

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EDWARD H AND SALLEY E. VANDERZANDEN
C/O RON TANKERSLEY
P.O. BOX 662
NORTH PLAINS, OREGON 97133

confirms the right to use the waters of WEST FORK OF DAIRY CREEK AND AN UNNAMED LAKE, tributaries of DAIRY CREEK, for IRRIGATION OF 90.6 ACRES.

This right was perfected under Permit 19231. The date of priority is DECEMBER 28, 1949. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.87 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION DESCRIBED AS BEING WITHIN THE SW 1/4 NE 1/4, SECTION 13, TOWNSHIP 1 NORTH, RANGE 4 WEST, W.M. AND SW 1/4 SE 1/4, SECTION 7, TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 NE 1/4, SECTION 18, TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.; 650 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 18.

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; water to be diverted from lake when available, any deficiency in the available supply to be made up by diversion from West Fork Dairy Creek.

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:

SW 1/4 NE 1/4	12.2 ACRES
SE 1/4 NW 1/4	5.2 ACRES
NE 1/4 SW 1/4	27.6 ACRES
NW 1/4 SW 1/4	26.0 ACRES
NW 1/4 SE 1/4	19.6 ACRES

SECTION 7
TOWNSHIP 1 NORTH, RANGE 3 WEST, W. M.

The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water in channel G-D (Figure 1), Special Order records of the Water Resources Director entered June 13, 1979, in Volume 32, Page 207, flowing into the lake in said channel and for measuring the flow of water in said channel G-D flowing out of said lake.

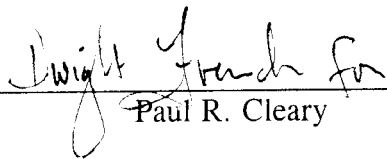
The type and plans of the headgate and measuring device must be approved by the Department and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JUNE 13, 1979, and supersedes Certificate 23018, 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 MARCH 8, 2001.


Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76806.