

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARVIN DERA EVE
8701 PACIFIC HWY W
RICKREALL OR 97371

confirms the right to use the waters of AN UNNAMED STREAM AND A RESERVOIR, CONSTRUCTED UNDER PERMIT R-10482 AND ENLARGED UNDER PERMIT R-11459, A TRIBUTARY OF ASH SWALE, for FISH CULTURE OR SUPPLEMENTAL IRRIGATION of 79.7 ACRES.

This right was perfected under Permit 51470. The date of priority is MAY 10, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 19.0 ACRE FEET STORED WATER ONLY FOR IRRIGATION OR FISH CULTURE AND 0.30 CUBIC FOOT PER SECOND OF WATER FOR MAINTENANCE FOR FISH CULTURE FROM THE PERIOD OF NOVEMBER 1 THROUGH APRIL 30 OF EACH YEAR, measured at the point of diversion.

The point of diversion (POD) is located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
DIVERSION	6 S	4 W	WM	7	SE SW	46	3720 FEET SOUTH & 2056 FEET WEST FROM NE CORNER, DLC 46
PUMP	6 S	4 W	WM	7	NE SE	46	2630 FEET SOUTH & 453 FEET WEST FROM NE CORNER, DLC 46, SECTION 7

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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

This right is limited to any deficiency in the available supply of any prior right existing for the same land.

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

FISH CULTURE						
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC
6 S	4 W	WM	7	SE SW		46
6 S	4 W	WM	18	NE NW		46
6 S	4 W	WM	18	NW NW		46

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.

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
6 S	4 W	WM	16	SW NW		37	1.8
6 S	4 W	WM	16	NW SW		37	16.6
6 S	4 W	WM	16	SW SW		37	15.6
6 S	4 W	WM	17	SE NE		37	2.4
6 S	4 W	WM	17	NE SE		37	24.2
6 S	4 W	WM	17	SE SE		37	19.1

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 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.

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.

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 Phillip C. Ward, Director
 Water Resources Department