

STATE OF OREGON

COUNTY OF BENTON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BENTON COUNTY NATURAL AREAS  
AND PARKS DEPARTMENT  
ATTN: JEFF POWERS  
360 SW AVERY AVENUE  
CORVALLIS OR 97330

confirms the right to the use of water perfected under the terms of Permit S-38792. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: A SPRING, TRIBUTARY TO PLUNKETT CREEK, WHEN AVAILABLE, WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM THE SPRING TO BE MADE UP BY APPROPRIATION FROM PLUNKETT CREEK, TRIBUTARY TO LUCKIAMUTE RIVER

PURPOSE or USE: FIRE PROTECTION USE

MAXIMUM RATE: 0.01 CUBIC FOOT PER SECOND FROM THE SPRING FOR FIRE PROTECTION WHEN AVAILABLE; WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY FROM THE SPRING TO BE MADE UP BY APPROPRIATION FROM PLUNKETT CREEK, PROVIDED THAT THE TOTAL QUANTITY OF WATER DIVERTED FROM BOTH SOURCES SHALL NOT EXCEED 0.01 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MAY 27, 1975

The points of diversion are located as follows:

| Twp  | Rng | Mer | Sec | Q-Q   | DLC | Measured Distances                                                    |
|------|-----|-----|-----|-------|-----|-----------------------------------------------------------------------|
| 11 S | 6 W | WM  | 4   | NE NW | 38  | SPRING - 180 FEET SOUTH AND 1815 FEET WEST FROM SE CORNER, SECTION 33 |
| 10 S | 6 W | WM  | 33  | SW SE | 38  | CREEK - 325 FEET NORTH AND 1640 FEET WEST FROM SE CORNER, SECTION 33  |

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The annual volume for fire protection shall not exceed 2.74 acre-feet per year.

A description of the place of use is as follows:

| Twp  | Rng | Mer | Sec | Q-Q   | DLC |
|------|-----|-----|-----|-------|-----|
| 10 S | 6 W | WM  | 33  | SW SE | 38  |

**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 shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

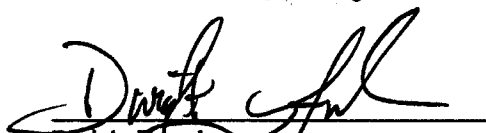
| Twp  | Rng | Mer | Sec | Q-Q   | DLC | Measured Distances                                                 |
|------|-----|-----|-----|-------|-----|--------------------------------------------------------------------|
| 10 S | 6 W | WM  | 33  | SW SE | 38  | CREEK - 5650 FEET NORTH AND 50 FEET EAST<br>FROM SE CORNER, DLC 58 |

The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring device.

The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

This certificate is issued to confirm a change in POINT OF DIVERSION, PLACE OF USE, CHARACTER OF USE, AND CORRECTING SCRIVENER'S ERRORS IN A PREVIOUS ORDER approved by an order of the Water Resources Director entered April 4, 2011, at Special Order Volume 83, Page 948, approving Transfer Application 10773, and together with Certificate 86533, supercedes Certificate 45861, State record of Water Right Certificates.

Issued JUL 08 2016.



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