

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That WILLIAM F. FESSLER

of Route 1, Box 306A, 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 Abiqua Creek

a tributary of Pudding River for the purpose of irrigation of 68.8 acres

under Permit No. 28850 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 27, 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 0.86 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 NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Shepard DLC 38, Section 28, T6S, R1E, WM; 1,830 feet South and 770 feet East from westerly NW Corner, Shepard DLC 38.

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:

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19.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$

6.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

22.9 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

14.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

1.8 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

0.5 acre SE $\frac{1}{4}$ SW $\frac{1}{4}$

All as projected within Shepard DLC 38
Section 28

4.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

As projected within Shepard DLC 38
Section 29

Township 6 South, Range 1 East, WM

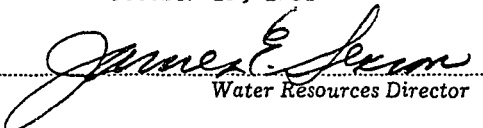
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 34699, Volume 26, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on June 17, 1981, approving Transfer Application 4750.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 19, 1981


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 44 , page 50344