

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HIRAM G. OLSEN
8930 SUVER ROAD
MONMOUTH OR 97361

This Certificate confirms the right to use the waters perfected under the terms of the Permit. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed the amount described, or its equivalent in case of rotation, measured at the point of diversion from the source. The specific limits and conditions of this right are listed below.

APPLICATION FILE NUMBER: S-73594

PERMIT NUMBER: 52679

SOURCE OF WATER: LUCKIAMUTE RIVER FOR PRIMARY IRRIGATION AND WILLAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMIT R-1625, FOR SUPPLEMENTAL IRRIGATION, TRIBUTARIES OF WILLAMETTE RIVER

PURPOSE OR USE: PRIMARY AND SUPPLEMENTAL IRRIGATION OF 745 ACRES

MAXIMUM RATE ALLOWED: 7.32 CUBIC FEET PER SECOND FROM LUCKIAMUTE RIVER; 451.65 ACRE-FEET PER YEAR FROM WILLAMETTE BASIN PROJECT RESERVOIRS

PERIOD OF USE: MARCH 1 THROUGH JULY 31 FOR LIVE FLOW FROM LUCKIAMUTE RIVER; MARCH 1 THROUGH OCTOBER 31 FOR STORED WATER OR AS MAY BE FURTHER LIMITED BY THE BUREAU OF RECLAMATION WATER SUPPLY CONTRACT

DATE OF PRIORITY: AUGUST 19, 1993

THE POINTS OF DIVERSION ARE LOCATED AS FOLLOWS: SE 1/4 SW 1/4, SECTION 27, SE 1/4 SW 1/4, SECTION 23, T9S, R4W, W.M.; LUCKIAMUTE RIVER DIVERSION - 20 FEET NORTH AND 700 FEET WEST FROM SW 1/4 CORNER SECTION 27; WILLAMETTE RIVER DIVERSION - 450 FEET NORTH AND 1520 FEET EAST FROM SW CORNER SECTION 23

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.

App Number S-73594

Cancelled due to
T-~~9681~~; Sp. Or.
Vol. 61 P. 79

Superseded by
Cert. No. 80897

Certificate Number 80695

83673

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NW 1/4 19.2 ACRES
SE 1/4 NW 1/4 3.0 ACRES
NE 1/4 SW 1/4 18.0 ACRES
NW 1/4 SW 1/4 39.0 ACRES
SW 1/4 SW 1/4 38.4 ACRES
SE 1/4 SW 1/4 18.6 ACRES

SECTION 15

SE 1/4 NE 1/4 15.1 ACRES
NE 1/4 SE 1/4 30.8 ACRES
SE 1/4 SE 1/4 36.7 ACRES

SECTION 16

NE 1/4 NE 1/4 33.6 ACRES
SE 1/4 NE 1/4 27.5 ACRES

SECTION 21

NE 1/4 NE 1/4 12.1 ACRES
NW 1/4 NE 1/4 13.2 ACRES
SW 1/4 NE 1/4 40.0 ACRES
SE 1/4 NE 1/4 21.0 ACRES
NE 1/4 NW 1/4 25.0 ACRES
NW 1/4 NW 1/4 38.4 ACRES
SW 1/4 NW 1/4 28.4 ACRES
SE 1/4 NW 1/4 33.5 ACRES
NE 1/4 SW 1/4 16.2 ACRES
NE 1/4 SE 1/4 10.6 ACRES
NW 1/4 SE 1/4 30.4 ACRES

SECTION 22

NW 1/4 NW 1/4 10.4 ACRES
SW 1/4 NW 1/4 12.2 ACRES

SECTION 26

NE 1/4 NE 1/4 29.2 ACRES
NW 1/4 NE 1/4 17.0 ACRES
SW 1/4 NE 1/4 26.4 ACRES
SE 1/4 NE 1/4 20.0 ACRES
SE 1/4 NW 1/4 13.1 ACRES
NE 1/4 SW 1/4 23.5 ACRES
SE 1/4 SW 1/4 24.0 ACRES
NW 1/4 SE 1/4 4.1 ACRES
SW 1/4 SE 1/4 16.4 ACRES

SECTION 27

TOWNSHIP 9 SOUTH, RANGE 4 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department

annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under the right.

- 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.

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 proposed diversions.

The use of stored water under this right is subject to the terms of conditions of contract No. 5-07-10-W1040, or a satisfactory replacement, between the Bureau of Reclamation and the water user.

STANDARD CONDITIONS

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

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.

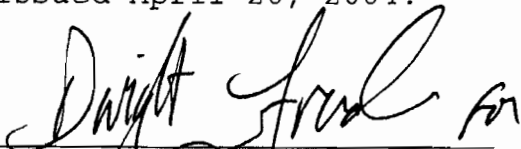
The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

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 April 20, 2004.


Paul R. Cleary, Director
Water Resources Department