

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LYON AND CAMPBELL
8367 BUENA VISTA ROAD
ALBANY, OREGON 97321

GERRIT AND ELIZABETH DeWILDE
8989 NW BUENA VISTA ROAD
ALBANY, OREGON 97321

TONY LEWIS
STEVE HANSON
P.O. BOX 932
ALBANY, OREGON 97321

EFIM AND JANICE ZYRYANOFF
12490 ANDERSON ROAD
INDEPENDENCE, OREGON 97351

confirms the right to use the waters of the LUCKIAMUTE RIVER, a tributary of the WILLAMETTE RIVER, and the WILLAMETTE RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 191.1 ACRES.

This right was perfected under Permit 40168. The date of priority is DECEMBER 17, 1975. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 2.39 CUBIC FEET PER SECOND (CFS), BEING 2.37 CFS FROM THE WILLAMETTE RIVER AND 0.02 CFS FROM THE LUCKIAMUTE RIVER, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

LUCKIAMUTE RIVER - NE 1/4 NW 1/4, AS PROJECTED WITHIN HODGES DLC 53, SECTION 3, T 10 S, R 4 W, W.M.; 1340 FEET SOUTH AND 440 FEET WEST FROM THE NE CORNER OF DLC 53.

WILLAMETTE RIVER - SE 1/4 NW 1/4, AS PROJECTED WITHIN PRATHER DLC 67, SECTION 35, T 9 S, R 4 W, W.M.; 1520 FEET SOUTH AND 1540 FEET EAST FROM THE NW CORNER OF SECTION 35.

WILLAMETTE RIVER - SW 1/4 SW 1/4, AS PROJECTED WITHIN MILLER DLC 52, SECTION 2, T 10 S, R 4 W, W.M.; 550 FEET NORTH AND 3060 FEET EAST FROM THE N 1/4 CORNER OF SECTION 10.

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 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:

WILLAMETTE RIVER

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 14.7 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.7 ACRES

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 5.0 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 24.8 ACRES

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.5 ACRES

ALL AS PROJECTED WITHIN PRATHER DLC 67

LOT 1 (NE $\frac{1}{4}$ SE $\frac{1}{4}$) 31.5 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.7 ACRES

AS PROJECTED WITHIN PRATHER DLC 67

LOT 2 (NW $\frac{1}{4}$ SE $\frac{1}{4}$) 6.8 ACRES

SECTION 34

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 27.2 ACRES

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 27.5 ACRES

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.2 ACRES

ALL AS PROJECTED WITHIN PRATHER DLC 67

LOT 12 (NW $\frac{1}{4}$ SW $\frac{1}{4}$) 10.7 ACRES

SECTION 35

TOWNSHIP 9 SOUTH, RANGE 4 WEST, W.M.

LUCKIAMUTE RIVER

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.6 ACRES

SECTION 3

WILLAMETTE RIVER

LOT 3 (NW $\frac{1}{4}$ SE $\frac{1}{4}$) 0.2 ACRE

LOT 4 (SW $\frac{1}{4}$ SE $\frac{1}{4}$) 1.6 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.8 ACRES

AS PROJECTED WITHIN MILLER DLC 52

LOT 5 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) 1.0 ACRE

SECTION 3

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 16.0 ACRES

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES

SECTION 10

LOT 8 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) 0.6 ACRE

SECTION 11


TOWNSHIP 10 SOUTH, RANGE 4 WEST, W.M.

This certificate describes that portion of the water right perfected under Permit 40168 NOT modified by the provisions of an order of the Water Resources Director entered MAY 01 2002, approving Transfer Application 7784.

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 MAY 1 2002.


for Paul R. Cleary, Director



Recorded in State Record of Water Right Certificates numbered 79463.