

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 MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RIVER-BEND SAND & GRAVEL  
PO BOX 12095  
SALEM, OR 97309

confirms the right to use the waters of WELL 4 in the MILL CREEK BASIN for IRRIGATION OF 198.7 ACRES AND SUPPLEMENTAL IRRIGATION OF 132.5 ACRES.

This right was perfected under Permit G-9364. The date of priority is MAY 21, 1981. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.91 CUBIC FEET PER SECOND, if available at the original wells: WELL 1: SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 33, T 8 S, R 2 W, W.M.; 1150 FEET NORTH AND 2050 FEET WEST; WELL 2: SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 33, T 8 S, R 2 W, W.M.; 1170 FEET NORTH AND 90 FEET WEST; WELL 3: SE $\frac{1}{4}$  NE $\frac{1}{4}$ , SECTION 33, T 8 S, R 2 W, W.M.; 3600 FEET NORTH AND 1290 FEET WEST, ALL FROM THE SE CORNER, or its equivalent in case of rotation, measured at the well.

THE POINT OF APPROPRIATION IS LOCATED AS FOLLOWS:

WELL 4: NE $\frac{1}{4}$  SE $\frac{1}{4}$ , SECTION 33, T 8 S, R 2 W, W.M.; 380 FEET SOUTH AND 2590 FEET EAST FROM THE CENTER OF SECTION 33.

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 in the event of a request for a change in point of appropriation, an additional point of appropriation or repair of this well, the quantity of water allowed herein together with any other right from

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Certificate Number 83893

this point of appropriation shall not exceed the capacity of this well at the time of perfection of this right.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
NE $\frac{1}{4}$ NE $\frac{1}{4}$	21.4 ACRES	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	11.8 ACRES	
SW $\frac{1}{4}$ NE $\frac{1}{4}$	38.0 ACRES	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0 ACRES	
NE $\frac{1}{4}$ SE $\frac{1}{4}$	10.0 ACRES	30.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	9.8 ACRES	28.4 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		35.1 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$	0.4 ACRES	39.0 ACRES
SECTION 33		
SW $\frac{1}{4}$ NW $\frac{1}{4}$	18.0 ACRES	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	26.9 ACRES	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	22.4 ACRES	
SECTION 34		

TOWNSHIP 8 SOUTH, RANGE 2 WEST, W.M.

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

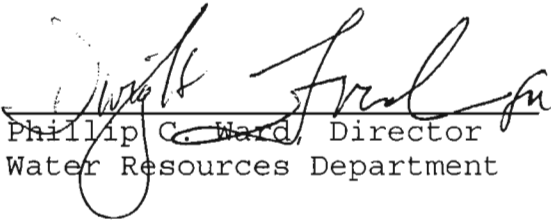
When required, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The quantity of water diverted at the new point of appropriation (well), together with the quantity of water diverted at the old points of appropriation, shall not exceed the quantity of water available from the original points of appropriation.

The use of water from these wells under water rights perfected under Permit G-9364, together with the use of water from all wells under water rights perfected under Permits G-513, and G-795, shall not exceed 1.91 cubic feet per second.

This certificate is issued to confirm AN ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered MAY 15, 1995, approving Transfer Application 6546, and supersedes Certificate 54711, State Record of Water Right Certificates.

Issued FEB 15 2008

  
Phillip C. Ward, Director  
Water Resources Department



Recorded in State Record of Water Right Certificates Number 83893.

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