

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ROBERT AND KELLEY BIEWEND  
6787 STAYTON ROAD  
TURNER, OREGON 97392

confirms the right to use the waters of MARION CREEK, a tributary of the NORTH SANTIAM RIVER, for SUPPLEMENTAL IRRIGATION OF 16.2 ACRES.

This right was perfected under Permit S-27664. The date of priority is OCTOBER 16, 1961. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.2 CUBIC FOOT PER SECOND (CFS), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured distances
9 S	2 W	WM	28	NW SW	58	780 FEET SOUTH AND 2160 FEET WEST FROM THE NW CORNER OF CHAMNESS DLC 59

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 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:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
9 S	2 W	WM	27	SW SW	59	12.7
9 S	2 W	WM	34	NW NW	59	3.5

This certificate is issued to confirm the right modified by provisions of an order recorded at Special Order Volume 77, Page 606, diminishing the portion of the right evidenced by Certificate 68675. This certificate, together with Certificate 85500, supersedes Certificate 22053.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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.

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.

WITNESS the signature of the Water Resources Director, affixed APR 24 2009.



\_\_\_\_\_  
Phillip C. Ward, Director *PCW*