

## STATE OF OREGON

COUNTY OF

CLACKAMAS

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** J. FRANK SCHMIDT & SON CO.

of 9500 S.E. 327th Avenue, Boring, State of Oregon, 97009, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of three wells

a tributary of Molalla River for the purpose of irrigation of 193.0 acres and supplemental irrigation of 144.1 acres

under Permit No. G-2921 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 September 3, 1965

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 2.03 cubic feet per second; being 0.78 cfs from Well No. 1, 0.47 cfs from Well No. 3 and 0.78 cfs from Well No. 4

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 $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , both as projected within Marks DLC 37, Section 17, T. 4 S., R. 1 E., W. M.; No. 1 - 3280 feet South and 3410 feet East; No. 3 - 5180 feet South and 2620 feet East; No. 4 - 2860 feet South and 2660 feet East; all from NW Corner of Section 17

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:

SEE NEXT PAGE

PRIMARY

Wells No. 1, No. 3 & No. 4

39.0 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
38.0 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
9.4 acres Lot 6 (SW $\frac{1}{4}$  NW $\frac{1}{4}$ )  
9.6 acres Lot 5 (SE $\frac{1}{4}$  NW $\frac{1}{4}$ )  
24.2 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
32.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
32.0 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
all as projected within Marks DLC 37  
Section 17

8.8 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
as projected within Marks DLC 37  
Section 20  
T. 4 S., R. 1 E., W. M.

SUPPLEMENTAL

Wells No. 3 & No. 4

28.8 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
3.1 acres SE $\frac{1}{4}$  NE $\frac{1}{4}$   
4.5 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
40.0 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
40.0 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
12.6 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
all as projected within Marks DLC 37  
Section 17

3.5 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
11.6 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
both as projected within Marks DLC 37  
Section 20  
T. 4 S., R. 1 E., W. M.

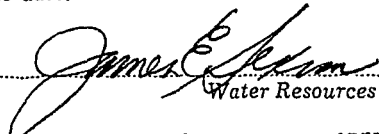
This certificate is issued to confirm a change in point of appropriation of ground water approved by an order of the Water Resources Director entered March 22, 1977 and supersedes certificate of water right recorded on Page 36259, Volume 28, State Record of Water Right Certificates.

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.*

WITNESS the signature of the Water Resources Director, affixed

this date. March 16, 1979

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 40 , page 47579