

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.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EUGENE ROHDE  
6160 NORTH PACIFIC HIGHWAY WEST  
RICKREALL, OREGON 97371

confirms the right to use the waters of AN UNNAMED STREAM AND ROHDE RESERVOIR CONSTRUCTED UNDER PERMIT R-4766, a tributary of ASH SWALE, for the purpose of IRRIGATION OF 136.6 ACRES.

This right has been perfected under Permit 42997. The date of priority is MARCH 31, 1978. This right is limited to 1.71 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source from direct flow and storage.

The point of diversion is located as follows:

SW 1/4 NE 1/4, SECTION 29, TOWNSHIP 6 SOUTH, RANGE 4 WEST,  
W.M.; 1860 FEET SOUTH AND 2000 FEET WEST FROM THE NE CORNER OF  
SECTION 29.

The amount of water used for irrigation under this right, 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) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year from direct flow and storage.

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

|               |            |
|---------------|------------|
| NE 1/4 SE 1/4 | 27.6 ACRES |
| NW 1/4 SE 1/4 | 27.1 ACRES |
| SW 1/4 SE 1/4 | 37.3 ACRES |
| SE 1/4 SE 1/4 | 39.6 ACRES |

SECTION 20

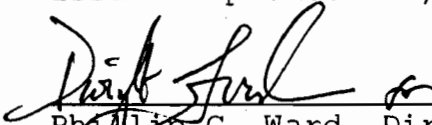
|               |           |
|---------------|-----------|
| NE 1/4 NE 1/4 | 4.0 ACRES |
| NW 1/4 NE 1/4 | 1.0 ACRE  |

SECTION 29

TOWNSHIP 6 SOUTH, RANGE 4 WEST, W.M.

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. This right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

Issued September 29, 2005.

  
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Phillip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81667.

S-57239.SB

