

STATE OF OREGON

COUNTY OF CLACKAMAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILBUR VANDERBECK
 37717 SOUTH HIGHWAY 213
 MOUNT ANGEL OREGON 97362

confirms the right to use the waters of BUTTE CREEK, tributary to the PUDDING RIVER for IRRIGATION of 14.9 ACRES.

This right was perfected under Permit 26152. The date of priority is APRIL 30, 1959. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.15 CUBIC FOOT PER SECOND, if available at the original points of diversion located in the NE¼ SE¼ and SE¼ SE¼, both as projected within J. Jack DLC 41, Section 8, T 6 S, R 1 E, WM, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
6 S	1 E	WM	8	NE SE		41	1930 FEET NORTH AND 680 FEET WEST FROM THE SE CORNER, SECTION 8

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 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:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
6 S	1 E	WM	8	SE NE		41	1.2
6 S	1 E	WM	9	SW NW		41	7.5
6 S	1 E	WM	9	NW SW		41	6.2

The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.

Water shall be acquired from the same surface water source as the original points of diversion.

NOTICE OF RIGHT TO 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 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.

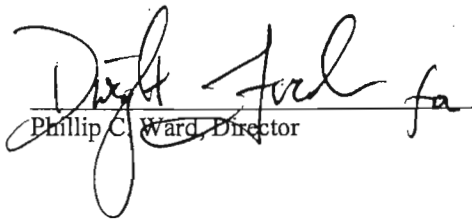
When required by the Department, the water user shall install and maintain headgates, in-line flow meters, weirs, or other suitable devices for measuring and recording the quantity of water diverted. The types and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The water user shall maintain a fish screen or fish by-pass device approved by the Oregon Department of Fish and Wildlife.

This certificate is issued to confirm changes in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered May 24, 1999, at Special Order Volume 53, Page 740, approving Transfer Application 6917, and together with Certificate 76174, supersedes Certificate 31832, State record of Water Right Certificates.

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.

Issued MAY 08 2009 .


Phillip C. Ward, Director