

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN CLARY

of Rt. 1 Box 36, Mt. Angel, State of Oregon, 97362, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Butte Creek

a tributary of Pudding River for the purpose of irrigating 74.90 acres

under Permit No. 28831 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 8, 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 0.43 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 SW 1/4 NE 1/4; NE 1/4 NW 1/4, both projected within Jack DLC 41, Section 8, T. 6 S., R. 1 E., W. M., 2140 feet South and 3680 feet East; 720 feet South and 2080 feet East, Both from the NW Corner of Section 8.

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 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:

- 0.1 acre NW 1/4 NE 1/4
  - 20.5 acres SW 1/4 NE 1/4
  - 8.5 acres NE 1/4 NW 1/4
  - 0.2 acre NW 1/4 NW 1/4
  - 2.0 acres SW 1/4 NW 1/4
  - 32.2 acres SE 1/4 NW 1/4
  - 3.6 acres NE 1/4 SW 1/4
  - 7.8 acres NW 1/4 SE 1/4
- All projected within Jack DLC 41  
Section 8  
T. 6 S., R. 1 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 34698, Volume 26, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on December 24, 1975.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. October 18, 1976

James E. Saxon Water Resources Director