

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES O. FOSTER  
17030 BRIDGEPORT ROAD  
DALLAS, OREGON 97338

confirms the right to use the waters of LITTLE LUCKIAMUTE RIVER, a tributary of LUCKIAMUTE RIVER, for IRRIGATION OF 4.95 ACRES.

This right was perfected under Permit 51146. The date of priority is JUNE 26, 1990. This right is limited to 0.07 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

DIV. PT. 1 - NW 1/4 SW 1/4, AS PROJECTED WITHIN DLC 44, SECTION 25, T 8 S, R 6 W, W.M.; 400 FEET N 63° WEST AND 105 FEET S 27° W FROM THE NW CORNER OF DLC 56.

DIV. PT. 2 - SE 1/4 SW 1/4, AS PROJECTED WITHIN DLC 56, SECTION 25, T 8 S, R 6 W, W.M.; 1310 FEET SOUTH 63° EAST AND 290 FEET SOUTH 27° WEST FROM THE NW CORNER OF DLC 56.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

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

A description of the place of use to which this right is appurtenant is as follows:

NW 1/4 SW 1/4      0.35 ACRE  
SW 1/4 SW 1/4      4.50 ACRES  
SE 1/4 SW 1/4      0.10 ACRE  
ALL AS PROJECTED WITHIN DLC 44

SECTION 25  
TOWNSHIP 8 SOUTH, RANGE 6 WEST, W.M.

Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed  
APRIL 9, 1993.

/s/ MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68247.

BASIN 2  
70440.RWK

VOLUME 9A LITTLE LUCKIAMUTE RIVER

DISTRICT 16