

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STEVEN A. NYSETH & LORRIE A. NYSETH
 39296 HWY 228
 SWEET HOME OR 97386

confirms the right to use the waters of the CALAPOOIA RIVER, tributary to the WILLAMETTE RIVER, for PRIMARY IRRIGATION OF 82.0 ACRES and SUPPLEMENTAL IRRIGATION of 10.0 ACRES.

This right was perfected under Permit S-43836. The date of priority is DECEMBER 1, 1978. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.15 CUBIC FEET PER SECOND (CFS), BEING 1.02 CFS FOR PRIMARY IRRIGATION AND 0.13 CFS FOR SUPPLEMENTAL IRRIGATION, or its equivalent in case of rotation, measured at the points of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
14 S	1 W	WM	16	NE NW	40	330 FEET SOUTH AND 630 FEET WEST FROM NW CORNER, MILES CAREY DLC 41

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, 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 to which this right is appurtenant is as follows:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	ACRES
14 S	1 W	WM	16	NE NW	40	3.0
14 S	1 W	WM	16	NW NW	40	7.0
14 S	1 W	WM	16	SW NW	40	23.0
14 S	1 W	WM	16	SE NW	40	24.0
14 S	1 W	WM	16	NE SW	40	8.0
14 S	1 W	WM	16	NWSW	40	17.0
Total						82.0

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or 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.

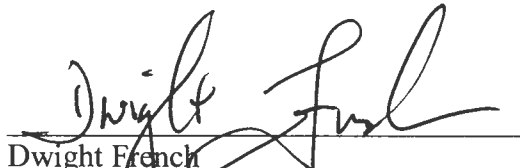
SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	ACRES
14 S	1 W	WM	16	NE SW	40	10.0

This certificate is issued to describe the right modified by provisions of an order of the Water Resources Director entered OCT 10 2017, 2017, and recorded at Special Order Volume 105, Page 976, approving a partial diminution of the right evidenced by Certificate 55114, State Record of Water Right Certificates. This certificate supersedes Certificate 55114.

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 herein described and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

Issued this 10th day of October, 2017.


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