

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SANTIAM PROPERTIES, LLC
 PO BOX 607
 INDEPENDENCE OR 97351

confirms the right to use the waters of SOUTH SANTIAM RIVER, tributary to SANTIAM RIVER for IRRIGATION of 154.0 ACRES.

This right was perfected under Permit 34806. The date of priority is DECEMBER 4, 1969. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.85 CUBIC FEET PER SECOND, if available at the original points of diversion, 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
12 S	1 W	WM	34	NW SE	7		2170 FEET NORTH AND 1810 FEET WEST FROM SE CORNER, SECTION 34

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
12 S	1 W	WM	34	NE SW	8		24.4
12 S	1 W	WM	34	SE SW	12		20.8
12 S	1 W	WM	34	SE SW		37	2.4
12 S	1 W	WM	34	NE SE	6		10.4
12 S	1 W	WM	34	NW SE	7		23.6
12 S	1 W	WM	34	SW SE			36.1
12 S	1 W	WM	34	SE SE	5		36.3

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.

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original points of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
12 S	1 W	WM	34	NE SW	8		2240 FEET NORTH AND 3140 FEET WEST FROM SE CORNER, SECTION 34
12 S	1 W	WM	34	NE SE	6		2020 FEET NORTH AND 890 FEET WEST FROM SE CORNER, SECTION 34

The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.


When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plan 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 a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered April 20, 2009, at Special Order Volume 77, Page 536, approving Transfer Application 10657, and supersedes Certificate 43492, State record of Water Right Certificates.

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.

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 JAN 27 2011



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