

STATE OF OREGON

COUNTY OF JACKSON

ORDER APPROVING CHANGES IN USE, PLACE OF USE,

AND 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 7383 submitted by

CASCADE RANCH
380 LAKE CREEK LOOP ROAD
EAGLE POINT, OREGON 97524.

The first right to modified, as evidenced by a portion of Certificate 56182, was perfected under Permit R-4747 with a date of priority of JULY 5, 1966. The right allows the storage of the waters of LOST CREEK, a tributary of the SOUTH FORK LITTLE BUTTE CREEK in BRADSHAW RESERVOIR appropriated under Permit 31268, for IRRIGATION. The amount of water to which this right is entitled is limited to an amount actually beneficially stored and shall not exceed 45.0 ACRE-FEET, if available at the source.

The second right to be modified, as evidenced by a portion of Certificate 56183, was perfected under Permit 31268 with a date of priority of JULY 5, 1966. The right allows the use of LOST CREEK and BRADSHAW RESERVOIR, constructed under Permit R-4747, tributaries of SOUTH FORK LITTLE BUTTE CREEK, for IRRIGATION OF 10.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.12 cubic foot per second, if available at the authorized point of diversion: NW¼ SE¼, SECTION 1, T 37 S, R 1 E, WM; SW¼ NE¼, SECTION 27, T 37 S, R 2 E, WM; BRADSHAW RESERVOIR - 650 FEET SOUTH AND 1130 EAST FROM THE W¼, SECTION 1; LOST CREEK - 1650 FEET SOUTH AND 2650 FEET EAST FROM THE NW CORNER, SECTION 27, 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 any 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 4½ acre-feet for each acre irrigated during the irrigation season of each year from April 2 to October 31 from direct flow and storage.

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

The reservoir is located in:

W $\frac{1}{2}$ SW $\frac{1}{4}$
SECTION 1

SE $\frac{1}{4}$ NE $\frac{1}{4}$
E $\frac{1}{2}$ SE $\frac{1}{4}$
SECTION 2

TOWNSHIP 37 SOUTH, RANGE 1 EAST, W.M.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10.0 ACRES
SECTION 19
TOWNSHIP 36 SOUTH, RANGE 2 EAST, W.M.

The right to use the water for the above purposes is restricted to beneficial use on the lands or places of use described

The applicant proposes to change the purpose of the storage under Permit R-4747 to QUASI-MUNICIPAL USE. The applicant also proposes to change the use of water from both direct flow and storage under Permit 31268 to QUASI-MUNICIPAL USE.

The applicant proposes to change the place of use under permit 31268 to:

E $\frac{1}{2}$ SE $\frac{1}{4}$
NW $\frac{1}{4}$ SE $\frac{1}{4}$
SECTION 19
TOWNSHIP 36 SOUTH, RANGE 2 EAST, W.M.

The applicant proposes to change the point of diversion for the direct flow portion of the right to a SUMP beside LITTLE BUTTE CREEK located as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 19, T 36 S, R 2 E, WM; 1320 FEET NORTH AND 750 FEET WEST FROM THE SE CORNER, SECTION 19

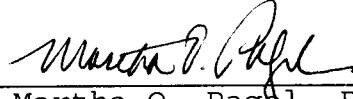
THESE CHANGES TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 1997.

2. The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.
3. When required by the Department, the water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted at the new and original points of diversion. The types and plans of the headgates and measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. The quantity of water used for quasi-municipal use shall not exceed 45.0 acre-feet from both direct flow and storage during each year. The quantity of water diverted from direct flow shall not exceed 0.12 cubic foot per second.
5. The use of water from direct flow may only be made during the irrigation season from April 2 to October 31 of each year. The use of water from storage may be made at any time during the year.
6. Water shall be acquired from the same surface water source as the original point of diversion.
7. The former place of use shall no longer be irrigated as a part of this water right.
8. If, within five years of the date of this order, the Department finds that the diversion causes substantial interference with an existing ground water right that would not have occurred in the absence of the change, the use of water from the new point of diversion shall be subordinate to any ground water right, including exempt uses, existing at the time of this order, injured by the change.
9. The Department shall approve an application to return to the last authorized surface water point of diversion, if the water right holder submits an application requesting to do so, within five years of the date of this order.

Certificates 56182 and 56183 are cancelled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources
Director, affixed 1/5/96.



Martha O. Pagel, Director