

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH A. AND
AUDREY HERTEL
11035 NW DERSHAM ROAD
CORNELIUS, OREGON 97113

NORBERT W. AND
BEATRICE L. PETERS
36515 NW HARRINGTON ROAD
CORNELIUS, OREGON 97113

ROBERT B. PAMPLIN, JR. AND
HOMER SIMANTEL
C/O MILLER, NASH, YORKE, AND WIENER
900 SW FIFTH AVENUE
PORTLAND, OREGON 97204

confirms the right to use the waters of EAST FORK DAIRY CREEK, a tributary of DAIRY CREEK, for IRRIGATION OF 120.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 3.2 ACRES.

This right was perfected under Permit S-24088. The date of priority is MARCH 9, 1956. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.24 CUBIC FEET PER SECOND (CFS), BEING 1.208 CFS FOR IRRIGATION AND 0.032 CFS FOR SUPPLEMENTAL IRRIGATION, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
1 N	3 W	WM	4	SE NE	1	1440 FEET NORTH AND 150 FEET WEST FROM THE SW CORNER OF HARRISON DLC 38.

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 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.

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 must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
1 N	3 W	WM	3	SW NW	1		2.1
1 N	3 W	WM	3	SW NW		38	26.4
1 N	3 W	WM	3	SE NW		38	3.5
1 N	3 W	WM	3	NE SW		38	35.2
1 N	3 W	WM	3	NW SW		38	17.3
1 N	3 W	WM	3	SW SW		38	0.2
1 N	3 W	WM	3	SE SW		38	9.6
1 N	3 W	WM	3	NW SE		38	7.3
1 N	3 W	WM	3	SW SE		38	0.7
1 N	3 W	WM	4	SE NE		38	0.1
1 N	3 W	WM	4	SE NE		76	0.3
1 N	3 W	WM	4	SE NE	1		14.3
1 N	3 W	WM	4	SE NE		37	1.7
1 N	3 W	WM	4	NE SE		38	0.6
1 N	3 W	WM	4	NE SE	2		1.5

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
1 N	3 W	WM	3	SE NW		38	0.2
1 N	3 W	WM	3	NE SW		38	2.5
1 N	3 W	WM	3	NW SW		38	0.3
1 N	3 W	WM	3	SW SW		38	0.2

This certificate is issued to confirm the right modified by provisions of two orders recorded at Special Order Volume 64, Pages 98 and 100, diminishing the right evidenced by Certificate 41763. This certificate supersedes Certificate 41763.

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 APR 13 2005.


Phillip C. Ward, Director