

STATE OF OREGON

COUNTY OF JACKSON

ORDER APPROVING A CHANGE IN POINT OF DIVERSION AND 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 TRANSFER 6426 submitted by

MEDFORD READY MIX CONCRETE, INC. (RICHARD C. SCHMIDT)
3400 CRATER LAKE AVENUE
MEDFORD, OREGON 97504

to use the waters of the ROGUE RIVER, a tributary of the PACIFIC OCEAN, for the purpose of IRRIGATING 1.0 ACRE.

The right to be transferred was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County as evidenced by certificate 32743. The decree is recorded in the Order Record of the WATER RESOURCES DIRECTOR in Volume 16, at page 523. The date of priority is SEPTEMBER 22, 1888.

This right is limited to 0.013 cubic foot per second, if available at the original point of diversion: TABLE ROCK DITCH - NE 1/4 NW 1/4, SECTION 6, T 36 S, R 1 W, W.M.; 333 FEET SOUTH AND 1987 FEET EAST FROM THE NW CORNER OF SECTION 6, or its equivalent in case of rotation, measured at the point of diversion from the source.

The new point of diversion is located as follows:

NW 1/4 SW 1/4, SECTION 18, T 36 S, R 2 W, W.M.; 2800 FEET SOUTH AND 280 FEET EAST FROM THE NW CORNER OF SECTION 18.

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

A description of the new place of use is as follows:

SW 1/4 NW 1/4 0.02 ACRE
NW 1/4 SW 1/4 0.98 ACRE
SECTION 18
TOWNSHIP 36 SOUTH, RANGE 2 WEST, 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.

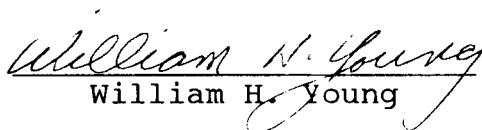
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1992.
2. The quantity of water diverted at the new point 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 following former place of use shall no longer be irrigated as a part of this water right:

NW 1/4 NW 1/4 1.0 ACRE
SECTION 13
TOWNSHIP 36 SOUTH, RANGE 2 WEST, W.M.

Certificate 32743 was canceled by an order of the Water Resources Director entered, January 24, 1991, approving transfer application 6293. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer or in transfer 6293. 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 January 24, 1991.


William H. Young

Recorded in Special Order Records at Volume 45, page 67.