

STATE OF OREGON

COUNTY OF

CLACKAMAS

CERTIFICATE OF WATER RIGHT

This is to certify, That ROBERT F. AND MARTHA J. FESSLER

of 11796 Monitor-McKee Rd. 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 Butte Creek

a tributary of Pudding River for the purpose of irrigation of 13.2 acres and supplemental irrigation of 29.8 acres

under Permit No. 43511 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 29, 1978 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 0.54 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 1/4 SW 1/4, Section 5, T6S, R1E, WM; 90 feet South and 1970 feet West from Center 1/4 corner Section 5.

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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, provided further that although declared herein to be for supplemental irrigation the right allowed may, in\* 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:

<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
4.4 acres SW 1/4 NE 1/4	29.8 acres SW 1/4 NE 1/4
1.9 acres Lot 3 (NE 1/4 NW 1/4)	
5.7 acres Lot 4 (NW 1/4 NW 1/4)	
1.2 acres NW 1/4 SE 1/4	
Section 5	
Township 6 South, Range 1 East, WM	

\*the interest of conserving the ground water supplies, be exercised at times when water is available in the ground water supply provided that the total quantity diverted from all sources of supply does not exceed the limitation allowed herein,

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 minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date. March 6, 1987

/s/ William H. Young Water Resources Director