenced by a portion of Certificate 64957, was perfected under Permit 49500 with dates of priority of AUGUST 29, 1985 FOR 0.08 CUBIC FOOT PER SECOND AND OCTOBER 18, 1985 FOR 0.06 CFS. The right allows the use of the ROGUE RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION OF 11.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.14 cubic foot per second, if available at the authorized point of diversion: LOT 5 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ), SECTION 29, T 35 S, R 1 W, W.M.; 280 FEET NORTH AND 1740 FEET EAST FROM THE SW CORNER OF SECTION 29, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for 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 4 $\frac{1}{2}$  acre-feet for each acre irrigated during the irrigation season of each year.

The second right to be modified, as evidenced by a portion of Certificate 64958, was perfected under Permit 50173 with a date of priority of AUGUST 12, 1987. The right allows the use of LOST CREEK RESERVOIR, a tributary of the ROGUE RIVER, for SUPPLEMENTAL IRRIGATION OF 11.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 11.0 acre-feet stored water only, if available at the authorized point of diversion: LOST CREEK DAM: ~~SW $\frac{1}{4}$  SW $\frac{1}{4}$~~  AND W $\frac{1}{2}$  SW $\frac{1}{4}$ , SECTION 26, T 33 S, R 1 E, W.M.; REDIVERSION FROM THE ROGUE RIVER: LOT 5 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ), SECTION 29, T 35 S, R 1 W, W.M.; 280 FEET NORTH AND 1740 FEET EAST FROM THE SW CORNER OF SECTION 29, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to a diversion of not to exceed 4½ acre-feet (or its equivalent) for each acre irrigated during the irrigation season of each year. The right shall be limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein. This right is also subject to the terms and conditions of Contract 7-07-10-W0691 between the Bureau of Reclamation and the applicant, or a satisfactory replacement, a copy of which is on file in the records of the Water Resources Department.

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

The authorized place of use is located as follows:

LOT 5 (SW¼ SW¼) 8.3 ACRES  
LOT 5 (SE¼ SW¼) 2.7 ACRES  
SECTION 29  
TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.

The right to use the 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 diversion to:

LOT 5 (SE¼ SW¼), SECTION 29, T 35 S, R 1 W, W.M.; 430 FEET NORTH AND 1780 FEET EAST FROM THE SW CORNER, SECTION 29.

THE RECEIVING LANDOWNERS ARE:

DAVID AND CARLA HUGIE  
P.O. BOX 1235  
SHADY COVE, OREGON 97539

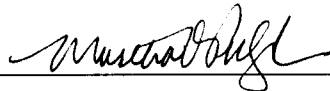
THIS CHANGE TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1998.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of 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. Water shall be acquired from the same surface water source as the original point of diversion.

Certificates 64957 and 64958 are cancelled. New certificates will be issued to confirm those 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 November 6, 1996.



Martha O. Pagel, Director