

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELMER STOLLER
505 MORROW ROAD
INDEPENDENCE, OREGON 97351

confirms the right to use the waters of RICKREALL CREEK, SPRINGS, AND RESERVOIR CONSTRUCTED UNDER PERMIT R-9309, tributaries of WILLAMETTE RIVER, for IRRIGATION OF 84.4 ACRES.

This right was perfected under Permit 48216. The date of priority is OCTOBER 13, 1983. This right is limited to 1.06 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

RICKREALL CREEK - SE 1/4 SW 1/4, AS PROJECTED WITHIN BURCH DLC 47, SECTION 29, TOWNSHIP 7 SOUTH, RANGE 4 WEST, W.M.; 930 FEET SOUTH AND 1460 FEET EAST FROM THE NORTHWEST CORNER OF DLC 47; AND

RICKREALL CREEK - SW 1/4 SE 1/4, AS PROJECTED WITHIN BURCH DLC 47, SECTION 29, TOWNSHIP 7 SOUTH, RANGE 4 WEST, W.M.; 610 FEET NORTH AND 1110 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 29; AND

SPRINGS AND RESERVOIR - SW 1/4 SE 1/4, AS PROJECTED WITHIN BURCH DLC 47, SECTION 29, TOWNSHIP 7 SOUTH, RANGE 4 WEST, W.M.; 610 FEET NORTH FROM THE SOUTH 1/4 CORNER OF SECTION 29.

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

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

SW 1/4 SW 1/4 3.2 ACRES
SE 1/4 SW 1/4 2.2 ACRES
SW 1/4 SE 1/4 3.0 ACRES
ALL AS PROJECTED WITHIN DLC 47
SECTION 29

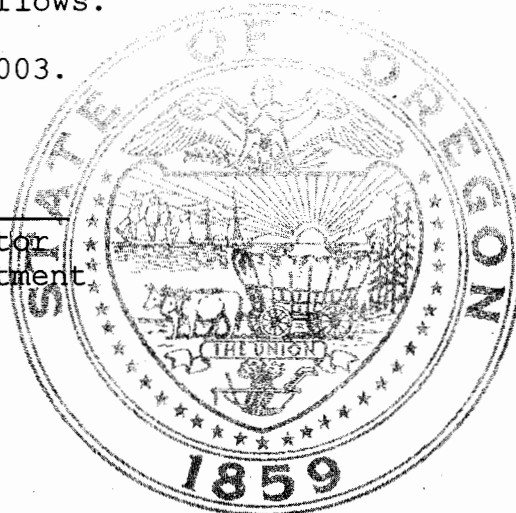
NW 1/4 NE 1/4 15.6 ACRES
NE 1/4 NW 1/4 33.6 ACRES
NW 1/4 NW 1/4 17.5 ACRES
SW 1/4 NW 1/4 4.4 ACRES
SE 1/4 NW 1/4 4.9 ACRES
SECTION 32

ALL AS PROJECTED WITHIN DLC 47
TOWNSHIP 7 SOUTH, RANGE 4 WEST, W.M.

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.

Issued December 18, 2003.


Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80483.

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