

STATE OF OREGON

COUNTY OF YAMHILL

ORDER APPROVING A CHANGE IN CHARACTER 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 6355 submitted by

BAILEY NURSERIES, INCORPORATED  
9855 NW PIKE ROAD  
YAMHILL, OREGON 97148.

The right to be modified, as evidenced by Certificate 42578, was perfected under Permit R-5378 with a date of priority of SEPTEMBER 5, 1968. The right allows the use of SALT CREEK, a tributary of the YAMHILL RIVER, for STORAGE FOR SUPPLEMENTAL IRRIGATION. This right is limited to 100.0 ACRE FEET, if available at the authorized point of diversion: SE $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected within PERKINS DLC 55, SECTION 31, T 2 S, R 4 W, WM; 220 FEET SOUTH AND 1380 FEET WEST FROM THE SE CORNER OF PERKINS DLC 55, 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:

E $\frac{1}{2}$  SE $\frac{1}{4}$   
as projected within PERKINS DLC 55  
SECTION 31  
TOWNSHIP 2 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.

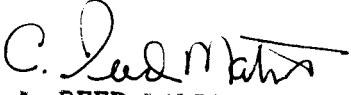
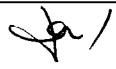
The applicant proposes to change the character of use from storage for supplemental Irrigation to storage for Nursery Use.

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.

Certificate 42578 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 March 12, 1993.

  
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 Martha O. Pagel