

STATE OF OREGON

COUNTY OF MARION

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.531, 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 7659 submitted by

EDER FARMS, INC.
12730 MILLER ROAD NE
GERVAIS, OREGON 97026.

The right to be modified, as evidenced by Certificate 14482, was perfected under Permit 13812 with a date of priority of JUNE 9, 1939. The right allows the use of AN UNNAMED STREAM, a tributary of the PUDDING RIVER, for IRRIGATION OF 34.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.43 cubic foot per second, if available at the authorized point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, AS PROJECTED WITHIN GEORGE M. BAKER DLC 44, SECTION 30, T 5 S, R 1 W, W.M., 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:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 19.0 ACRES
AS PROJECTED WITHIN GEORGE M. BAKER DLC 44
SECTION 29

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 12.2 ACRES
AS PROJECTED WITHIN GEORGE M. BAKER DLC 44
SECTION 30

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.8 ACRES
AS PROJECTED WITHIN GEORGE M. BAKER DLC 44
SECTION 32
TOWNSHIP 5 SOUTH, RANGE 1 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 point of diversion to a well:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, AS PROJECTED WITHIN GEORGE M. BAKER DLC 44, SECTION 30, T 5 S, R 1 W, W.M.; 420 FEET WEST AND 1080 FEET NORTH OF THE SE CORNER OF SECTION 30.

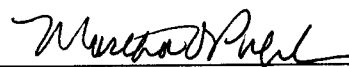
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of appropriation (well), shall not exceed the quantity of water lawfully 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. Water shall be acquired from the same surface water source as the original point of diversion.

Certificate 14482 is cancelled. 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 3/19/98.



Martha O. Pagel, Director