

## STATE OF OREGON

## COUNTY OF POLK

## CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PHILIP AND DELIA SPERLING  
8675 PARKER RD  
INDEPENDENCE OR 97351

confirms the right to use the waters of LUCKIAMUTE RIVER, tributary of WILLAMETTE RIVER, for IRRIGATION of 126.0 ACRES.

This right was perfected under Permit S-37832. The date of priority is AUGUST 20, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.58 CUBIC FEET 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   | DLC | Measured Distances  |
|-----|-----|-----|-----|-------|-----|---|
| 9 S | 4 W | WM  | 20  | SW NW | 63  | 2530 FEET SOUTH & 30 FEET EAST FROM<br>NW CORNER, VANDERPOOL DLC 63 |

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   | GLot | DLC | Acres |
|-----|-----|-----|-----|-------|------|-----|-------|
| 9 S | 4 W | WM  | 17  | SW NW | 2    |     | 0.7   |
| 9 S | 4 W | WM  | 17  | SE NW | 1    |     | 8.0   |
| 9 S | 4 W | WM  | 17  | NE SW |      |     | 24.0  |
| 9 S | 4 W | WM  | 17  | NW SW | 3    |     | 7.8   |
| 9 S | 4 W | WM  | 17  | SW SW | 4    |     | 1.2   |
| 9 S | 4 W | WM  | 17  | SW SW |      | 63  | 7.0   |
| 9 S | 4 W | WM  | 17  | SE SW | 5    |     | 7.1   |
| 9 S | 4 W | WM  | 17  | SE SW |      | 63  | 25.0  |
| 9 S | 4 W | WM  | 20  | NE NW |      | 63  | 30.4  |
| 9 S | 4 W | WM  | 20  | NW NW |      | 63  | 7.5   |
| 9 S | 4 W | WM  | 20  | SE NW |      | 63  | 7.3   |

**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 point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available from the original points of diversion described as follows:

| Twp | Rng | Mer | Sec | Q-Q   | GLot | Measured Distances  |
|-----|-----|-----|-----|-------|------|---|
| 9 S | 4 W | WM  | 19  | NE NW | 1    | 7120 FEET NORTH AND 1640 FEET EAST FROM SE CORNER, CHAMBERLAIN DLC 42 |
| 9 S | 4 W | WM  | 19  | SE NE | 5    | 6130 FEET NORTH AND 5220 FEET EAST FROM SE CORNER, CHAMBERLAIN DLC 42 |
| 9 S | 4 W | WM  | 20  | SW SW | 4    | 3170 FEET NORTH AND 6110 FEET EAST FROM SE CORNER, CHAMBERLAIN DLC 42 |

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 construction and shall be installed under the general supervision of the Department.


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 PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 15, 2002, at Special Order Volume 56, Page 292, approving Transfer Application 8749, together with Certificate 79471, supercedes Certificate 45572, State record of Water Right Certificates.

Issued **MAY 09 2014**



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