

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DANIEL H. HEMSHORN  
14350 WILCO HWY  
WOODBURN OR 97071

confirms the right to use the waters of PUDDING RIVER, tributary to MOLALLA RIVER for IRRIGATION of 34.2 ACRES.

This right was perfected under Permit 24001. The date of priority is DECEMBER 16, 1955. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.43 CUBIC FOOT PER SECOND, 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	Measured Distances
5 S	1 W	WM	32	SE SE	440 FEET NORTH & 670 FEET WEST FROM SE CORNER, SECTION 32

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 W	WM	32	NE SE	22.9
5 S	1 W	WM	33	NW SW	11.3

The quantity of water diverted at the new point of diversion, along with that diverted at the original point of diversion, shall not exceed the quantity of water available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
5 S	1 W	WM	21	SW NW	2	NONE GIVEN

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

Use of water from the point of diversion shall be regulated if stream flow in the Pudding River at gage 14201340, near Woodburn, drops below 11.0 cubic feet per second.

If water for the right is available at the authorized point of diversion on the Pudding River below the confluence with Zollner Creek, existing water rights on the Pudding River and its tributaries above the confluence with Zollner Creek will not be regulated in favor of the new point of diversion.

If there is insufficient water in the Pudding River and its tributaries above the confluence with Zollner Creek, the water right at the new point of diversion may be regulated to satisfy existing water rights on the Pudding River and its tributaries above the confluence with Zollner Creek.

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


The water user shall maintain a fish screen or fish by-pass device.

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.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered JUNE 4, 2003, at Special Order Volume 57, Page 917, approving Transfer Application 6715, and together with Certificate 88226 confirming Transfer Application 6716, supercedes Certificate 26475, State record of Water Right Certificates.

The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued           AUG 16 2013          

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