

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CITY OF ALBANY  
333 BROADALBIN ST SW  
ALBANY OR 97321

**SUPERSEDED BY**  
**CERT. NO. 93318**

confirms the right to the use of water partially perfected under the terms of Permit S-44388. 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 of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: S-58906

SOURCE OF WATER: SOUTH SANTIAM RIVER, A TRIBUTARY OF SANTIAM RIVER

PURPOSE or USE: MUNICIPAL

MAXIMUM RATE: 28.57 CUBIC FEET PER SECOND (CFS); FURTHER LIMITED TO 23.59 CFS FROM POD 1 AND 25.98 CFS FROM POD 2, IN ANY COMBINATION.

Water use under this Certificate, in combination with Certificates 83323 (2 cfs), 83325 (5 cfs), and 83976 (21 cfs) shall not exceed a total diversion of 56.57 cfs. POD 1 is limited to a combined maximum rate of diversion of 30.59 cfs; being 23.59 cfs from this Certificate, 2 cfs from Certificates 83323, 5 cfs from Certificate 83325, and 21 cfs from Certificate 83976, in any combination. POD 2 is limited to a combined maximum rate of diversion of 25.98 cfs; being 25.98 cfs from this Certificate, and 21cfs from Certificates 83976, in any combination.

CERTIFICATE NUMBER	TOTAL RATE	POD 1 RATE	POD 2 RATE
83323	2.0 CFS	2.0 CFS	NA
83325	5.0 CFS	5.0 CFS	NA
83976 <sup>1</sup>	21.0 CFS	21.0 CFS	21.0 CFS
93263	28.57 CFS	23.59 CFS	25.98 CFS
TOTAL RATE	56.57 CFS		
MAXIMUM RATE BY POD		30.59 CFS <sup>2</sup>	25.98 CFS <sup>3</sup>

<sup>1</sup> Certificate 83976 authorizes a maximum rate of diversion of 21.0 cfs from either POD 1 or POD 2, in any combination.

<sup>2</sup> This number reflects maximum rate that can be diverted from POD 1 under the certificates in this table until final perfection of Permit S-44388.

<sup>3</sup> This number reflects the maximum rate that can be diverted from POD 2 under the certificates in this table until final perfection of Permit S-44388.

DATE OF PRIORITY: JULY 12, 1979

**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.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
10 S	3 W	WM	24	SW NW	POD 2 – (ADDITIONAL) 2096 FEET SOUTH AND 693 FEET EAST FROM NW CORNER, SECTION 24
12 S	1 W	WM	19	NW NW	POD 1 (ORIGINAL) - 1430 FEET NORTH AND 1050 FEET EAST FROM W1/4 CORNER, SECTION 19

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q
10 S	3 W	WM	28	SW NE
10 S	3 W	WM	28	SE NW
10 S	3 W	WM	28	NE SW
10 S	3 W	WM	28	SE SW
10 S	3 W	WM	28	NW SE
10 S	3 W	WM	28	SW SE
10 S	3 W	WM	31	NE NE
10 S	3 W	WM	31	NW NE
10 S	3 W	WM	31	SW NE
10 S	3 W	WM	31	SE NE
10 S	3 W	WM	31	NE NW
10 S	3 W	WM	31	NW NW
10 S	3 W	WM	31	SW NW
10 S	3 W	WM	31	SE NW
10 S	3 W	WM	31	NE SW
10 S	3 W	WM	31	NW SW
10 S	3 W	WM	31	SW SW
10 S	3 W	WM	31	SE SW
10 S	3 W	WM	31	NE SE
10 S	3 W	WM	31	NW SE
10 S	3 W	WM	31	SW SE
10 S	3 W	WM	31	SE SE
10 S	3 W	WM	32	NW NE
10 S	3 W	WM	32	SW NE
10 S	3 W	WM	32	SE NE
10 S	3 W	WM	32	NE NW
10 S	3 W	WM	32	NW NW
10 S	3 W	WM	32	SW NW
10 S	3 W	WM	32	SE NW
10 S	3 W	WM	32	NE SW
10 S	3 W	WM	32	NW SW
10 S	3 W	WM	32	SW SW
10 S	3 W	WM	32	SE SW
10 S	3 W	WM	32	NE SE
10 S	3 W	WM	32	NW SE
10 S	3 W	WM	32	SW SE
10 S	3 W	WM	32	SE SE
10 S	3 W	WM	33	NW NE
10 S	3 W	WM	33	SW NE
10 S	3 W	WM	33	NE NW
10 S	3 W	WM	33	SE NW
10 S	3 W	WM	33	NE SW
10 S	3 W	WM	33	SE SW

