

SUPERSEDED by 50344

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WILLIAM F. FESSLER

of Route 1, Box 306 A, Silverton , 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 Abiqua Creek

a tributary of Pudding River for the purpose of
irrigation of 74.4 acres

under Permit No. 28850 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 May 27, 1963

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 0.93 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Shepard DLC 38, Section 28, T. 6 S., R. 1 E., W. M. Diversion point located 1830 feet South and 770 feet East from Westerly NW Corner, Shepard DLC 38.

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:

19.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
6.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
25.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
14.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
1.8 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
4.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

all as projected within Shepard DLC 38
Section 28

4.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
as projected within Shepard DLC 38
Section 29
T. 6 S., R. 1 E., 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 date. March 29, 1968

.....CHRIS L. WHEELER

State Engineer

Recorded in State Record, of Water Right Certificates, Volume 26 , page 34699

T-4750