

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EVERS FAMILY LIVING TRUST
 3385 NW HIGHWAY 47
 FOREST GROVE, OREGON 97116

confirms the right to use the waters of DRAINAGE CHANNEL NO. 7 AND WEST FORK DAIRY CREEK, a tributary of DAIRY CR, for IRRIGATION OF 3.8 ACRES AND SUPPLEMENTAL IRRIGATION OF 21.9 ACRES.

This right was perfected under Permit S-13397. The date of priority is JANUARY 5, 1939. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.33 CUBIC FOOT PER SECOND (CFS), BEING 0.05 CFS FOR IRRIGATION AND 0.28 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	DLC
1 N	4 W	WM	13	SE SW	54
1 N	4 W	WM	13	NW SE	

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, and this appropriation shall also be limited to the use of water from Drainage Channel No. 7 whenever such water is available, and water shall be appropriated from West Fork Dairy Creek only at such times as there is less than 0.33 second-foot of water available in Drainage Channel No. 7, and in an amount not to exceed the quantity required to make up such deficiency; in no case shall the total quantity from both sources exceed 0.33 second-foot at any time.

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

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	4 W	WM	13	NE SW	4		0.6
1 N	4 W	WM	13	NE SW		54	0.3
1 N	4 W	WM	13	SE SW		54	1.9
1 N	4 W	WM	13	NW SE		54	1.0

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
1 N	4 W	WM	13	SE SW		54	9.3
1 N	4 W	WM	13	SW SE		54	9.4
1 N	4 W	WM	24	NW NE		54	2.0
1 N	4 W	WM	24	NE NW		54	1.2

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.

This certificate is issued to confirm the right modified by provisions of an order recorded at Special Order Volume 64, Page 108, diminishing the right evidenced by Certificate 13754. This certificate supersedes Certificate 13754.

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.

File

Phillip C. Ward, Director

