

STATE OF OREGON
COUNTY OF WASHINGTON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN MULHOLLAND
ROUTE 3, BOX 285B
GASTON, OREGON 97119

confirms the right to use the waters of BLACK JACK CREEK AND TUALATIN RIVER, tributaries of THE WILLAMETTE RIVER, for STOCK AND DAIRY BARN USE AND IRRIGATION OF 7.2 ACRES.

This right was perfected under Permit 26902. The date of priority is JULY 19, 1960. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.12 CUBIC FOOT PER SECOND(CFS); BEING 0.09 CFS FROM BLACK JACK CREEK AND 0.03 CFS FROM TUALATIN RIVER, or its equivalent in case of rotation, measured at the point of diversion from the source. THE USE OF WATER FOR STOCK AND DAIRY BARN USE, UNDER THIS RIGHT, IS LIMITED TO THE NORMAL IRRIGATION SEASON (MAY 1 THROUGH SEPTEMBER 30 OF EACH YEAR).

The points of diversion are located as follows:

BLACK JACK CREEK - NE 1/4 NW 1/4, SECTION 34, T 1 S, R 4 W, W.M.; 1340 FEET NORTH AND 1050 FEET EAST FROM THE SE CORNER OF DLC 50; AND

TUALATIN RIVER - NE 1/4 NW 1/4, SECTION 34, T 1 S, R 4 W, W.M.; 1640 FEET SOUTH AND 540 FEET EAST FROM THE SE CORNER OF DLC 50.

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 1/2 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:

BLACK JACK CREEK

NE 1/4 NW 1/4 DAIRY BARN USE AND STOCK

TUALATIN RIVER

LOT 3 (NW 1/4 NE 1/4) 6.0 ACRES

LOT 4 (SW 1/4 NE 1/4) 1.2 ACRES

SECTION 34

TOWNSHIP 1 SOUTH, RANGE 4 WEST, W.M.

The diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled; and

The type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

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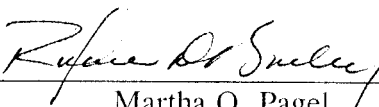
THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE REFERENCED ASSOCIATED DOCUMENTS AND SUPERSEDES CERTIFICATE 75791

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered AUGUST 31, 1979, along with Certificate 48695, supersedes Certificate 32026, 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.

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 SEPTEMBER 28, 1998.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75818.