

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MAGNA LAND LLC
PO BOX 11718
NEWPORT BEACH CA 92658

confirms the right to the use of water perfected under the terms of Permit S-53347. 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-72040

SOURCE OF WATER: WILLAMETTE BASIN RESERVOIRS, CONSTRUCTED UNDER PERMITS R-1625 AND R-5363, TRIBUTARIES OF THE WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 128.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 20.0 ACRES

VOLUME OF USE: 316.75 ACRE-FEET PER YEAR OR AS FURTHER LIMITED BY THE WATER STORAGE CONTRACT

PERIOD OF ALLOWED USE: MARCH 1 THROUGH OCTOBER 31 FROM STORED WATER, OR AS FURTHER LIMITED BY CONTRACT WITH BUREAU OF RECLAMATION

DATE OF PRIORITY: NOVEMBER 25, 1991

The points of diversion are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
A (RIVER)	5 S	3 W	WM	25	SW NW	6	1585 FEET SOUTH AND 1050 FEET EAST FROM NW CORNER, SECTION 25
B (WELL)	5 S	3 W	WM	26	SE NE	6	2383 FEET SOUTH AND 585 FEET WEST FROM NE 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 2.5 acre-feet for each acre irrigated during the irrigation season of each year. 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.

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 to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	3 W	WM	23	SE NW		32.1
5 S	3 W	WM	23	NE SW		37.4
5 S	3 W	WM	23	SE SW	1	12.9
5 S	3 W	WM	23	NW SE		15.0
5 S	3 W	WM	23	SW SE		1.6
5 S	3 W	WM	23	SE SE		10.3
5 S	3 W	WM	25	NE NW	7	1.0
5 S	3 W	WM	25	SW NW	5	0.8
5 S	3 W	WM	26	SW NE	5	0.1
5 S	3 W	WM	26	SE NE	6	15.3
5 S	3 W	WM	26	NE NW	2	0.7
5 S	3 W	WM	26	NE SE	6	1.3

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
5 S	3 W	WM	23	SE SW	1	20.0

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or 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 user 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.

The use of water under this right is subject to the terms and conditions of contract No. 7-07-10-W1140, or a satisfactory replacement, between the Bureau of Reclamation and the water user, a copy of which is on file in the records of the Water Resources Department.

The water user shall maintain and operate fish screening and by-pass devices as required by the Oregon Department of Fish and Wildlife to prevent fish from entering the diversion.

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.

The right to the use of the water for the above purpose is restricted to beneficial use of water without waste on the lands or place of use described. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

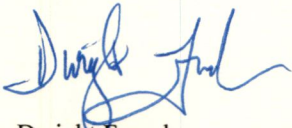
By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

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.

This certificate is issued to describe the right modified by provisions of an order of the Water Resources Director entered MAR 13 2020, and recorded at Special Order Volume 116, Page 212, approving a partial diminution of the right evidenced by Certificate 86398, State Record of Water Right Certificates. This certificate supersedes Certificate 86398.

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.

Issued MAR 13 2020.



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

