

STATE OF OREGON
 COUNTY OF WASHINGTON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH A. AND BEVERLY EVERS
 14735 NW SELLERS ROAD
 BANKS, OREGON 97106

EUGENE E. EVERS
 39439 NW OSTERMAN ROAD
 FOREST GROVE, OREGON 97116

confirms the right to use the waters of WEST FORK DAIRY CR, a tributary of DAIRY CR, for IRRIGATION OF 27.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 37.7 ACRES.

This right was perfected under Permit S-13523. The date of priority is MARCH 1, 1939. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.82 CUBIC FOOT PER SECOND (CFS), BEING 0.35 CFS FOR IRRIGATION AND 0.47 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	Survey Coordinates
1 N	3 W	WM	18	SE NE	SOUTH 22° 46'20" EAST 729.5 FEET FROM THE N1/16 CORNER BETWEEN SECTIONS 17 AND 18.

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.

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

JOSEPH A. AND BEVERLY EVERS

EUGENE E. EVERS

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
1 N	3 W	WM	18	NE SW	53	1.9
1 N	3 W	WM	18	NW SW	53	15.0

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
1 N	3 W	WM	18	NE SW	53	13.0
1 N	3 W	WM	18	NW SE	53	14.3

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
1 N	3 W	WM	18	NE SW	53	18.1
1 N	3 W	WM	18	NW SE	53	2.7

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the original point of diversion.

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.

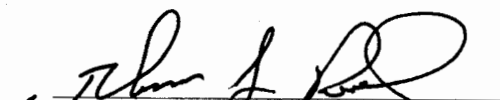
When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm the right modified by provisions of an order recorded at Special Order Volume 64, Page 79, diminishing the right evidenced by Certificate 72487. This certificate supersedes Certificate 72487.

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 6 2005.


Phillip C. Ward, Director

