

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MARSHALL O. BUTLER
11351 CORVALLIS ROAD
INDEPENDENCE, OREGON 97351

confirms the right to use the waters of LUCKIAMUTE RIVER, CANYON CREEK, AN UNNAMED SPRING, AND RESERVOIRS A & B CONSTRUCTED UNDER PERMIT R-6415, tributaries of WILLAMETTE RIVER, for the purpose of IRRIGATING 65.7 ACRES.

The right has been perfected under Permit 40286. The date of priority is FEBRUARY 4, 1975. The right is limited to not more than 0.46 CUBIC FOOT PER SECOND; BEING 0.45 CFS FOR IRRIGATION FROM LUCKIAMUTE RIVER, 0.005 CFS FROM THE UNNAMED SPRING AND RESERVOIR A AND 0.005 CFS FROM CANYON CREEK AND RESERVOIR B FOR STOCK or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 3 (NE 1/4 NW 1/4), LOT 2 (NW 1/4 NW 1/4), LOT 4 (SE 1/4 NW 1/4), SECTION 28, T 9 S, R 4 W, W.M.; UNNAMED SPRING AND RESERVOIR A - 940 FEET SOUTH & 1780 FEET EAST, CANYON CREEK AND RESERVOIR B - 930 FEET SOUTH & 1340 FEET EAST, LUCKIAMUTE RIVER - 1640 FEET SOUTH & 1350 FEET EAST ALL FROM NW CORNER SECTION 28.

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 from direct flow 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:

SW 1/4 SW 1/4 21.2 ACRES
SE 1/4 SW 1/4 11.2 ACRES
BOTH AS PROJECTED WITHIN DLC 51
SECTION 21

LOT 3 (NE 1/4 NW 1/4) 14.0 ACRES AND STOCK
LOT 2 (NW 1/4 NW 1/4) 16.7 ACRES AND STOCK
LOT 4 (SE 1/4 NW 1/4) 2.6 ACRES
SECTION 28
TOWNSHIP 9 SOUTH, RANGE 4 WEST, W.M.

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. 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 NOVEMBER 23, 1988.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 58358

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