

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MOUNT JEFFERSON FARMS INC.  
PO BOX 12708  
SALEM OR 97309

confirms the right to use the waters of NORTH SANTIAM RIVER and SMALLMAN CREEK, tributary to SANTIAM RIVER for IRRIGATION of 43.6 ACRES.

This right was perfected under Permit S-26583. The date of priority is FEBRUARY 10, 1960.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.545 CUBIC FOOT PER SECOND (CFS), BEING 0.508 CFS FROM NORTH SANTIAM RIVER AND 0.037 CFS FROM SMALLMAN CREEK, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	2 W	WM	35	NW SE	NORTH SANTIAM RIVER - 850 FEET NORTH AND 400 FEET WEST FROM WESTERLY NW CORNER, N G MCDONALD DLC 61
9 S	2 W	WM	35	SW SE	SMALLMAN CREEK - 90 FEET SOUTH AND 100 FEET EAST FROM WESTERLY NW CORNER, N G MCDONALD DLC 61

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
10 S	2 W	WM	11	NE SE	17.0
10 S	2 W	WM	11	NW SE	17.0
10 S	2 W	WM	12	NW SW	9.6

**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.

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	2 W	WM	34	SE SE	NORTH SANTIAM RIVER - 1470 FEET NORTH AND 3530 FEET WEST FROM WESTERLY NW CORNER, SAMPSON SMALLMAN DLC 53
10 S	2 W	WM	3	NW NE	MAIN SLOUGH - 3020 FEET NORTH AND 140 FEET WEST FROM WESTERLY NW CORNER, SAMPSON SMALLMAN DLC 53
10 S	2 W	WM	3	SE NE	SMALLMAN CREEK - 430 FEET NORTH AND 180 FEET EAST FROM WESTERLY NW CORNER, SAMPSON SMALLMAN DLC 53
10 S	2 W	WM	3	NW NW	MAIN SLOUGH - 1670 FEET NORTH AND 1490 FEET WEST FROM WESTERLY NW CORNER, SAMPSON SMALLMAN DLC 53
10 S	2 W	WM	3	NW SW	SHORT SLOUGH - 580 FEET SOUTH AND 3400 FEET WEST FROM WESTERLY NW CORNER, SAMPSON SMALLMAN DLC 53

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.

When required by the Department, the water user shall install and maintain a headgate, 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 or 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 AND PLACE OF USE approved by an order of the Water Resources Director entered APRIL 28, 2004, at Special Order Volume 59, Page 584, approving Transfer Application 9487, and together with Certificate 80654, supercedes Certificate 37597, 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 DEC 20 2013

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