

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES AND CLARA SCIVALLY
38063 KELLY ROAD
SCIO, OREGON 97374

confirms the right to use the waters of THOMAS CREEK, a tributary of the SOUTH SANTIAM RIVER, for the purpose of IRRIGATING 13.2 ACRES.

The right has been perfected under Permit 20113. The date of priority is FEBRUARY 15, 1951. The right is limited to not more than 0.10 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW 1/4 NW 1/4, AS PROJECTED WITHIN DLC 58, SECTION 23, T 10 S, R 2 W, W.M.; 650 FEET SOUTH AND 540 FEET WEST FROM THE SW CORNER OF DLC 66.

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 and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

NE 1/4 NE 1/4 0.4 ACRE
SE 1/4 NE 1/4 10.8 ACRES
BOTH AS PROJECTED WITHIN DLC 65
SECTION 21

SW 1/4 NW 1/4 2.0 ACRES
AS PROJECTED WITHIN DLC 65
SECTION 22
TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.

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This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered AUGUST 22, 1980, and together with certificate 49717, supersedes certificate 35911, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date DECEMBER 29, 1989.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63809

T-4479.JW