

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BARNES BROS.

of Route 3, Box 92, Silverton, State of Oregon 97381, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of two streams, and reservoirs constructed under Permit No. R-3214,

a tributary of Beaver Creek for the purpose of irrigation of 66.1 acres

under Permit No. 28624 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from January 18, 1962 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.83 cubic foot per second; being 0.02 c.f.s. from East Stream and 0.81 c.f.s. from West Stream,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, both as projected within Willard DLC, Section 15, T. 7 S., R. 1 W., W.M.; 1090 feet South and 230 feet West; 1490 feet South and 420 feet West, both from NW Corner, Shrum DLC.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoirs constructed under Permit No. R-3214,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

South Reservoir Only

0.9 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 15

0.7 acre SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 16

both as projected within Willard DLC
T. 7 S., R. 1 W., W.M.

North & South Reservoirs

12.8 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

12.8 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

both as projected within Willard DLC

29.1 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

5.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

both as projected within Shrum DLC

Section 15

2.4 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

2.4 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

both as projected within Willard DLC

Section 16

T. 7 S., R. 1 W., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 47855, Volume 41, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on May 29, 1980.

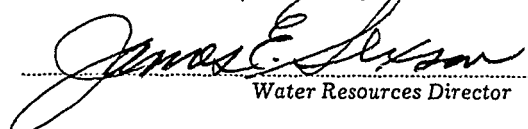
The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described., and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date.

September 4, 1980


Water Resources Director