

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 7051 submitted by

LITTLE BUTTE IRRIGATION COMPANY
P.O. BOX 234
EAGLE POINT, OREGON 97524

The right to be modified, as evidenced by a portion of Certificate 68691, was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 14, at Page 498.

The right allows the use of LITTLE BUTTE CREEK, a tributary of the ROGUE RIVER, for IRRIGATION OF 122.28 ACRES. The date of priority is 1883 for 81.11 ACRES and 1908 for 41.17 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.54 cubic foot per second for priority 1883 and 0.82 cubic foot per second for priority 1908, if available at the authorized point of diversion: SW¼ SE¼, SECTION 31, T.35S., R.1E., W.M.; 560 FEET NORTH AND 2990 FEET EAST FROM SW CORNER SECTION 31, or its equivalent in case of rotation, measured at the point of diversion from the source from April 1st to October 1st of each year.

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

The authorized place of use is located as follows:

PRIORITY 1883

TAXLOT	100	NENE	18.70	ACRES
TAXLOT	300	NENE	10.00	ACRES
TAXLOT	200	NWNE	8.00	ACRES
TAXLOT	300	SENE	11.30	ACRES
SECTION 10				
TAXLOT	200	NWNW	16.71	ACRES
TAXLOT	200	SWNW	16.40	ACRES
SECTION 11				
TOWNSHIP	36 S., RANGE 1 E., W.M.			

PRIORITY 1908

TAXLOT	200	NENW	6.60	ACRES
TAXLOT	200	NWNW	19.57	ACRES
TAXLOT	200	SWNW	10.00	ACRES
TAXLOT	200	SENW	5.00	ACRES
SECTION 11				
TOWNSHIP	36 S., RANGE 1 E., 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 said decree.

The applicant proposes to change the POINT OF DIVERSION to: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T.36S., R.1E., W.M.; 1065 FEET SOUTH AND 985 FEET WEST FROM THE NORTH $\frac{1}{4}$ CORNER, SECTION 10.

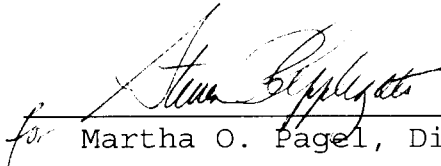
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

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 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. The water user or irrigation district shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.
5. Water shall be acquired from the same surface water source as the original point of diversion.

Certificate 68691 is canceled. 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 February 26, 1996.


for Martha O. Pagel, Director