

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DELBERT HUPP  
19774 GRADE RD SE  
SILVERTON OR 97381

confirms the right to use the waters of THREE UNNAMED STREAMS, TRIBUTARIES TO SILVER CREEK, AND FOUR RESERVOIRS CONSTRUCTED UNDER PERMIT R-10619 for IRRIGATION of 114.85 ACRES.

This right was perfected under Permit S-49669. The date of priority is APRIL 21, 1986. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 225 GALLONS PER MINUTE AND 7.2 ACRE FEET or their equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

| Location    | Twp | Rng | Mer | Sec | Q-Q   | Survey Coordinates                                            |
|-------------|-----|-----|-----|-----|-------|---------------------------------------------------------------|
| MIDDLE POND | 7 S | 1 E | WM  | 21  | NE NW | 1235 FEET SOUTH AND 2875 FEET WEST FROM NE CORNER, SECTION 21 |
| NORTH POND  | 7 S | 1 E | WM  | 21  | NE NW | 1055 FEET SOUTH AND 3250 FEET WEST FROM NE CORNER, SECTION 21 |
| WEST POND   | 7 S | 1 E | WM  | 21  | NE NW | 1240 FEET SOUTH AND 3530 FEET WEST FROM NE CORNER, SECTION 21 |
| SOUTH POND  | 7 S | 1 E | WM  | 21  | SE NW | 2125 FEET SOUTH AND 2835 FEET WEST FROM NE CORNER, SECTION 21 |

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 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 right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an 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.

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

| Twp | Rng | Mer | Sec | Q-Q   | Acres |
|-----|-----|-----|-----|-------|-------|
| 7 S | 1 E | WM  | 16  | SE SW | 12.30 |
| 7 S | 1 E | WM  | 16  | SW SE | 19.60 |
| 7 S | 1 E | WM  | 21  | NW NE | 36.00 |
| 7 S | 1 E | WM  | 21  | SW NE | 16.50 |
| 7 S | 1 E | WM  | 21  | NE NW | 15.51 |
| 7 S | 1 E | WM  | 21  | NW NW | 3.81  |
| 7 S | 1 E | WM  | 21  | SW NW | 0.53  |
| 7 S | 1 E | WM  | 21  | SE NW | 10.60 |

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed

**FEB 09 2007**

  
Phillip C. Ward, Director