

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICK ROLIE
202 OAK ST
SILVERTON OR 97381

confirms the right to use the waters of DAVIS CREEK AND ABIQUA CREEK for IRRIGATION of 18.0 ACRES AND SUPPLEMENTAL IRRIGATION of 12.0 ACRES.

This right was perfected under Permit 50011. The date of priority is MAY 22, 1987. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.37 CUBIC FOOT PER SECOND (CFS), being 0.15 CFS from Davis Creek for supplemental irrigation of 12.0 acres, 0.14 CFS from Davis Creek when available with any deficiency in the available supply at Davis Creek to be made up by appropriation from Abiqua Creek for irrigation of 11.4 acres, and 0.08 CFS from Abiqua Creek when available with any deficiency in the available supply at Abiqua Creek to be made up by appropriation from Davis Creek for irrigation of 6.6 acres or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Source	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Davis Creek 1	6 S	1 E	WM	29	SW NW	1120 FEET NORTH FROM W¼ CORNER, SECTION 29
Abiqua Creek 2	6 S	1 E	WM	29	SW NW	1280 FEET NORTH & 760 FEET EAST FROM W¼ CORNER, SECTION 29
Abiqua Creek 3	6 S	1 E	WM	29	NW NW	1540 FEET NORTH & 1210 FEET EAST FROM W¼ CORNER, SECTION 29

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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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.

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

IRRIGATION FROM ABIQUA CREEK WITH DEFICIENCY MADE UP FROM DAVIS CREEK						
Source	Twp	Rng	Mer	Sec	Q-Q	Acres
ABIQUA CREEK	6 S	1 E	WM	29	NE NW	0.6
ABIQUA CREEK	6 S	1 E	WM	29	NW NW	0.2
ABIQUA CREEK	6 S	1 E	WM	29	SW NW	2.9
ABIQUA CREEK	6 S	1 E	WM	29	SE NW	2.9

IRRIGATION FROM DAVIS CREEK WITH DEFICIENCY MADE UP FROM ABIQUA CREEK						
Source	Twp	Rng	Mer	Sec	Q-Q	Acres
DAVIS CREEK	6 S	1 E	WM	29	SW NW	11.1
DAVIS CREEK	6 S	1 E	WM	29	SE NW	0.3


SUPPLEMENTAL IRRIGATION						
Source	Twp	Rng	Mer	Sec	Q-Q	Acres
DAVIS CREEK	6 S	1 E	WM	29	SW NW	2.8
DAVIS CREEK	6 S	1 E	WM	29	SE NW	9.2

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

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 10 2009


 Phillip C. Ward, Director
 Water Resources Department