

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That J. L. MCCARTNEY

of 3830 Silver Falls Dr. N.E., Silverton, State of Oregon 97381, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Davis Creek

a tributary of Abiqua Creek for the purpose of supplemental irrigation of 36.6 acres

under Permit No. 33028 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 October 31, 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 0.46 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 $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, T. 7 S., R. 1 E., W. M., 620 feet North and 390 feet West from SE Corner, Hutton DLC 42.

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:

8.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
20.3 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6
7.5 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 7

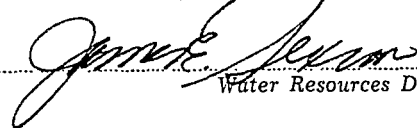
All as projected within Hutton DLC 42
T. 7 S., R. 1 E., W. M.

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered on May 22, 1972 as well as to describe that portion of the water right confirmed by the prior certificate recorded at page 36239, Volume 28, State Record of Water Right Certificates NOT modified by the provisions of the same order. 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, September 13, 1979


Water Resources Director