

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF DALLAS  
P.O. BOX 67  
DALLAS, OREGON 97338

confirms the right to use the waters of CANYON CREEK, a tributary of RICKREALL CREEK, for MUNICIPAL USE.

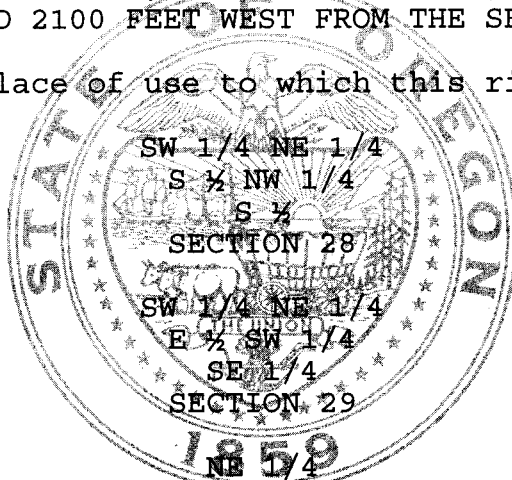
This right was confirmed by decree of the Circuit Court of the State of Oregon for POLK COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 17, at Page 90. The date of priority is MARCH 23, 1903.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.77 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION DESCRIBED AS BEING WITHIN THE SE 1/4 SE 1/4, SECTION 33, TOWNSHIP 7 SOUTH, RANGE 6 WEST, W.M.; 2770 FEET NORTH AND 260 FEET WEST FROM THE E 1/4 CORNER, SECTION 4, TOWNSHIP 8 SOUTH, RANGE 6 WEST, W.M.).

The point of diversion is located as follows:

SW 1/4 SE 1/4, SECTION 35, TOWNSHIP 7 SOUTH, RANGE 6 WEST, W.M.;  
870 FEET NORTH AND 2100 FEET WEST FROM THE SE CORNER OF SECTION 35.

A description of the place of use to which this right is appurtenant is as follows:



SW 1/4 NE 1/4  
S 1/2 NW 1/4  
S 1/2  
SECTION 28  
SW 1/4 NE 1/4  
E 1/2 SW 1/4  
SE 1/4  
SECTION 29

NE 1/4  
E 1/2 NW 1/4  
S 1/2

SECTION 32

TOWNSHIP 7 SOUTH, RANGE 5 WEST, W.M.

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.

ALL  
SECTION 33  
TOWNSHIP 7 SOUTH, RANGE 5 WEST, W.M.

SW 1/4 NE 1/4  
W 1/2 NW 1/4  
N 1/2 SW 1/4  
SW 1/4 SW 1/4  
NW 1/4 SE 1/4

SECTION 34  
TOWNSHIP 7 SOUTH, RANGE 5 WEST, W.M.

N 1/2 NW 1/4  
SECTION 3

N 1/2 NE 1/4  
N 1/2 NW 1/4  
SECTION 4

N 1/2 NE 1/4  
NE 1/4 NW 1/4  
SECTION 5  
TOWNSHIP 8 SOUTH, RANGE 5 WEST, W.M.

BEING WITHIN THE CORPORATE LIMITS OF CITY OF DALLAS, OREGON

**Water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).**

The water user shall maintain a headgate, and an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department.

The water user shall operate and maintain a suitable measuring device, near the confluence of Canyon Creek and Rickreall Creek, or at a point acceptable to the Watermaster, to determine the amount of water at the original point of diversion. The type and plans of the measuring device must be approved by the Department.

The water user shall report total flow figures when requested by the Watermaster. The Watermaster may monitor accuracy of the measuring devices, as needed.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered August 5, 1994, and supersedes Certificate 38630, 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 and is subject to all other conditions and limitations contained in said decree.

Issued August 27, 2003.



Paul R. Cleary, Director  
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80166.