

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RALPH M. DUYCK  
9530 NW ROY ROAD  
FOREST GROVE, OREGON 97116

This Certificate confirms the right to use the waters perfected under the terms of the Permit. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed the amount described, or its equivalent in case of rotation, measured at the point of diversion from the source. The specific limits and conditions of this right are listed below.

APPLICATION FILE NUMBER: 69790 PERMIT NUMBER: 53195

SOURCE OF WATER: EAST FORK DAIRY CREEK TRIBUTARY TO DAIRY CREEK

PURPOSE OR USE: IRRIGATION OF 24.40 ACRES

MAXIMUM RATE ALLOWED: 0.302 CUBIC FOOT PER SECOND (cfs) AND AS FURTHER LIMITED BELOW

PERIOD OF USE: MAY 1 THROUGH JULY 31 OF EACH YEAR

DATE OF PRIORITY: DECEMBER 27, 1988

THE POINT OF DIVERSION IS LOCATED AS FOLLOWS: NE 1/4 NW 1/4, AS PROJECTED WITHIN B. CORNELIUS JR DLC 42, SECTION 9, TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.; 1300 FEET SOUTH AND 925 FEET WEST FROM THE NORTH 1/4 CORNER OF SECTION 9.

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.

The irrigation of lands under this right is limited to a maximum rate of 0.302 cfs. The maximum rate for this permit combined with that authorized under certificates 61989 and 68520 shall not exceed a maximum cumulative total diversion rate of 1.13 cfs or a lesser amount if the above named certificates are superseded by certificates issued for a combined total of less than 1.13 cfs.

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) and 2.5 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

SW 1/4 NE 1/4            7.53 ACRES  
SE 1/4 NE 1/4            9.64 ACRES  
BOTH AS PROJECTED WITHIN J. HARRIS DLC 55  
SECTION 8

LOT 2 (NE 1/4 NW 1/4)        6.73 ACRES  
NE 1/4 NW 1/4            0.50 ACRE  
AS PROJECTED WITHIN B. CORNELIUS JR DLC 42  
SECTION 9  
TOWNSHIP 1 NORTH, RANGE 3 WEST, W.M.

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may

provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

Diversion screening or fish passage facilities shall be designed, installed, and operated to Oregon Department of Fish and Wildlife specifications.

In the event of a request for a change in point of appropriation, and additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with certificates 61989 and 68520 shall not exceed 1.13 cfs.

#### STANDARD CONDITIONS

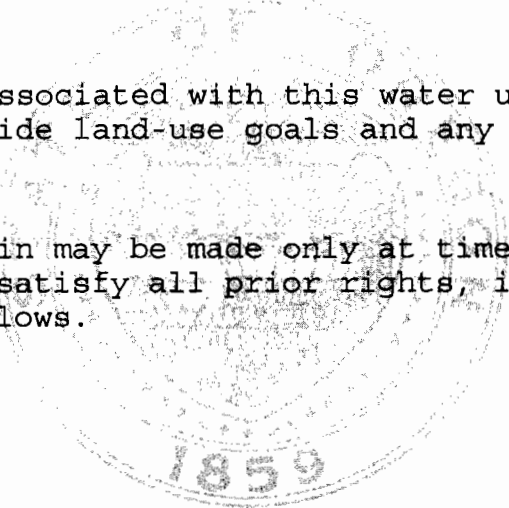
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

The right to the use of the water for the above purpose is restricted to beneficial use without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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 March 1, 2006.



*Dwight Fred* for

Phillip C. Ward, Director  
Water Resources Department

Recorded in State Record of Water Right Certificates Number 81893.