

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH E. AND MARY M. CUNNINGHAM  
36307 JEFFERSON SCIO DR.  
JEFFERSON, OR 97352

confirms the right to use the waters of UPPSTAD WELL 5, tributary to the NORTH SANTIAM RIVER for IRRIGATION of 50.7 ACRES.

This right was perfected under Permit G-2113. The date of priority is APRIL 10, 1962. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.63 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of appropriation is located as follows:

| Twp  | Rng | Mer | Sec | Q-Q   | GLot | Measured Distances   |
|------|-----|-----|-----|-------|------|--|
| 10 S | 2 W | WM  | 8   | SW SE | 7    | 1010 FEET NORTH AND 3110 FEET EAST FROM THE SW CORNER OF 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 | Acres |
| 10 S       | 2 W | WM  | 8   | SW SW | 5    | 2.4   |
| 10 S       | 2 W | WM  | 8   | SE SW | 6    | 12.4  |
| 10 S       | 2 W | WM  | 8   | NW SE | 8    | 8.4   |
| 10 S       | 2 W | WM  | 8   | SW SE | 7    | 27.5  |

This certificate is issued in accordance with OAR 690-380-6010 to describe the water right for a non-completed change in point of diversion approved by an order of the Water Resources Director entered JUL 20 2011, at Special Order Volume 80, Page 989, approving Transfer Application T-10411 and supersedes Certificate 33450, State Record of Water Right Certificates.

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 is a final 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 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 JUL 20 2011.

  
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Dwight French, Water Right Services Administrator, for  
PHILLIP C. WARD, DIRECTOR