

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN USE

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 6648 submitted by

A & R SPADA FARMS, INC.
7251 ST. PAUL HIGHWAY NE
ST. PAUL, OREGON 97137.

The right to be modified, as evidenced by a PORTION of Certificate 40454, was perfected under Permit R-5480 with a date of priority of DECEMBER 30, 1969. The right allows the storage of waters from CASE CREEK, a tributary of the WILLAMETTE RIVER, in the CASE CREEK DAM NO. 1 RESERVOIR, for IRRIGATION AND SUPPLEMENTAL IRRIGATION. This right is limited to 63.9 ACRE FEET, if available, or its equivalent in case of rotation, measured at the point of diversion from the source.

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

The reservoir is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$
as projected with
KENNEDY DLC 48
SW $\frac{1}{4}$ SW $\frac{1}{4}$
SE $\frac{1}{4}$ SW $\frac{1}{4}$
both as projected within
GAUTHIERS DLC 81
SECTION 24

NW $\frac{1}{4}$ NW $\frac{1}{4}$
as projected within
GAUTHIERS DLC 81
NW $\frac{1}{4}$ NW $\frac{1}{4}$
as projected within
KENNEDY DLC 48
NW $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NW $\frac{1}{4}$
as projected within
JACKSON DLC 51
SW $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$
both as projected within
BARNABIE DLC 50
NW $\frac{1}{4}$ SW $\frac{1}{4}$
as projected within
JACKSON DLC 51
SECTION 25

SE $\frac{1}{4}$ NE $\frac{1}{4}$
as projected within
JACKSON DLC 51
SE $\frac{1}{4}$ NE $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
both as projected within
BARNABIE DLC 50
NE $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
both as projected within
JACKSON DLC 51
SE $\frac{1}{4}$ SE $\frac{1}{4}$
as projected within
BARNABIE DLC 50
SE $\frac{1}{4}$ SE $\frac{1}{4}$
as projected within
BOWER DLC 53
SECTION 26
TOWNSHIP 4 SOUTH, RANGE 2 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.

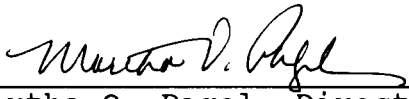
The applicant proposes to change the character of use to MULTIPLE AGRICULTURAL USES (including irrigation, nursery, and other agricultural uses).

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, 1996.
2. The storage of water under this right is limited to 63.9 Acre Feet each year, regardless of the number of existing or future secondary uses from the reservoir.

Certificate 40454 is cancelled. 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
MAR 9 1995.



Martha O. Pagel, Director