

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

N BAR S FRANCH
39020 FISH HATCHERY ROAD
SCIO, OREGON 97374

confirms the right to use the waters of AN UNNAMED STREAM AND FRANCH POND RESERVOIR, a tributary of BEAVER CREEK, for PRIMARY IRRIGATION OF 67.7 ACRES AND SUPPLEMENTAL IRRIGATION OF 13.0 ACRES.

This right was perfected under Permit 43922. The date of priority is AUGUST 17, 1978. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.90 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE¼ NE¼, SECTION 7, T 11 S, R 1 W, W.M.; 1150 FEET SOUTH AND 250 FEET EAST FROM THE SOUTH CORNER OF DLC 40.

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 2½ 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:

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
LOT 4 (SW¼ SW¼)	12.5 ACRES	
LOT 3 (SE¼ SW¼)	5.6 ACRES	
	SECTION 5	
LOT 1 (NE¼ NE¼)		2.4 ACRES
SE¼ NE¼		2.0 ACRES
	SECTION 7	
LOT 5 (NE¼ NW¼)	19.4 ACRES	
LOT 1 (NW¼ NW¼)	27.3 ACRES	0.3 ACRE
LOT 2 (SW¼ NW¼)	3.7 ACRES	8.3 ACRES
LOT 4 (SE¼ NW¼)	8.7 ACRES	
	SECTION 8	

TOWNSHIP 11 SOUTH, RANGE 1 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 62376, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 14 1997, approving Transfer Application 6675.

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 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 NOV 14 1997.

/s/ G. Huntington for
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75257.

T-6675.PKS