Twp	Rng	Mer	Sec	Q-Q
10 S	3 W	WM	33	NW SE
10 S	4 W	WM	25	NW NE
10 S	4 W	WM	25	SW NE
10 S	4 W	WM	25	SE NE
10 S	4 W	WM	25	NE NW
10 S	4 W	WM	25	NW NW
10 S	4 W	WM	25	SW NW
10 S	4 W	WM	25	SE NW
10 S	4 W	WM	25	NE SW
10 S	4 W	WM	25	NW SW
10 S	4 W	WM	25	SW SW
10 S	4 W	WM	25	SE SW
10 S	4 W	WM	25	NE SE
10 S	4 W	WM	25	NW SE
10 S	4 W	WM	25	SW SE
10 S	4 W	WM	25	SE SE
10 S	4 W	WM	26	NE NE
10 S	4 W	WM	26	NW NE
10 S	4 W	WM	26	SW NE
10 S	4 W	WM	26	SE NE
10 S	4 W	WM	26	NE NW
10 S	4 W	WM	26	NW NW
10 S	4 W	WM	26	SW NW
10 S	4 W	WM	26	SE NW
10 S	4 W	WM	26	NE SW
10 S	4 W	WM	26	NW SW
10 S	4 W	WM	26	SW SW
10 S	4 W	WM	26	SE SW
10 S	4 W	WM	26	NE SE
10 S	4 W	WM	26	NW SE
10 S	4 W	WM	26	SW SE
10 S	4 W	WM	26	SE SE
10 S	4 W	WM	35	NE NE
10 S	4 W	WM	35	NW NE
10 S	4 W	WM	35	SW NE
10 S	4 W	WM	35	SE NE
10 S	4 W	WM	35	NE NW
10 S	4 W	WM	35	NW NW
10 S	4 W	WM	35	SW NW
10 S	4 W	WM	35	SE NW
10 S	4 W	WM	35	NE SW
10 S	4 W	WM	35	NW SW
10 S	4 W	WM	35	SW SW

Twp	Rng	Mer	Sec	Q-Q
10 S	4 W	WM	35	SE SW
10 S	4 W	WM	35	NE SE
10 S	4 W	WM	35	NW SE
10 S	4 W	WM	35	SW SE
10 S	4 W	WM	35	SE SE
10 S	4 W	WM	36	NE NE
10 S	4 W	WM	36	NW NE
10 S	4 W	WM	36	SW NE
10 S	4 W	WM	36	SE NE
10 S	4 W	WM	36	NE NW
10 S	4 W	WM	36	NW NW
10 S	4 W	WM	36	SW NW
10 S	4 W	WM	36	SE NW
10 S	4 W	WM	36	NE SW
10 S	4 W	WM	36	NW SW
10 S	4 W	WM	36	SW SW
10 S	4 W	WM	36	SE SW
10 S	4 W	WM	36	NE SE
10 S	4 W	WM	36	NW SE
10 S	4 W	WM	36	SW SE
10 S	4 W	WM	36	SE SE
11 S	3 W	WM	3	SW NW
11 S	3 W	WM	3	NW SW
11 S	3 W	WM	3	SW SW
11 S	3 W	WM	4	SW NE
11 S	3 W	WM	4	SE NE
11 S	3 W	WM	4	NE NW
11 S	3 W	WM	4	NW NW
11 S	3 W	WM	4	SW NW
11 S	3 W	WM	4	SE NW
11 S	3 W	WM	4	NE SW
11 S	3 W	WM	4	NW SW
11 S	3 W	WM	4	SW SW
11 S	3 W	WM	4	SE SW
11 S	3 W	WM	4	NE SE
11 S	3 W	WM	4	NW SE
11 S	3 W	WM	4	SW SE
11 S	3 W	WM	4	SE SE
11 S	3 W	WM	5	SW NE
11 S	3 W	WM	5	SE NW
11 S	3 W	WM	5	NE SW
11 S	3 W	WM	5	NW SW
11 S	3 W	WM	5	SW SW
11 S	3 W	WM	5	SE SW
11 S	3 W	WM	5	NE SE
11 S	3 W	WM	5	NW SE
11 S	3 W	WM	5	SW SE
11 S	3 W	WM	5	SE SE
11 S	3 W	WM	6	NE NE
11 S	3 W	WM	6	NW NE
11 S	3 W	WM	6	SW NE
11 S	3 W	WM	6	SE NE

