

STATE OF OREGON

COUNTY OF BAKER

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 7095 submitted by

THE HART INVESTMENT COMPANY
P.O. BOX 21
NORTH POWDER , OR 97867

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for BAKER County as evidenced by a PORTION of Certificate 64203. The decree is recorded in the Order Record of the Water Resources Director in Volume 6, at Page 291. The date of priority is 1883.

The right allows the use of POWDER RIVER, a tributary of SNAKE RIVER, for IRRIGATION of 22.8 acres. This right is limited to 0.57 cubic foot per second, if available at the authorized point of diversion: Travillion Koester Ditch, or its equivalent in case of rotation.

The authorized point of diversion is located as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 1, TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.; 200 FEET NORTH AND 870 FEET EAST FROM THE WEST $\frac{1}{4}$ CORNER OF SECTION 1.

The amount of water used for irrigation under this right is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

NE $\frac{1}{4}$	NW $\frac{1}{4}$	3.0 ACRES
SE $\frac{1}{4}$	NW $\frac{1}{4}$	12.8 ACRES
SW $\frac{1}{4}$	NE $\frac{1}{4}$	7.0 ACRES
SECTION 1		
TOWNSHIP 7 SOUTH,	RANGE 39 EAST,	W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

The applicant proposes to change the place of use to:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 9.9 ACRES
SECTION 36
TOWNSHIP 6 SOUTH, RANGE 39 EAST, W.M.

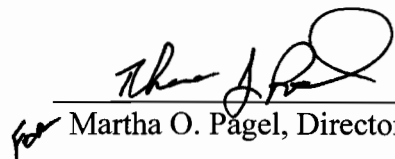
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.6 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.4 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1.7 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 0.2 ACRES
SECTION 1
TOWNSHIP 7 SOUTH, RANGE 39 EAST, W.M.

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 64203 is canceled. 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 JUN 24 1998


for Martha O. Pagel, Director