

STATE OF OREGON  
COUNTY OF WASHINGTON  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN V. AND LIILIAN J. ELSBERRY  
ROUTE 2, BOX 488  
CORNELIUS, OREGON 97113

confirms the right to use the waters of the TUALATIN RIVER AND UNNAMED LAKE, a tributary of the WILLAMETTE RIVER, for PRIMARY IRRIGATION OF 22.6 ACRES AND SUPPLEMENTAL IRRIGATION OF 48.3 ACRES.

This right was perfected under Permit 32248. The date of priority is FEBRUARY 3, 1967. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.89 CUBIC FOOT PER SECOND (CFS), BEING 0.28 CFS FROM TUALATIN RIVER AND 0.61 CFS FROM LAKE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

RIVER - SW $\frac{1}{4}$  SW $\frac{1}{4}$ , AS PROJECTED WITHIN EMERICK DLC 46,  
SECTION 3, T 1 S, R 3 W, W.M.; 350 FEET NORTH AND 1950 FEET EAST FROM  
THE NE CORNER OF GIEGER DLC 47.

LAKE - SW $\frac{1}{4}$  SE $\frac{1}{4}$ , AS PROJECTED WITHIN EMERICK DLC 46,  
SECTION 4, T 1 S, R 3 W, W.M.; 260 FEET NORTH AND 20 FEET EAST FROM  
THE NE CORNER OF GIEGER DLC 47.

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 $\frac{1}{2}$  acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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:

	PRIMARY TUALATIN RIVER AND LAKE	SUPPLEMENTAL LAKE ONLY
SW $\frac{1}{4}$ SW $\frac{1}{4}$ AS PROJECTED WITHIN EMERICK DLC 46 SECTION 3		1.2 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ BOTH AS PROJECTED WITHIN EMERICK DLC 46		2.2 ACRES 1.4 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ AS PROJECTED WITHIN GEIGER DLC 47	0.1 ACRE	2.7 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ AS PROJECTED WITHIN EMERICK DLC 46 SECTION 4		17.2 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ ALL AS PROJECTED WITHIN GEIGER DLC 47 SECTION 9	2.0 ACRES 15.1 ACRES 5.4 ACRES	17.2 ACRES 6.4 ACRES


TOWNSHIP 1 SOUTH, RANGE 3 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 40845, State Record of Water Right Certificates, NOT cancelled by the provisions of an order of the Water Resources Director entered DEC 30 2002, approving Transfer Application 8899.

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.

WITNESS the signature of the Water Resources  
Director, affixed DEC 30 2002.

  
Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 79822.