

STATE OF OREGON

COUNTY OF LAKE

ORDER APPROVING A CHANGE IN PLACE OF USE

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 8539 submitted by

SAM AND CONNIE START  
P.O. BOX 111  
LAKEVIEW, OREGON 97630.

The right to be modified, as evidenced by Certificate 58079, was perfected under Permit G-8708 with a date of priority of JUNE 18, 1979. The right allows the use of A SUMP, in the GOOSE LAKE BASIN, for IRRIGATION OF 31.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.39 cubic foot per second, if available at the original sump; NW¼ NW¼, SECTION 23, T 39 S, R 19 E, W.M.; 120 FEET SOUTH AND 1150 FEET EAST FROM THE NW CORNER, SECTION 23, or its equivalent in case of rotation, measured at the sump.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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:

NE $\frac{1}{4}$  NW $\frac{1}{4}$         15.1 ACRES  
NW $\frac{1}{4}$  NW $\frac{1}{4}$         16.1 ACRES

SECTION 23

TOWNSHIP 39 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 applicant proposes to change the place of use to:

NE $\frac{1}{4}$  NW $\frac{1}{4}$         19.0 ACRES  
NW $\frac{1}{4}$  NW $\frac{1}{4}$         12.2 ACRES

SECTION 23

TOWNSHIP 39 SOUTH, RANGE 19 EAST, W.M.

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, 2002.
2. 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

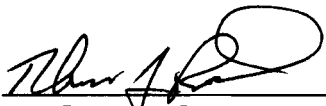
Department prior to beginning construction and shall be installed under the general supervision of the Department.

3. The former place of use shall no longer be irrigated as part of this water right.

Certificate 58079 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 SEP 21 2001.

  
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Paul R. Cleary, Director