

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS J AND PHYLLIS R FENCL
48278 KINGWOOD AVE
MILL CITY OR 97360

confirms the right to use the waters of DEFORD CREEK (SOUTH FORK), tributary to NORTH SANTIAM RIVER, AND A WELL, WITHIN THE NORTH SANTIAM RIVER BASIN, for IRRIGATION of 9.2 ACRES.

This right was perfected under Permit 21326. The date of priority is APRIL 22, 1952. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.11 CUBIC FOOT PER SECOND, if available at the authorized point of diversion, or its equivalent in case of rotation, measured at the point of diversion and well.

The point of diversion and well are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	3 E	WM	31	SE NW	DEFORD CREEK - NONE GIVEN
9 S	3 E	WM	31	SE NW	WELL: 273 FEET SOUTH & 442 FEET EAST FROM NW CORNER, SE NW, SECTION 31

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	Acres
9 S	3 E	WM	31	SE NW	9.2

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

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

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.

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

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered March 31, 1997, at Special Order Volume 51, Page 334, approving Transfer Application 7710, and supersedes Certificate 24431, 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 APR 29 2011.



Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director