

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TIMOTHY AND KAREN HERINCKX
12239 HOWELL PRAIRIE ROAD NE
GERVAIS, OR 97026

confirms the right to use the waters of TWO (2) WELLS in the PUDDING RIVER BASIN for IRRIGATION OF 9.9 ACRES.

This right was perfected under Permit G-3133. The date of priority is JANUARY 12, 1966. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.13 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The wells are located as follows:

OLD: NE 1/4 NE 1/4, SECTION 36, T 5 S, R 2 W, W.M.; 915 FEET SOUTH AND 419 FEET WEST FROM THE NE CORNER OF SECTION 36.

NEW: SE 1/4 NE 1/4, SECTION 36, T 5 S, R 2 W, W.M.; 1150 FEET NORTH AND 175 FEET WEST FROM THE E 1/4 CORNER OF SECTION 36.

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:

SE 1/4 NE 1/4 9.9 ACRES
SECTION 36
TOWNSHIP 5 SOUTH, RANGE 2 WEST, W.M.

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.

When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Water shall be acquired from the same aquifer as the original point of appropriation.

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered MAY 16, 1995, and together with Certificate 68481, supersedes Certificate 39894, 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.

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The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed MAY 28, 1997.

/S/ Richard D. Bailey

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74466.

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