

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 LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HEMEN-WAY FARMS
80254 SEARS ROAD
COTTAGE GROVE, OREGON 97424

confirms the right to use the waters of EFFLUENT FROM ANIMAL WASTE FLUSHING SYSTEM, ANIMAL WASTE RESERVOIR, CONSTRUCTED UNDER PERMIT R-11189 AND GIDDINGS SLOUGH, tributaries of COAST FORK WILLAMETTE RIVER, for IRRIGATION AND SUPPLEMENTAL IRRIGATION OF 302.2 ACRES.

This right was perfected under Permit 50827. The date of priority is NOVEMBER 7, 1989. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 3.27 CUBIC FEET PER SECOND (CFS), BEING 3.17 CFS FROM EFFLUENT AND RESERVOIR FOR SUPPLEMENTAL IRRIGATION OF 296.1 ACRES, AND 0.10 CFS FROM GIDDINGS SLOUGH SUPPLEMENTED BY EFFLUENT AND RESERVOIR FOR IRRIGATION OF 6.1 ACRES, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

WASTE RESERVOIR - NE $\frac{1}{4}$ SW $\frac{1}{4}$, AS PROJECTED WITHIN DLC 46, SECTION 11, T 20 S, R 3 W, W.M.; 438.37 FEET NORTH AND 2071.06 FEET WEST FROM THE NE CORNER, DLC 48.

GIDDINGS SLOUGH - SE $\frac{1}{4}$ NW $\frac{1}{4}$, AS PROJECTED WITHIN DLC 46, SECTION 11, T 20 S, R 3 W, W.M.; 350 FEET SOUTH AND 1140 FEET WEST FROM THE SE CORNER, DLC 47.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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. Provided further that although declared herein, in part, to be for supplemental irrigation, in the interest of proper operation of the flushing system and animal waste reservoir, use of effluent and stored water under this permit may be exercised at times when water is available at the primary source, provided the total quantity diverted from all sources of supply shall not exceed the limitation allowed herein.

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

PRIMARY FROM GIDDINGS SLOUGH
AND SUPPLEMENTAL FROM
RESERVOIR AND EFFLUENT

NW $\frac{1}{4}$ NE $\frac{1}{4}$	1.40 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	0.40 ACRE
NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.70 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.64 ACRES
ALL AS PROJECTED WITHIN DLC 47	
LOT 4 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)	0.20 ACRE
LOT 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)	0.76 ACRES
SECTION 11	
TOWNSHIP 20 SOUTH, RANGE 3 WEST, W.M.	

SUPPLEMENTAL FROM RESERVOIR
AND EFFLUENT

SW $\frac{1}{4}$ SW $\frac{1}{4}$	7.50 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.00 ACRE
BOTH AS PROJECTED WITHIN DLC 47	
SECTION 2	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	5.87 ACRES
SECTION 10	

NE $\frac{1}{4}$ NE $\frac{1}{4}$	14.33 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.60 ACRE
SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.50 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	34.80 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	2.60 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	0.30 ACRE

ALL AS PROJECTED WITHIN DLC 46
SECTION 10

NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.20 ACRE
SW $\frac{1}{4}$ NE $\frac{1}{4}$	8.00 ACRES

BOTH AS PROJECTED WITHIN DLC 47

SW $\frac{1}{4}$ NE $\frac{1}{4}$	4.20 ACRES
AS PROJECTED WITHIN DLC 46	
NE $\frac{1}{4}$ NW $\frac{1}{4}$	4.20 ACRES
AS PROJECTED WITHIN DLC 47	
LOT 4 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)	2.10 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	21.90 ACRES
AS PROJECTED WITHIN DLC 47	
NW $\frac{1}{4}$ NW $\frac{1}{4}$	15.00 ACRES
AS PROJECTED WITHIN DLC 46	
LOT 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)	1.90 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	36.20 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	13.10 ACRES

BOTH AS PROJECTED WITHIN DLC 46

SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.50 ACRES
AS PROJECTED WITHIN DLC 47	
LOT 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)	6.20 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	30.10 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	30.00 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$	3.20 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	3.90 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	6.00 ACRES

ALL AS PROJECTED WITHIN DLC 46
SECTION 11

NE $\frac{1}{4}$ NE $\frac{1}{4}$	23.30 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.20 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.10 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	7.30 ACRES

ALL AS PROJECTED WITHIN DLC 49
SECTION 15

TOWNSHIP 20 SOUTH, RANGE 3 WEST, W.M.

When in the judgement of the Watermaster, it becomes necessary to measure and keep a record of the amount of water being appropriated, the right allowed herein shall be subject to the installation and maintenance of in-line flow meters, weirs or other suitable devices approved by the Watermaster for measuring water.

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.

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.

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

FEB 08 2008



Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 83847.

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