

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This is to certify, That GEORGE BERGER

of 4447 Marthaler Road NE, Woodburn, State of OR 97071, 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 West Champoeg Creek for the purpose of irrigation of 4.6 acres

under Permit No. G-5577 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 June 29, 1972 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 0.057 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the Lot 5 (NW 1/4 SW 1/4), Section 17, T5S, R2W, WM; 1650 feet North and 200 feet East from the SW 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:

4.6 acres Lot 5 (NW 1/4 SW 1/4) Section 17 Township 5 South, Range 2 West, WM

This certificate is issued to confirm a change in point of appropriation approved by an order of the Water Resources Director entered November 23, 1981, and together with certificate of water right recorded at page 50518, Volume 33, State Record of Water Right Certificates, supersedes certificate 46223.

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.

WITNESS the signature of the Water Resources Director, affixed

this date. January 30, 1987

/s/ William H. Young Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 55538

8183D/SB T-4905