

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CURTIS BROS.
42200 N RIVER DR
SWEET HOME, OREGON 97386

confirms the right to use the waters of SOUTH SANTIAM RIVER AND THE WILLAMETTE BASIN PROJECT RESERVOIRS UPSTREAM FROM THE POINT OF DIVERSION CONSTRUCTED UNDER PERMIT R-5363, tributaries of WILLAMETTE RIVER, for IRRIGATION OF 7.1 ACRES.

This right was perfected under Permit 51782. The date of priority is MAY 14, 1991. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.09 CUBIC FOOT PER SECOND FROM THE SOUTH SANTIAM RIVER AND 17.75 ACRE-FEET STORED WATER ONLY FROM THE WILLAMETTE BASIN PROJECT RESERVOIRS, or its equivalent in case of rotation, measured at the point of diversion from the source. **The period for use of water from the South Santiam River is limited to March 1 through April 30 and October of each year. The period of use of water from the Willamette Basin Project Reservoirs is limited to April 1 through September 30 of each year.**

The point of diversion is located as follows:

NE 1/4 NW 1/4, SECTION 29, TOWNSHIP 13 SOUTH, RANGE 1 EAST, W.M.; 30 FEET SOUTH AND 16 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 20.

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 2.5 acre-feet per acre 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 SE 1/4 7.1 ACRES
SECTION 20
TOWNSHIP 13 SOUTH, RANGE 1 EAST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The use of water under this right is subject to the terms and conditions of Contract No. 5-07-10-W1026 between the Bureau of Reclamation and the water user, or a satisfactory replacement, a copy of which is on file in the records of the Water Resources Department.

The water user shall maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

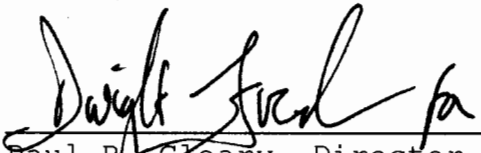
The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

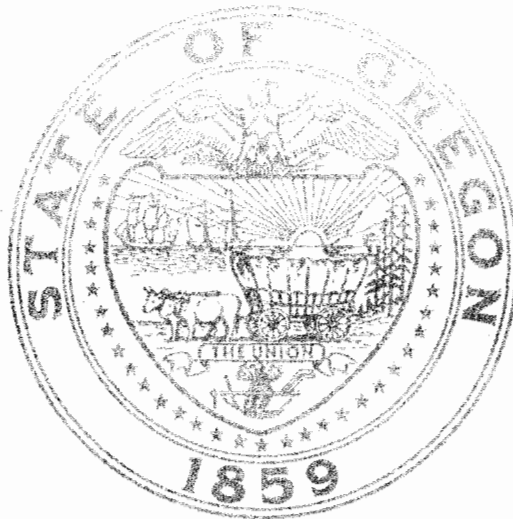
The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

The Director finds the use of water described by this right, as conditioned, will not impair or be detrimental to the public interest.

Issued February 19, 2004.



Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80579.

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