

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WALTER R. AND SALLY MILLER
3095 CRESTVIEW DRIVE S
SALEM OR 97302-5902

confirms the right to use the waters of the NORTH SANTIAM RIVER, a tributary of the WILLAMETTE RIVER for IRRIGATION of 258.2 ACRES.

This right was perfected under Permit 51228. The date of priority is FEBRUARY 14, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.56 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
1	10 S	2 W	WM	9	SE NE		54	3880 FEET NORTH & 725 FEET WEST FROM SE CORNER, SECTION 9
2	10 S	2 W	WM	9	SW NE	3		3135 FEET NORTH & 1325 FEET WEST FROM SE CORNER, SECTION 9

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.

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
10 S	2 W	WM	15	SW NE		64	13.30
10 S	2 W	WM	15	SW NE	2		0.60
10 S	2 W	WM	15	NE NW			37.00
10 S	2 W	WM	15	NW NW			37.20
10 S	2 W	WM	15	SW NW	4		32.50

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.

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
10 S	2 W	WM	15	SE NW	3		13.30
10 S	2 W	WM	15	SE NW		64	26.60
10 S	2 W	WM	15	NE SW		64	30.00
10 S	2 W	WM	15	NE SW	6		10.00
10 S	2 W	WM	15	NW SW	5		30.80
10 S	2 W	WM	15	SW SW	7		11.60
10 S	2 W	WM	15	SE SW	8		3.50
10 S	2 W	WM	15	SE SW		64	0.80
10 S	2 W	WM	15	NW SE		64	11.00

The well(s) shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

When required by the Department, the water user shall install and maintain a weir, meter, or other suitable measuring device and keep a complete record of the amount of ground water withdrawn.

The Director may require water level or pump tests every ten years.

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.

This certificate is issued to correctly describe the location of the place of use and supercedes Certificate 84059, State Record of Water Right Certificates.

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.

Issued JUL 03 2008


 Phillip C. Ward, Director
 Water Resources Department