

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 196.3 ACRES

MAXIMUM RATE ALLOWED: 1.93 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:

LUCKIAMUTE RIVER DIVERSION - SE 1/4 SW 1/4, SECTION 27, T9S, R4W, W.M.; 20 FEET NORTH AND 700 FEET WEST FROM S 1/4 CORNER SECTION 27;

WILLAMETTE RIVER DIVERSION - SE 1/4 SW 1/4, SECTION 23, T9S, R4W, W.M.; 450 FEET NORTH AND 1520 FEET EAST FROM SW CORNER SECTION 23

THE PLACE OF USE IS LOCATED AS FOLLOWS:

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.

This certificate describes that portion of the water right confirmed by Certificate 80695, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 20 2004, reconsidering and modifying the approval of Transfer Application T-9681, and supersedes remaining right certificate 80897.

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.

WITNESS the signature of the Water Resources Director,
affixed September 20, 2004.


Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80963