

STATE OF OREGON

COUNTY OF LANE

ORDER APPROVING A CHANGE IN PLACE OF 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 7184 submitted by

BANNACKBURN FARMS, INC.
29626 CHURCH DRIVE
ALBANY, OREGON 97321.

The right to be modified, as evidenced by a portion of Certificate 75227, was perfected under Permit 42759 with a date of priority of MARCH 1, 1978. The right allows the use of the MCKENZIE RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION of 33.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.42 cubic foot per second, if available at the authorized point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within SPORES DLC 38, SECTION 9, T 17 S, R 3 W, WM; 4440 FEET SOUTH AND 5250 FEET EAST FROM THE SE CORNER, MANSFIELD DLC 79, 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 2 $\frac{1}{2}$ acre-feet 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 located as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.1 ACRES
as projected within DLC 60
SECTION 20

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 27.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.5 ACRES
*NW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.2 ACRE
*as projected within DLC 60
SECTION 21

TOWNSHIP 12 SOUTH, RANGE 4 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 place of use to:

SW¼ NE¼ 15.2 ACRES
SE¼ NW¼ 1.2 ACRES
NE¼ SW¼ 2.4 ACRES
NW¼ SE¼ 9.5 ACRES
all as projected within DLC 48
SECTION 20

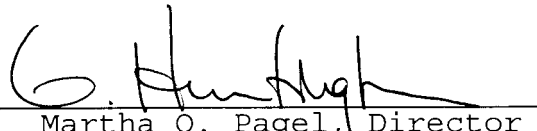
SW¼ SW¼ 5.5 ACRES
as projected within DLC 60
SECTION 21
TOWNSHIP 12 SOUTH, RANGE 4 WEST. W.M.

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, 1999.
2. The former place of use shall no longer be irrigated as a part of this water right.

Certificate 75227 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 ~~NOV 14 1997~~ _____.



Martha O. Pagel, Director