

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

IVAN HORNING
ROUTE 3, BOX 588
CORVALLIS, OREGON 97333

confirms the right to use the waters of WILLAMETTE RIVER diverted from backwater in the Long Tom River Channel, a tributary of the COLUMBIA RIVER, for IRRIGATION of 68.3 ACRES.

The right has been perfected under Permit 36383. The date of priority is JULY 23, 1971. The right is limited to not more than 0.85 CUBIC FOOT PER SECOND (if available at the original point of diversion Lot 1: SE 1/4 SE 1/4, SECTION 25, T 13 S, R 5 W, W.M.; 860 FEET SOUTH AND 4650 FEET EAST FROM THE NW 1/4 CORNER, SW 1/4 SW 1/4, SECTION 25), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NE 1/4, SECTION 25, T 13 S, R 5 W, W.M.; 2800 FEET NORTH AND 1460 FEET EAST FROM THE S 1/4 CORNER, SECTION 25.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not be used when downstream flow in Long Tom River is detectable at the authorized point of diversion.

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

SW 1/4 NE 1/4	5.2 ACRES
SE 1/4 NE 1/4	2.8 ACRES
NE 1/4 SE 1/4	26.4 ACRES
NW 1/4 SE 1/4	9.3 ACRES
SW 1/4 SE 1/4	7.2 ACRES
SE 1/4 SW 1/4	17.4 ACRES

SECTION 25
TOWNSHIP 13 SOUTH, RANGE 5 WEST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the wateruser is entitled;

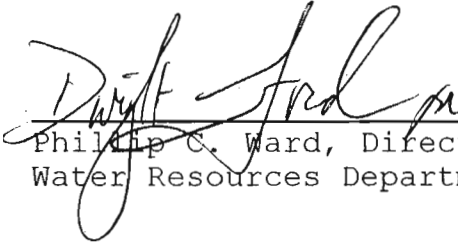
the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

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.

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered November 30, 1981, approving Transfer Application 4896, and supersedes Certificate 41981.

WITNESS the signature of the Water Resources Director, affixed

DEC 06 2006



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 82865.