

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 BENTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROY HATHAWAY
1531 SE KIGER ISLAND DRIVE
CORVALLIS, OREGON 97333

confirms the right to use the waters of A CHANNEL OF THE WILLAMETTE RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION OF 52.8 ACRES.

This right was perfected under Permit 35771. The date of priority is DECEMBER 3, 1970. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.66 CUBIC FOOT PER SECOND, if available at the original point of diversion; Lot 10 (NW 1/4 NE 1/4), Section 31, Township 12 South, Range 4 West, W.M.; 3290 feet South and 40 feet East from the Center, Section 30, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

LOT 2 (SW 1/4 NE 1/4), SECTION 31, TOWNSHIP 12 SOUTH, RANGE 4 WEST, W.M.; 2790 FEET NORTH AND 2580 FEET EAST FROM THE SW CORNER OF SECTION 31; AND

LOT 6 (SE 1/4 SW 1/4), SECTION 30, TOWNSHIP 12 SOUTH, RANGE 4 WEST, W.M.; 2060 FEET SOUTH AND 690 FEET WEST FROM THE CENTER 1/4 CORNER OF SECTION 30.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE LOCATION OF THE POINT OF DIVERSION AND SUPERSEDES CERTIFICATE 49230.

T-3851COR.SB

Certificate Number 81565

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 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 1/2 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:

LOT 6 (SE 1/4 SW 1/4)	0.1 ACRE
LOT 7 (SW 1/4 SE 1/4)	17.5 ACRES

SECTION 30

LOT 10 (NW 1/4 NE 1/4)	17.1 ACRES
LOT 2 (SW 1/4 NE 1/4)	2.4 ACRES
LOT 1 (NE 1/4 NW 1/4)	1.6 ACRES
LOT 2 (SE 1/4 NW 1/4)	14.0 ACRES
LOT 3 (NE 1/4 SW 1/4)	0.1 ACRE

SECTION 31

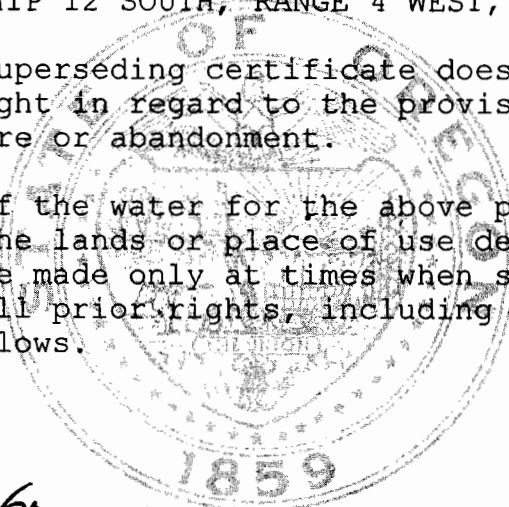
TOWNSHIP 12 SOUTH, RANGE 4 WEST, W.M.

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 August 4, 2005.


 Phillip C. Ward, Director
 Water Resources Department



Recorded in State Record of Water Right Certificates Number 81565.

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