

STATE OF OREGON  
COUNTY OF            MARION

Superseded by  
Cert. No. 45427

## CERTIFICATE OF WATER RIGHT

**This Is To Certify, That**      JOHN FITZSIMMONS

of Rt. 1, Box 129, Brooks, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of two unnamed drainage ditches and Pudding River a tributary of irrigation for the purpose of under Permit No. 20271 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 28, 1951,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.53 cubic foot per second, water to be diverted from drainage ditch when available and any deficiency in the available supply in the South drainage ditch to be made up by diversion from the Pudding River, providing that the total quantity diverted from both sources shall not exceed 1/80th c.f.s. for each acre irrigated,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  as projected within Parker DLC #49 and NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  both as projected within Carey DLC #58, Section 5, Township 6 South, Range 1 West, W.M.

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 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

River & South Ditch

9.5 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Carey DLC #58  
0.8 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Carey DLC #58  
0.4 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Parker DLC #49  
3.2 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Parker DLC #49  
30.4 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Carey DLC #58  
1.2 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Carey DLC #58  
30.0 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Carey DLC #58  
Section 5  
23.2 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected within Carey DLC #58  
11.0 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Carey DLC #58  
2.1 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected within Parker DLC #49  
Section 8

North Ditch

7.2 acres in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected within Carey DLC #58  
0.7 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected within Carey DLC #58  
30.2 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Carey DLC #58  
0.8 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Carey DLC #58  
Section 5

Township 6 South, Range 1 West, W.M.

*The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.*

*WITNESS the signature of the State Engineer, affixed*

*this 20th day of May, 1958.*

LEWIS A. SPANLEY

*State Engineer*

*Recorded in State Record of Water Right Certificates, Volume 17, page 24004*