

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Eric and Sue Borst  
7625 Buena Vista Road  
Independence, OR 97351

confirms the right to use the waters of Willamette River, a tributary of Columbia River, for SUPPLEMENTAL IRRIGATION of 22.8 acres.

This right was perfected under Permit 32448. The date of priority is March 20, 1967. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.25 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

- POD 1: Lot 5, NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 34; 1,370 feet North and 720 feet East, from the SW corner of Sec. 34, T. 8 S., R. 4 W., W.M. and  
POD 2: Lot 6, SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 34; 890 feet North and 2,275 feet East, from the SW corner of Sec. 34, T. 8 S., R. 4 W., W.M.

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, provided further that although declared therein to be for supplemental irrigation the right allowed may, in the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply provided that the total quantity diverted from all sources of supply does not exceed the limitation allowed therein.

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:

Lot 5, NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  22.8 acres  
SECTION 3  
TOWNSHIP 9 SOUTH, RANGE 4 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 39277, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered September 21, 2005, approving Transfer Application 9870, and also corrects the description of the location of the points of diversion.

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 21, 2005.

  
\_\_\_\_\_  
Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81544.