

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN FITZSIMMONS

of Rt. 1, Box 129, Brooks, State of Oregon, 97305, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of two unnamed drainage ditches and Pudding River

a tributary of Willamette River for the purpose of irrigation of 95.1 acres

under Permit No. 20271 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 0.33 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 *

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; 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, T. 6 S., R. 1 W., 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:

* quantity diverted from both sources shall not exceed 1/80th c.f.s. for each acre irrigated,

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River and South Ditch

9.5 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
0.8 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$
Both as projected within Carey DLC 58
0.4 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$
3.2 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Both as projected within Parker DLC 49
23.2 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
1.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
16.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
All as projected within Carey DLC 58
Section 5

1.9 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
As projected within Parker DLC 49
Section 8
T. 6 S., R. 1 W., W. M.

North Ditch

7.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
0.7 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$
30.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
0.8 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
All as projected within Carey DLC 58
Section 5
T. 6 S., R. 1 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 24004, Volume 17, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on November 30, 1977.

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

Canceled Sp. Or Vol. 53 P. 408

SUPERSEDED BY
CERT. NO. 91391

Superseded by
Cert. No. 116023

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. April 12, 1978


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37 , page 45427