

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SAM OBERG
4930 KINGS VALLEY HIGHWAY
DALLAS, OREGON 97338

confirms the right to use the waters of FERN CREEK AND OBERG FLASHBOARD DAM RESERVOIR CONSTRUCTED UNDER PERMIT R-5787, a tributary of LITTLE LUCKIAMUTE RIVER, for the purpose of IRRIGATING 50.2 ACRES.

The right has been perfected under Permit 35828. The date of priority is MARCH 3, 1972. The right is limited to not more than 0.45 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:

SW 1/4 NW 1/4, SECTION 19, T 8 S, R 5 W, W.M.; 670 FEET NORTH AND 800 FEET EAST FROM W 1/4 CORNER SECTION 19.

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 from direct and storage from reservoir constructed under Permit R-5787.

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:

SEE NEXT PAGE

SE 1/4 SW 1/4 9.7 ACRES
AS PROJECTED WITHIN DLC 72
SECTION 18

NE 1/4 NW 1/4 6.2 ACRES
AS PROJECTED WITHIN DLC 72
NE 1/4 NW 1/4 7.4 ACRES
NW 1/4 NW 1/4 4.9 ACRES
SW 1/4 NW 1/4 13.9 ACRES
SE 1/4 NW 1/4 8.1 ACRES
ALL AS PROJECTED WITHIN DLC 52
SECTION 19
TOWNSHIP 8 SOUTH, RANGE 5 WEST, W.M.

This certificate is issued so as to correctly describe the POINT OF DIVERSION AND PLACE OF USE and supersedes certificate 46723, State record of Water Right Certificates.

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 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 MARCH 23, 1989.

/s/ WILLIAM T. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 60549