

STATE OF OREGON
COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That LOUIS BERNING 97381
of Route 1, Box 69, Mt. Angel, , 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
Butte Creek

a tributary of Pudding River for the purpose of
irrigation of 15.0 acres

under Permit No. 33116 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 December 28, 1967

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
0.19 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 SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Eastham DLC 63,
Section 36, T. 5 S., R. 1 W., W. M.; 3930 feet North and 20 feet West from SE
Corner Section 36

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:

5.2 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
9.3 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Both as projected within Eastham DLC 63

Section 36

T. 5 S., R. 1 W., 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 28, 1974

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 32 , page 40031