

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID F. SETNIKER
PO BOX 338
INDEPENDENCE OR 97351

confirms the right to the use of water perfected under the terms of Permit S-54780. 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-70919

SOURCE OF WATER: HAYDEN SLOUGH, TRIBUTARY OF RICKREALL CREEK MARCH 1 TO JUNE 30 AND OCTOBER 1 TO OCTOBER 31 WITH ANY DEFICIENCY IN THE AVAILABLE SUPPLY TO BE APPROPRIATED FROM THE WILLAMETTE RIVER, TRIBUTARY OF THE COLUMBIA RIVER, FOR THE PERIOD JULY 1 TO SEPTEMBER 30

PURPOSE OR USE: PRIMARY IRRIGATION OF 708.9 ACRES AND SUPPLEMENTAL IRRIGATION OF 60.4 ACRES

MAXIMUM RATE: 8.98 CUBIC FEET PER SECOND

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31 OF EACH YEAR

DATE OF PRIORITY: NOVEMBER 9, 1990

POINTS OF DIVERSION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
8 S	4 W	WM	2	NE NW	59	HAYDEN SLOUGH (ORIGINAL) - 320 FEET SOUTH AND 2000 FEET EAST FROM NW CORNER, SECTION 2
8 S	4 W	WM	1	SE NW		WILLAMETTE RIVER #1 (ORIGINAL) - 1660 FEET SOUTH AND 1400 FEET EAST FROM NW CORNER, SECTION 1
8 S	4 W	WM	22	SW NW	43	WILLAMETTE RIVER #2 (ADDITIONAL) - 1450 FEET SOUTH AND 340 FEET EAST FROM NW CORNER, SECTION 22

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 amount of water used for irrigation under this right, 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 and 2.5 acre-feet for each irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

PRIMARY IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
7 S	4 W	WM	34	NE NE		65	1.0
7 S	4 W	WM	34	SW NE		65	39.9
7 S	4 W	WM	34	SE NE		65	30.8
7 S	4 W	WM	34	SE NW		65	15.7
7 S	4 W	WM	34	SE NW		49	17.3
7 S	4 W	WM	34	NE SW		65	9.1
7 S	4 W	WM	34	NE SW		49	17.5
7 S	4 W	WM	34	NE SW		54	7.4
7 S	4 W	WM	34	SE SW		49	5.1
7 S	4 W	WM	34	SE SW		54	5.4
7 S	4 W	WM	34	NE SE		65	10.6
7 S	4 W	WM	34	NE SE		54	14.5
7 S	4 W	WM	34	NW SE		65	22.4
7 S	4 W	WM	34	NW SE		54	17.8
7 S	4 W	WM	34	SW SE		54	12.5
7 S	4 W	WM	34	SE SE		54	6.8
7 S	4 W	WM	35	NE NW		65	0.6
7 S	4 W	WM	35	NW NW		65	14.3
7 S	4 W	WM	35	SW NW		65	14.6
8 S	4 W	WM	2	NE NW		59	4.2
8 S	4 W	WM	2	NW NW		59	22.1
8 S	4 W	WM	3	NW NW		67	10.1
8 S	4 W	WM	3	SW NW		67	25.4
8 S	4 W	WM	3	NW SW		67	28.8
8 S	4 W	WM	4	NE NE		67	30.7
8 S	4 W	WM	4	NW NE		67	26.6
8 S	4 W	WM	4	SW NE		67	26.1
8 S	4 W	WM	4	SE NE		67	19.9
8 S	4 W	WM	4	NE NW		67	6.2
8 S	4 W	WM	4	NE NW		38	17.9
8 S	4 W	WM	4	NW NW		38	19.1
8 S	4 W	WM	4	SW NW		38	23.2
8 S	4 W	WM	4	SW NW	1		6.2
8 S	4 W	WM	4	SE NW		38	25.2
8 S	4 W	WM	4	SE NW		67	9.7
8 S	4 W	WM	4	SE NW	2		4.7
8 S	4 W	WM	4	NE SW		67	10.6
8 S	4 W	WM	4	NE SW	3		17.5
8 S	4 W	WM	4	NW SW			24.0
8 S	4 W	WM	4	SE SW	4		7.5
8 S	4 W	WM	4	NE SE		67	17.7
8 S	4 W	WM	4	NW SE		67	32.2
8 S	4 W	WM	4	SW SE		67	26.6
8 S	4 W	WM	4	SE SE		67	1.0
8 S	4 W	WM	5	SE NE	5		0.5
8 S	4 W	WM	5	NE SE	6		1.9

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
8 S	4 W	WM	3	NE NE		59	2.5
8 S	4 W	WM	3	NW NE		59	28.5
8 S	4 W	WM	3	NE NW		59	28.2
8 S	4 W	WM	3	NW NW		67	1.2

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

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device approved by the Director in good working order, shall keep a complete record of the amount of water used each month, and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water-use information, including the place and nature of use of water under the right.
- 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.

The water user shall maintain and operate fish screening 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.

This right is for the beneficial use of water without waste. 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.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

Issued SEP 27 2024.

Dwight French
 Water Right Services Division Administrator, for
 Ivan Gall, Director
 Oregon Water Resources Department

