

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This is to certify, That WESLEY AND HELEN J. MALBY

of 9430 54th Avenue NE., Salem, State of OR 97305, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Jones Ditch for the purpose of irrigation of 1.4 acres and containerized nursery use

under Permit No. G-9586 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 August 11, 1977 for 0.04 cfs and April 8, 1982 for 0.03 cfs 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 0.07 cubic foot per second being 0.07 cfs for containerized nursery stock use and 0.02 cfs for irrigation provided the total quantity of water diverted shall not exceed 0.07 cfs

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NE 1/4 NE 1/4, as projected within H. Smith DLC 66, Section 17, T6S, R2W, WM; 190 feet South and 240 feet West from NE corner 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 2.5 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:

0.2 acre NW 1/4 NW 1/4 Section 16

Nursery & 1.2 acres NE 1/4 NE 1/4 Section 17

all as projected within H. Smith DLC 66 Township 6 South, Range 2 West, WM

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. October 27, 1986

/s/ William H. Young Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 55130

6347D/SB G-8365