

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RAY RUBY  
37955 FIR RIDGE ROAD  
SCIO, OR 97374

confirms the right to use the waters of THOMAS CREEK, BARN EFFLUENT FLUSHING SYSTEM AND STORED WATER FROM TWO WASTE WATER EFFLUENT PONDS, CONSTRUCTED UNDER PERMIT R-11107, tributaries of SOUTH SANTIAM RIVER, for IRRIGATION OF 151.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 21.6 ACRES.

This right was perfected under Permit 50670. 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 2.16 CUBIC FEET PER SECOND, BEING 1.54 CFS FROM THOMAS CREEK SUPPLEMENTED BY WATERS FROM THE BARN EFFLUENT FLUSHING SYSTEM AND TWO WASTE WATER EFFLUENT PONDS FOR IRRIGATION OF 123.0 ACRES; 0.27 CFS FROM BARN EFFLUENT FLUSHING SYSTEM, AND TWO WASTE WATER EFFLUENT PONDS FOR SUPPLEMENTAL IRRIGATION OF 21.6 ACRES; AND 0.35 CFS FROM BARN EFFLUENT FLUSHING SYSTEM AND TWO WASTE WATER EFFLUENT PONDS FOR IRRIGATION OF 28.0 ACRES, or equivalent amounts in case of rotation, measured at the point of diversion. THE USE OF DIRECT FLOW FROM THOMAS CREEK IS NOT ALLOWED AFTER AUGUST 15 OF EACH YEAR.

The points of diversion are located as follows:

THOMAS CREEK - NW 1/4 NW 1/4, AS PROJECTED WITHIN DLC 66, SECTION 24, T 10 S, R 2 W, W.M.; 460 FEET SOUTH AND 1270 FEET EAST FROM THE NW CORNER OF SECTION 24.

BARN - NW 1/4 SE 1/4, SECTION 24, T 10 S, R 2 W, W.M.; 1020 FEET SOUTH AND 50 FEET EAST FROM THE CENTER OF SECTION 24.

POND 1 - NW 1/4 SE 1/4, SECTION 24, T 10 S, R 2 W, W.M.; 880 FEET SOUTH AND 140 FEET EAST FROM THE CENTER OF SECTION 24.

POND 2 - NW 1/4 SE 1/4, SECTION 24, T 10 S, R 2 W, W.M.; 860 FEET SOUTH AND 155 FEET EAST FROM THE CENTER OF SECTION 24.

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.

IT IS PROVIDED FURTHER THAT, IN THE INTEREST OF CONSERVING THE GROUND WATER SUPPLIES AND IN THE INTEREST OF PROPER OPERATION OF THE WASTE WATER EFFLUENT PONDS, USE OF WATER FROM THOMAS CREEK, BARN EFFLUENT FLUSHING SYSTEM AND THE TWO WASTE WATER EFFLUENT PONDS, AS ALLOWED UNDER THIS RIGHT FOR SUPPLEMENTAL IRRIGATION, MAY BE EXERCISED AT TIMES WHEN WATER IS AVAILABLE AT THE PRIMARY SOURCES, PROVIDED THAT THE TOTAL QUANTITY DIVERTED FROM ALL SOURCES OF SUPPLY DOES NOT EXCEED THE LIMITATION ALLOWED HEREIN.

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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:

THOMAS CREEK SUPPLEMENTED BY WATERS FROM THE BARN EFFLUENT FLUSHING SYSTEM AND TWO WASTE WATER PONDS  
-PRIMARY-

NW 1/4 NW 1/4	7.0 ACRES
AS PROJECTED WITHIN DLC 66	
SW 1/4 NE 1/4	2.5 ACRES
SE 1/4 NE 1/4	11.8 ACRES
SW 1/4 NW 1/4	13.6 ACRES
SE 1/4 NW 1/4	15.4 ACRES
NE 1/4 SW 1/4	19.7 ACRES
SE 1/4 SW 1/4	9.2 ACRES
NE 1/4 SE 1/4	32.9 ACRES
NW 1/4 SE 1/4	10.9 ACRES

BARN EFFLUENT FLUSHING SYSTEM AND TWO WASTE WATER EFFLUENT PONDS  
-SUPPLEMENTAL-

NE 1/4 SE 1/4	6.2 ACRES
NW 1/4 SE 1/4	13.4 ACRES
SW 1/4 SE 1/4	2.0 ACRES

BARN EFFLUENT FLUSHING SYSTEM AND TWO WASTE WATER EFFLUENT PONDS  
-PRIMARY-

SW 1/4 SE 1/4	9.2 ACRES
SE 1/4 SE 1/4	18.8 ACRES
SECTION 24	
TOWNSHIP 10 SOUTH, RANGE 2 WEST, W.M.	

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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 DECEMBER 19 , 1996.

*Richard D. Bailey for*  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 73642.

BASIN 2

MISC.

DISTRICT

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