

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  
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TONY LEWIS  
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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 $\frac{1}{4}$  NW $\frac{1}{4}$ , 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 $\frac{1}{4}$  NW $\frac{1}{4}$ , 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 $\frac{1}{4}$  SW $\frac{1}{4}$ , 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 $\frac{1}{4}$  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 $\frac{1}{2}$  acre-feet for each acre irrigated during the irrigation season of each year.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

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 1, 2002, approving Transfer Application 7784.

THIS CERTIFICATE IS ISSUED TO PROVIDE NOTICE OF THE RIGHTS OF APPEAL OF AN ORDER IN OTHER THAN A CONTESTED CASE AND SUPERSEDES CERTIFICATE 79463.

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 February 28, 2003.

  
Paul R. Cleary



Recorded in State Record of Water Right Certificates Number 79917.