

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALBERT E. AND DOROTHY M. SCHARER
JOSEPH H. EDER ET. ALS.
ROUTE 2, BOX 172
SILVERTON, OREGON 97381

SUPERSEDED BY
CERT. NO. 90271

confirms the right to use the waters of A Well, a tributary of the Pudding River, for the supplemental irrigation of 145.55 acres.

This right was perfected under Permit G-4219. The date of priority is July 3, 1968. The use is limited to 0.8 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:

SE 1/4 NE 1/4, as projected within Smith DLC 42, Section 30, Township 6 South, Range 1 West, WM; 1710 feet South and 600 feet East from NE Corner, Russell DLC 41.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 2½ 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 conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 NW 1/4 19.3 acres
NW 1/4 SW 1/4 20.2 acres
Both as projected within Smith DLC 42
Section 29
Township 6 South, Range 1 West, WM
SW 1/4 NE 1/4 27.8 acres
SE 1/4 NE 1/4 6.9 acres
Both as projected within Russell DLC 41
SE 1/4 NE 1/4 22.5 acres
As projected within Smith DLC 42
SE 1/4 NW 1/4 0.8 acre
NE 1/4 SW 1/4 4.9 acres
NE 1/4 SE 1/4 2.1 acres
All as projected within Russell DLC 41
NE 1/4 SE 1/4 21.75 acres
As projected within Smith DLC 42
NW 1/4 SE 1/4 19.3 acres
As projected within Russell DLC 41
Section 30
Township 6 South, Range 1 West, WM

This certificate describes that portion of the water right confirmed by the prior Certificate 40446, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered July 19, 1996.

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 aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed July 19, 1996.

/s/ Martha O. Pagel
Martha O. Pagel
Water Resources Director

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