

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 CLACKAMAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KEN R. AND CONSTANCE J. TALLENT
36615 SE TRACY ROAD
ESTACADA, OREGON 97023

confirms the right to use the waters of A SPRING, AN UNNAMED STREAM AND A RESERVOIR CONSTRUCTED UNDER PERMIT R-10885, tributaries of EAGLE CREEK, for DOMESTIC USE FOR TWO HOUSEHOLDS TO INCLUDE IRRIGATION OF LAWN AND NON-COMMERCIAL GARDEN NOT TO EXCEED ONE-HALF ACRE FOR EACH, BARN USES AND STOCK WATER.

This right was perfected under Permit 50095. The date of priority is JUNE 29, 1987. This right is limited to 0.02 CUBIC FOOT PER SECOND (CFS), BEING 0.01 CFS FROM A SPRING FOR DOMESTIC USE, 0.005 CFS FROM A SPRING FOR IRRIGATION, 0.005 CFS FROM A SPRING FOR BARN USES INCLUDING STOCK WATER, WASHING STOCK AND BARN FACILITIES, AND 0.005 CFS FROM AN UNNAMED STREAM FOR MAINTAINING THE RESERVOIR FOR STOCK WATER or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SPRING: LOT 3 (NE 1/4 NW 1/4), SECTION 23, T 3 S, R 4 E, W.M.; 160 FEET SOUTH AND 1390 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 23.

UNNAMED STREAM AND RESERVOIR: LOT 3 (NE 1/4 NW 1/4), SECTION 23, T 3 S, R 4 E, W.M.; 200 FEET SOUTH AND 1800 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 23.

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Certificate Number 82131

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.

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

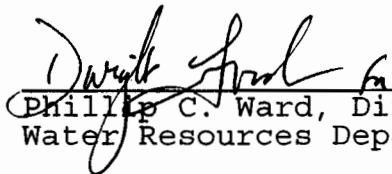
DOMESTIC USE
IRRIGATION OF 0.5 ACRE LAWN AND GARDEN FOR EACH
SE 1/4 SW 1/4
SECTION 14

BARN USES, STOCK WATER, AND RESERVOIR MAINTENANCE
LOT 3 (NE 1/4 NW 1/4)
SECTION 23
TOWNSHIP 3 SOUTH, RANGE 4 EAST, 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. 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.

WITNESS the signature of the Water Resources Director, affixed

AUG 11 2006


Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82131.

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