

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PATRICK J JOHNSTON
 RT 1 BOX 317
 WOODBURN OR 97071

confirms the right to use the waters of CHAMPOEG CREEK AND RESERVOIR CONSTRUCTED UNDER PERMIT R-5064, A TRIBUTARY OF WILLAMETTE RIVER for SUPPLEMENTAL IRRIGATION OF 35.0 ACRES.

This right was perfected under Permit 32873. The date of priority is FEBRUARY 26, 1968. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.324 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	GLot	DLC	Measured Distances
4 S	2 W	WM	27	SE SW		54	210 FEET NORTH & 1480 FEET EAST FROM SW CORNER, SECTION 27

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 from direct flow and storage from reservoir constructed under Permit R-5064, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall be subject to the terms and agreement between Arthur McKay, Patrick Johnston, Walter Wilmes and Neal Miller, recorded at page 979, Volume 4, Miscellaneous Records of the State Engineer and by reference made a part hereof, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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.

A description of the place of use to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
4 S	2 W	WM	34	NE NW		54	1.7
4 S	2 W	WM	34	NW NW		54	8.5
4 S	2 W	WM	34	SW NW		87	1.2
4 S	2 W	WM	34	SW NW		54	8.8
4 S	2 W	WM	34	SE NW		87	4.2
4 S	2 W	WM	34	SE NW		54	10.6

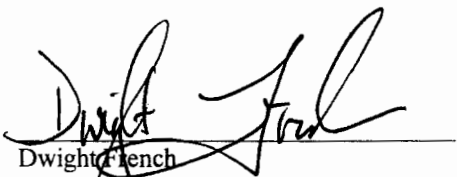
This certificate is issued to describe the portion of Certificate 40458 not modified by a voluntary diminution affidavit as outlined in a Settlement Agreement for Application G-16308, signed July 1, 2010, and together with Certificate 90951, supersedes Certificate 40458 and certificate 86544.

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

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.

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.

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