

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RAY RUBY  
37955 FIR RIDGE ROAD  
SCIO, OR 97374

NW FARM CREDIT SERVICES  
PO BOX 285  
HARRISBURG, OR 97446

confirms the right to use the waters of THOMAS CREEK, a tributary of SOUTH SANTIAM RIVER, TO BRING THE AMOUNT OF WATER UP TO THE FULL DUTY FOR IRRIGATION OF TRACT 1 AND FOR FULL DUTY FOR IRRIGATION OF TRACT 2.

This right was perfected under Permit 50671. The date of priority is JANUARY 30, 1989. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.67 CUBIC FOOT PER SECOND, BEING 0.20 CFS FOR IRRIGATION OF TRACT 1 AND 0.47 CFS FOR IRRIGATION OF TRACT 2 or its equivalent in case of rotation, measured at the point of diversion from the source. THE USE OF DIRECT FLOW FROM THOMAS CREEK IS NOT ALLOWED AFTER AUGUST 15 OF EACH YEAR.

The point of diversion is located as follows:

SE 1/4 NW 1/4, SECTION 23, T 10 S, R 2 W, W.M.; 450 FEET SOUTH AND 240 FEET EAST 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, is 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 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:

<u>TRACT 1</u>		
SW 1/4	NW 1/4	4.6 ACRES
SE 1/4	NW 1/4	21.4 ACRES

<u>TRACT 2</u>		
SW 1/4	NE 1/4	12.5 ACRES
SE 1/4	NW 1/4	4.5 ACRES
NE 1/4	SW 1/4	14.1 ACRES
NW 1/4	SE 1/4	6.7 ACRES

SECTION 23  
TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE PERIOD OF USE AND SUPERSEDES CERTIFICATE 68749.

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 FEBRUARY 20 ,  
1996.

 **Steven P. Applegate**

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 72143.

69819.DEK