

## STATE OF OREGON

COUNTY OF

BENTON

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** G. FRANK and LUCILE M. BERGER

of Star Route 2, Box 486, Alsea, , State of Oregon 97324 , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Alsea River

a tributary of Pacific Ocean for the purpose of irrigation of 1.1 acres

under Permit No. 35074 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 rights hereby confirmed dates from September 23, 1970

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 0.013 cubic foot per second, if available at the original point of diversion; NW 1/4 SE 1/4, Section 8, T14S, R8W, WM; 1,080 feet South and 2100 feet West from E 1/4 Corner, Section 8

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 1/4 SE 1/4, Section 8, T14S, R8W, WM; 900 feet South and 2,630 feet West from E 1/4 Corner, 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: 1.1 acres NW 1/4 SE 1/4 Section 8 Township 14 South, Range 8 West, WM

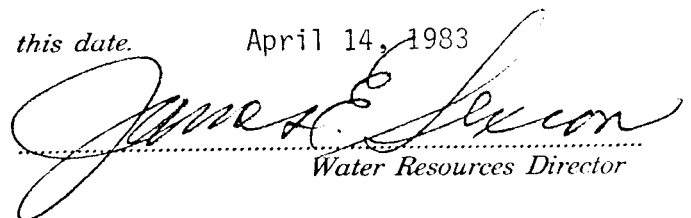
This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered October 26, 1979 and together with certificates of water right recorded at pages 51500 and 51502 , Volume 46 , State Record of Water Right Certificates supersedes certificate of water right recorded at page 42589, Volume 34, State Record of Water Right Certificates.

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. April 14, 1983

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51501