

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MILLER FORESTS, INC  
P.O. BOX 12395  
SALEM, OREGON 97309

confirms the right to use the waters of the WILLAMETTE BASIN PROJECT RESERVOIRS, CONSTRUCTED UNDER PERMIT R-1625, for IRRIGATION OF 24.50 ACRES AND SUPPLEMENTAL IRRIGATION OF 86.04 ACRES.

This right was perfected under Permit S-52039. The dates of priority are AUGUST 26, 1992 FOR 168.79 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 197.19 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	DLC	Survey Coordinates
7 S	3 W	WM	31	NW SW	73	1440 feet North and 660 feet East from the SW Corner of Section 31
7 S	3 W	WM	31	NW SW	73	200 feet North and 150 feet West from the NW Corner of 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.

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
Total							24.50

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	9.74
8 S	3 W	WM	6	NE NE		47	29.50
Total							86.04

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 within 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 this 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 beneficial use 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 state-wide 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.

This certificate describes that portion of the water right confirmed by Certificate 83460, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 09 2008, approving Transfer Application T-9538.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed MAY 09 2008

  
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Phillip C. Ward, Director

