

This is a final order in other than a 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 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
PARKS AND RECREATION DEPARTMENT
725 SUMMER STREET NE, SUITE C
SALEM, OREGON 97301

confirms the right to use the waters of the LUCKIAMUTE RIVER, WILLAMETTE RIVER AND SLOUGH THEREOF, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 71.4 ACRES.

This right was perfected under Permit 25777. The date of priority is AUGUST 4, 1958 FOR 0.44 CUBIC FOOT PER SECOND AND OCTOBER 24, 1958 FOR 0.45 CUBIC FOOT PER SECOND. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.89 CUBIC FOOT PER SECOND; BEING 0.21 CFS FROM THE LUCKIAMUTE RIVER, AND 0.68 CFS FROM THE WILLAMETTE RIVER AND SLOUGH, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SLOUGH - NW 1/4 NE 1/4, AS PROJECTED WITHIN MILLER DLC 52, SECTION 2, T 10 S, R 4 W, W.M.;

WILLAMETTE RIVER - SE 1/4 NW 1/4, AS PROJECTED WITHIN MILLER DLC 52, SECTION 2, T 10 S, R 4 W, W.M.; AND

LUCKIAMUTE RIVER - LOT 10 (NW 1/4 NW 1/4), SECTION 2, T 10 S, R 4 W, W.M.

S-32556.LHN

CERTIFICATE NUMBER 81442

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 ONE-EIGHTIETH of one cubic foot per second per acre, 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:

LUCKIAMUTE WILLAMETTE AND SLOUGH

	SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.1 ACRE	
LOT 11	(SE $\frac{1}{4}$ SW $\frac{1}{4}$)	0.2 ACRE	
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.6 ACRES	3.0 ACRES
	SW $\frac{1}{4}$ SE $\frac{1}{4}$		0.2 ACRE

BOTH AS PROJECTED WITH MILLER DLC 37
SECTION 35
TOWNSHIP 9 SOUTH, RANGE 4 WEST, W.M.

	NW $\frac{1}{4}$ NE $\frac{1}{4}$		10.8 ACRES
	SW $\frac{1}{4}$ NE $\frac{1}{4}$		0.1 ACRE
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	6.8 ACRES	30.8 ACRES
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	5.6 ACRES	0.4 ACRE

ALL AS PROJECTED WITH MILLER DLC 52

LOT 10	(NW $\frac{1}{4}$ NW $\frac{1}{4}$)	2.4 ACRES	
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.1 ACRE	
	SE $\frac{1}{4}$ SW $\frac{1}{4}$		9.3 ACRES


BOTH AS PROJECTED WITHIN MILLER DLC 52
SECTION 2
TOWNSHIP 10 SOUTH, RANGE 4 WEST, W.M.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE TOTAL NUMBER OF ACRES IRRIGATED AND SUPERSEDES CERTIFICATE 31512.

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. 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.

Issued JUNE 30, 2005.


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81422.

S-32556.LHN