Twp	Rng	Mer	Sec	Q-Q
11 S	3 W	WM	6	NE NW
11 S	3 W	WM	6	NW NW
11 S	3 W	WM	6	SW NW
11 S	3 W	WM	6	SE NW
11 S	3 W	WM	6	NE SW
11 S	3 W	WM	6	NW SW
11 S	3 W	WM	6	SW SW
11 S	3 W	WM	6	SE SW
11 S	3 W	WM	6	NE SE
11 S	3 W	WM	6	NW SE
11 S	3 W	WM	6	SW SE
11 S	3 W	WM	6	SE SE
11 S	3 W	WM	7	NE NE
11 S	3 W	WM	7	NW NE
11 S	3 W	WM	7	SW NE
11 S	3 W	WM	7	SE NE
11 S	3 W	WM	7	NE NW
11 S	3 W	WM	7	NW NW
11 S	3 W	WM	7	SW NW
11 S	3 W	WM	7	SE NW
11 S	3 W	WM	7	NE SW
11 S	3 W	WM	7	NW SW
11 S	3 W	WM	7	SW SW
11 S	3 W	WM	7	SE SW
11 S	3 W	WM	7	NE SE
11 S	3 W	WM	7	NW SE
11 S	3 W	WM	7	SW SE
11 S	3 W	WM	7	SE SE
11 S	3 W	WM	8	NE NE
11 S	3 W	WM	8	NW NE
11 S	3 W	WM	8	SW NE
11 S	3 W	WM	8	SE NE
11 S	3 W	WM	8	NE NW
11 S	3 W	WM	8	NW NW
11 S	3 W	WM	8	SW NW
11 S	3 W	WM	8	SE NW
11 S	3 W	WM	8	NE SW
11 S	3 W	WM	8	NW SW
11 S	3 W	WM	8	SW SW
11 S	3 W	WM	8	SE SW
11 S	3 W	WM	8	NE SE
11 S	3 W	WM	8	NW SE
11 S	3 W	WM	8	SW SE
11 S	3 W	WM	8	SE SE
11 S	3 W	WM	9	NE NE
11 S	3 W	WM	9	NW NE
11 S	3 W	WM	9	SW NE
11 S	3 W	WM	9	SE NE
11 S	3 W	WM	9	NE NW
11 S	3 W	WM	9	NW NW
11 S	3 W	WM	9	SW NW
11 S	3 W	WM	9	SE NW

Twp	Rng	Mer	Sec	Q-Q
11 S	3 W	WM	9	NE SW
11 S	3 W	WM	9	NW SW
11 S	3 W	WM	9	SW SW
11 S	3 W	WM	9	SE SW
11 S	3 W	WM	9	NW SE
11 S	3 W	WM	9	SW SE
11 S	3 W	WM	10	NW NW
11 S	3 W	WM	10	SW NW
11 S	3 W	WM	16	NW NW
11 S	3 W	WM	16	SW NW
11 S	3 W	WM	16	NW SW
11 S	3 W	WM	16	SW SW
11 S	3 W	WM	17	NE NE
11 S	3 W	WM	17	NW NE
11 S	3 W	WM	17	SW NE
11 S	3 W	WM	17	SE NE
11 S	3 W	WM	17	NE NW
11 S	3 W	WM	17	NW NW
11 S	3 W	WM	17	SW NW
11 S	3 W	WM	17	SE NW
11 S	3 W	WM	17	NE SW
11 S	3 W	WM	17	NW SW
11 S	3 W	WM	17	SW SW
11 S	3 W	WM	17	SE SW
11 S	3 W	WM	17	NE SE
11 S	3 W	WM	17	NW SE
11 S	3 W	WM	17	SW SE
11 S	3 W	WM	17	SE SE
11 S	3 W	WM	18	NE NE
11 S	3 W	WM	18	NW NE
11 S	3 W	WM	18	SW NE
11 S	3 W	WM	18	SE NE
11 S	3 W	WM	18	NE NW
11 S	3 W	WM	18	NW NW
11 S	3 W	WM	18	SW NW
11 S	3 W	WM	18	SE NW
11 S	3 W	WM	18	NE SW
11 S	3 W	WM	18	NW SW
11 S	3 W	WM	18	SW SW
11 S	3 W	WM	18	SE SW
11 S	3 W	WM	18	NE SE
11 S	3 W	WM	18	NW SE
11 S	3 W	WM	18	SW SE
11 S	3 W	WM	18	SE SE
11 S	3 W	WM	19	NE NE
11 S	3 W	WM	19	NW NE
11 S	3 W	WM	19	NW SW
11 S	3 W	WM	20	NE NE
11 S	3 W	WM	20	NW NE
11 S	3 W	WM	20	SW NE
11 S	3 W	WM	20	SE NE
11 S	3 W	WM	20	NE NW

