

STATE OF OREGON  
COUNTY OF MARION  
CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that

KENNETH D. AND BARBARA POWELL,  
of 17515 S. ABIQUA ROAD, SILVERTON, OREGON 97381, has a right to the  
use of the waters of ABIQUA CREEK, TRIBUTARY OF PUDDING RIVER for the  
purpose of IRRIGATION OF 1.0 ACRE.

The right has been perfected under Permit 12647. The date  
of priority is FEBRUARY 19, 1937. The right is limited to not more  
than 0.01 CUBIC FOOT PER SECOND or its equivalent in case of rotation,  
measured at the point of diversion from the source.  
The point of diversion is located as follows:

NW1/4 SW1/4, AS PROJECTED WITHIN ANDREW J.  
SHEPARD DLC 38, SECTION 28, T6S, R1E, WM; BEING 520 FEET SOUTH & 380  
FEET EAST FROM THE E1/4 CORNER SECTION 29.

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.

The right 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, and to  
which such right is appurtenant, is as follows:

1.0 ACRE NW1/4 SW1/4  
AS PROJECTED WITHIN ANDREW J. SHEPARD DLC 38  
SECTION 28  
TOWNSHIP 6 SOUTH, RANGE 1 EAST, WM

The right to the use of the water for the above purpose is restricted  
to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in point of diversion  
approved by an order of the Water Resources Director entered June 19,  
1978, and together with certificate 46237, State Record of Water Right  
Certificates, supersedes certificate 19432.

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 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 May 10, 1988.

/s/ William H. Young  
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57204

T-3909