

STATE OF OREGON
 COUNTY OF WASHINGTON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LAWRENCE DUYCK
 34203 NW MOUNTAINDALE RD
 NORTH PLAINS OR 97133

confirms the right to use the waters of AN UNNAMED STREAM, EAST FORK DAIRY CREEK, AND DUYCK RESERVOIR, CONSTRUCTED UNDER PERMIT R-12633, TRIBUTARIES OF DAIRY CREEK FOR IRRIGATION OF 44.4 ACRES FROM UNNAMED STREAM AND EAST FORK DAIRY CREEK, SUPPLEMENTAL IRRIGATION OF 59.5 ACRES FROM EAST FORK DAIRY CREEK, AND SUPPLEMENTAL IRRIGATION OF 103.9 ACRES FROM STORED WATER ONLY.

This right was perfected under Permit S-53547. The date of priority is FEBRUARY 19, 1991. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.555 CUBIC FOOT PER SECOND AS FURTHER LIMITED BELOW AND 8.5 ACRE-FEET or its equivalent in case of rotation, measured at the point of diversion.

The irrigation of lands from live flow under this permit is limited to a maximum rate of 0.555 cfs. The maximum rate for this right combined with that authorized under certificate 37475 shall not exceed a maximum cumulative total diversion rate of 1.04 cfs or a lesser amount if the above named certificate is superseded by a certificate issued for less than the currently authorized amount of 0.76 cfs.

The period of use is March 1 through July 31 from live flow. March 1 through October 31 from stored water for supplemental irrigation of 44.4 acres. May 1 through September 30 for supplemental irrigation of 59.5 acres.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
2 N	3 W	WM	26	SE SW	45	415 FEET NORTH AND 1400 FEET EAST FROM SW CORNER, SECTION 26
2 N	3 W	WM	26	SE SW	45	790 FEET NORTH AND 2040 FEET EAST FROM SW CORNER, SECTION 26

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.

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 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

A description of the place of use is as follows:

PRIMARY IRRIGATION - LIVE FLOW E FK DAIRY CR AND UNNAMED STREAM MAR - JUL						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 N	3 W	WM	26	NE SW	45	5.8
2 N	3 W	WM	26	SE SW	45	26.15
2 N	3 W	WM	26	NW SE	45	0.9
2 N	3 W	WM	26	SW SE	45	11.55

SUPPLEMENTAL IRRIGATION - LIVE FLOW E FK DAIRY CR MAR - JUL						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 N	3 W	WM	26	SE SW	45	6.0
2 N	3 W	WM	26	SW SE	45	7.3
2 N	3 W	WM	35	NW NE	45	11.4
2 N	3 W	WM	35	SW NE	45	1.6
2 N	3 W	WM	35	NE NW	45	27.8
2 N	3 W	WM	35	SE NW	45	5.4

SUPPLEMENTAL IRRIGATION - STORED WATER MAR - OCT						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 N	3 W	WM	26	NE SW	45	5.8
2 N	3 W	WM	26	SE SW	45	26.15
2 N	3 W	WM	26	NW SE	45	0.9
2 N	3 W	WM	26	SW SE	45	11.55

SUPPLEMENTAL IRRIGATION - STORED WATER MAY - SEPT						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
2 N	3 W	WM	35	SE SW	45	6.0
2 N	3 W	WM	35	SW SE	45	7.3
2 N	3 W	WM	35	NW NE	45	11.4
2 N	3 W	WM	35	SW NE	45	1.6
2 N	3 W	WM	35	NE NW	45	27.8
2 N	3 W	WM	35	SE NW	45	5.4

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device in good working order.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

Notwithstanding that Oregon Department of Fish and Wildlife has made a determination that diversion screening and/or fish passage facilities are not necessary at this time, the water user may be required in the future to install, maintain, and operate diversion screening and/or fish passage facilities to prevent fish from entering the diversion, and to provide adequate upstream and downstream passage for fish.

For lands listed as supplemental irrigation this right is limited to any deficiency in the available supply of any prior right existing for the same land.

In the event of a request for a change in point of appropriation, an additional point of appropriation or alteration of the appropriation facility associated with this authorized diversion, the quantity of water allowed herein, together with certificate 37475 shall not exceed 1.04 cfs.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

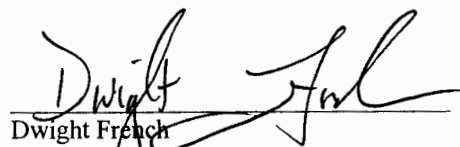
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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

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 **MAR 20 2015** .



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department