

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JANICE W. AND THEODORE NOVAK
11635 ORRS CORNER ROAD
DALLAS, OREGON 97338

confirms the right to use the waters of RICKREALL CREEK, a tributary of the WILLAMETTE RIVER, for the purpose of IRRIGATING 0.7 ACRE.

The right has been perfected under Permit 15256. The date of priority is APRIL 22, 1942. The right is limited to not more than 0.009 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:

NE 1/4 SW 1/4, SECTION 35, T 7 S, R 5 W, W.M.; 550 FEET SOUTH AND 700 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 35.

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 SW 1/4 0.7 ACRE
SECTION 35
TOWNSHIP 7 SOUTH, RANGE 5 WEST, W.M.

The land on which water is to be used is a part of that more explicitly described by appropriator as follows: Beginning at a point 53.48 chains South and 1.00 chain West from the Northwest corner of the D.L.C. of Carey D. Embree and wife, Claim No. 56 in Township 7 South, Range 5 West of the Willamette Meridian in Polk County, Oregon, running thence West 10.00 chains; thence North 56 links to the center of LaCreole River; thence South 71 degrees 50 minutes West along the center of said river 9.63 chains to George Minty's East line; thence South 87 links to the South line of the land described in Volume 51 at page 418, Deed Records of said Polk County, Oregon; thence South 70 degrees East 19.70 chains; thence North 7.53 chains to the place of beginning, containing 8.35 acres, more or less.

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The following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the user is entitled;

the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered DECEMBER 26, 1985, and together with Certificate 67632, supersedes certificate 15600, 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 JULY 24, 1992.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67633.

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