

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

D AND E LAND CO.
7385 HOWELL PRAIRIE NE
SILVERTON OR 97381

confirms the right to use the waters of TWO WELLS, within the LITTLE PUDDING RIVER BASIN for IRRIGATION of 60.8 ACRES.

This right was perfected under Permit G-3771. The date of priority is AUGUST 3, 1967. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.52 CUBIC FOOT PER SECOND, if available at the original well, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Well	Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2	6 S	2 W	WM	10	NE NW	59	630 FEET NORTH & 410 FEET WEST FROM SW CORNER, BENET DLC 58
1 (Original)	6 S	2 W	WM	10	NW NW	59	610 FEET NORTH & 1920 FEET WEST FROM SW CORNER, BENET DLC 58

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:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	9	NE NE	59	15.1
6 S	2 W	WM	9	NE NE	66	10.5
6 S	2 W	WM	9	NW NE	66	3.6
6 S	2 W	WM	9	NW NE	59	0.7
6 S	2 W	WM	10	NE NW	59	2.5
6 S	2 W	WM	10	NE NW	97	1.0
6 S	2 W	WM	10	NW NW	59	16.7
6 S	2 W	WM	10	NW NW	97	10.5
6 S	2 W	WM	10	NW NW	66	0.2

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 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.

The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation.

When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered September 20, 1996, at Special Order Volume 50, Page 604, approving Transfer Application 7227, and together with Certificate 68652, supersedes Certificate 45684, 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 NOV 12 2010



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director