

STATE OF OREGON

COUNTY OF DOUGLAS

ORDER APPROVING A CHANGE IN 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 6955 submitted by

JEREMY G. BERNAU
9897 INWOOD ROAD
FOLSOM, CALIFORNIA 95630.

The first right to be modified, as evidenced by a PORTION of Certificate 43558, was perfected under Permit 12340 with a date of priority of AUGUST 31, 1936. The right allows the use of the NORTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 0.2 ACRES. This right is limited to 0.003 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 15, T 26 S, R 4 W, WM, or its equivalent in case of rotation, measured at the point of diversion from the source.

The second right to be modified, as evidenced by a PORTION of Certificate 45039, was perfected under Permit 12340 with a date of priority of AUGUST 31, 1936. The right allows the use of the NORTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 0.5 ACRES. This right is limited to 0.007 cubic foot per second, if available at the authorized point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 15, T 26 S, R 4 W, WM; 1550 FEET SOUTH AND 2760 FEET WEST FROM THE NE CORNER, SECTION 15, or its equivalent in case of rotation, measured at the point of diversion from the source.

The third right to be modified, as evidenced by a PORTION of Certificate 49669, was perfected under Permit 24629 with a date of priority of DECEMBER 17, 1956. The right allows the use of the NORTH UMPQUA RIVER, a tributary of the UMPQUA RIVER, for IRRIGATION OF 0.7 ACRES. This right is limited to 0.01 cubic foot per second, if available at the authorized point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 15, T 26 S, R 4 W, WM; 1550 FEET SOUTH AND 2760 FEET WEST FROM THE NE CORNER, SECTION 15, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation under these rights is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 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:

CERTIFICATE: 43558 45039 49669
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.5 ACRE 0.7 ACRE
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 0.2 ACRE
SECTION 15
TOWNSHIP 26 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:

PERMIT: 12340 24629
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.7 ACRE 0.7 ACRE
SECTION 16
TOWNSHIP 26 SOUTH, RANGE 4 WEST, W.M.

The applicant also proposed to change the point of diversion to:

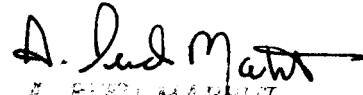
NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 16, T 26 S, R 4 W, WM; 520 FEET NORTH AND 580 FEET EAST FROM THE NE 1/16 CORNER, SECTION 16.

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, 1995.
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 available at the original point of diversion.
3. When required by the Department, 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 former place of use shall no longer be irrigated as a part of this water right.

Certificates 43558, 45039, and 49669 are cancelled. New certificates will be issued to confirm that portion of these rights NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,
affixed May 24, 1994.


MARtha O. PAGel

Martha O. Pagel