

SUPERSEDED BY
CERT. NO. 83605 93862

STATE OF OREGON
COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MILLER FORESTS INC.
PO BOX 12395
SALEM OR 97309

confirms the right to use the waters of WILLAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMIT R-1625, for IRRIGATION of 24.5 ACRES and SUPPLEMENTAL IRRIGATION of 86.3 ACRES.

This right was perfected under Permit 52039. The date of priority is AUGUST 26, 1992 for 169.05 ACRE-FEET and MAY 3, 1994 for 28.4 ACRE-FEET. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 197.45 ACRE FEET or its equivalent in case of rotation, measured at the point of diversion.

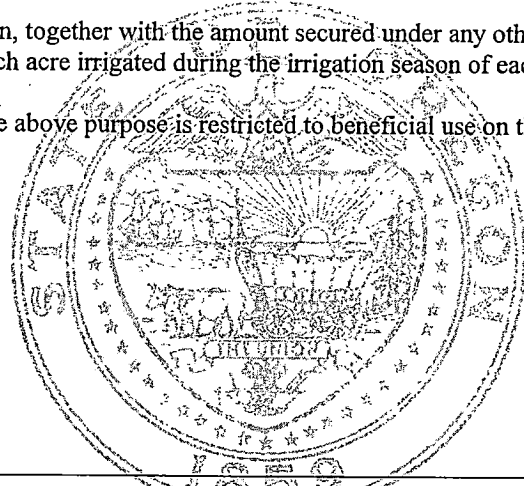
The period of allowed use is April 1 through September 30 per Bureau of Reclamation contract.

The points of diversion from the river are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
7 S	3 W	WM	31	NW SW		73	1440 FEET NORTH & 660 FEET EAST FROM SW CORNER, SECTION 31
7 S	3 W	WM	31	NW SW		73	200 FEET NORTH & 150 FEET WEST FROM NW CORNER, J TOWNSEND DLC 74

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 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.

T-9538 SPAU 74, PG 854

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
7 S	3 W	WM	31	NE SW	7		4.70
8 S	3 W	WM	5	NW NW		47	6.00
8 S	3 W	WM	5	SW NW		47	0.30
8 S	3 W	WM	6	NE NE		47	8.50
8 S	3 W	WM	6	SE NE		47	5.00

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
7 S	3 W	WM	31	NE SW	7		15.80
7 S	3 W	WM	31	NE SW		74	0.80
7 S	3 W	WM	31	NW SW	7		0.10
7 S	3 W	WM	31	SW SW		73	4.50
7 S	3 W	WM	31	SE SW		74	5.60
7 S	3 W	WM	31	NW SE	2		1.90
7 S	3 W	WM	31	NW SE		74	7.00
7 S	3 W	WM	31	SW SE		74	0.90
7 S	3 W	WM	31	SE SE		74	5.00
7 S	3 W	WM	32	SW SW		74	5.20
8 S	3 W	WM	5	NW NW		47	10.00
8 S	3 W	WM	6	NE NE		47	29.50

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meters or other measuring devices in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further the Director may require the water user to report general water use information, including the place and nature of use of water under the right.
- B. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located with a private structure, the Watermaster shall request access upon reasonable notice.

The use of water under this right is subject to the terms and conditions of Water Service Contract No. 5-07-10-W1052 or a satisfactory replacement between the Bureau of Reclamation and the water user, a copy of which is on file in the records of the Water Resources Department.

The water user shall maintain, and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility with is authorized diversion, the quantity of water allowed herein, together with any other right, shall not exceed the capacity of the facility at the time of perfection of this right.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

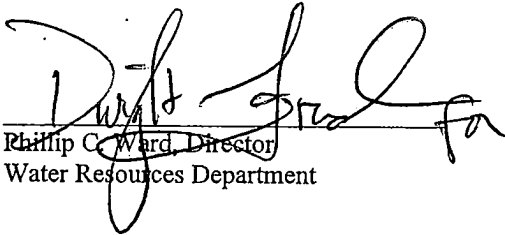
Failure to comply with any of the provisions of this right may result in action including, but not limited to restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. 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 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 AUG 24 2007


Phillip C. Ward, Director
Water Resources Department