Twp	Rng	Mer	Sec	Q-Q
11 S	3 W	WM	20	NW NW
11 S	3 W	WM	20	NE SE
11 S	3 W	WM	20	NW SE
11 S	3 W	WM	21	NW NW
11 S	3 W	WM	21	SW NW
11 S	3 W	WM	21	NW SW
11 S	4 W	WM	1	NE NE
11 S	4 W	WM	1	NW NE
11 S	4 W	WM	1	SW NE
11 S	4 W	WM	1	SE NE
11 S	4 W	WM	1	NE NW
11 S	4 W	WM	1	NW NW
11 S	4 W	WM	1	SW NW
11 S	4 W	WM	1	SE NW
11 S	4 W	WM	1	NE SW
11 S	4 W	WM	1	NW SW
11 S	4 W	WM	1	NE SE
11 S	4 W	WM	1	NW SE
11 S	4 W	WM	1	SE SE
11 S	4 W	WM	2	NE NE
11 S	4 W	WM	2	NW NE
11 S	4 W	WM	2	SW NE
11 S	4 W	WM	2	SE NE
11 S	4 W	WM	2	NE NW
11 S	4 W	WM	2	NW NW
11 S	4 W	WM	2	SW NW
11 S	4 W	WM	2	SE NW
11 S	4 W	WM	2	NE SW
11 S	4 W	WM	2	NW SW
11 S	4 W	WM	2	NE SE
11 S	4 W	WM	2	NW SE
11 S	4 W	WM	12	NE NE
11 S	4 W	WM	12	NW NE
11 S	4 W	WM	12	SW NE
11 S	4 W	WM	12	SE NE
11 S	4 W	WM	12	SE NW
11 S	4 W	WM	12	NE SW
11 S	4 W	WM	12	NW SW
11 S	4 W	WM	12	SW SW
11 S	4 W	WM	12	SE SW
11 S	4 W	WM	12	NE SE
11 S	4 W	WM	12	NW SE
11 S	4 W	WM	12	SW SE
11 S	4 W	WM	12	SE SE
11 S	4 W	WM	13	NE NE
11 S	4 W	WM	13	NW NE
11 S	4 W	WM	13	SW NE
11 S	4 W	WM	13	SE NE
11 S	4 W	WM	13	NE NW
11 S	4 W	WM	13	SE NW
11 S	4 W	WM	13	NE SW
11 S	4 W	WM	13	NE SE

Twp	Rng	Mer	Sec	Q-Q
11 S	4 W	WM	13	NW SE
11 S	4W	WM	13	SW SE
11 S	4 W	WM	13	SE SE
11 S	4 W	WM	24	NE NE
11 S	4 W	WM	24	NW NE
11 S	4 W	WM	24	SW NE
11 S	4 W	WM	24	SE NE
11 S	4 W	WM	24	NE SW
11 S	4 W	WM	24	SE SW
11 S	4 W	WM	24	NE SE

Twp	Rng	Mer	Sec	Q-Q
11 S	4 W	WM	24	NW SE
11 S	4 W	WM	24	SW SE
11 S	4 W	WM	24	SE SE
11 S	4 W	WM	25	NE NE
11 S	4 W	WM	25	NW NE
11 S	4 W	WM	25	SW NE
11 S	4 W	WM	25	SE NE
11 S	4 W	WM	25	NE NW
11 S	4 W	WM	25	NE SE
11 S	4 W	WM	25	NW SE

The combined quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

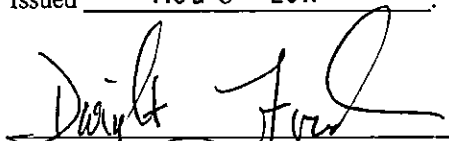
When required by the department, the water user shall install and maintain a headgate, an in-line flow meter, weir or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning of construction and shall be installed under the general supervision of the Department.

Water shall be acquired from the same surface water source as the original point of diversion.

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; however, water may be applied to lands which are not specifically described above, provided the holder of this right complies with ORS 540.510(3).

This certificate is issued for a partial perfection of Permit S-44388 as described in OAR-690-320-0040 and by an order of the Water Resources Director entered AUG 8 2017, at Volume 105, Page 304.

Issued AUG 8 2017



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