

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EDER BROTHERS INC.
11690 HOOK ROAD NE
MT. ANGEL, OREGON 97362

SUPERSEDED BY
CERT. NO. **90270**

confirms the right to use the waters of A WELL in the PUDDING RIVER BASIN for IRRIGATION OF 145.55 ACRES.

This right was perfected under Permit G-6667. The date of priority is JULY 1, 1974. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.64 CUBIC FOOT PER SECOND (IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION BEING LOCATED WITHIN THE SW 1/4 NE 1/4, AS PROJECTED WITHIN W. RUSSELL DLC 41, SECTION 30, TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.; 1870 FEET SOUTH AND 1460 FEET WEST FROM THE NE CORNER OF W. RUSSELL DLC 41), or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 NE 1/4, AS PROJECTED WITHIN SMITH DLC 42, SECTION 30, TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.; 1710 FEET SOUTH AND 600 FEET EAST FROM THE NE CORNER OF W. 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 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 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

SE 1/4 NE 1/4 22.5 ACRES
NE 1/4 SE 1/4 21.75 ACRES
BOTH AS PROJECTED WITHIN SMITH DLC 42
SW 1/4 NE 1/4 27.8 ACRES
SE 1/4 NE 1/4 6.9 ACRES
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
NW 1/4 SE 1/4 19.3 ACRES
ALL AS PROJECTED WITHIN RUSSELL DLC 41
SECTION 30
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.


The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered FEBRUARY 18, 1998, and supersedes Certificate 56381, 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 without waste on the lands or place of use described.

Issued FEBRUARY 19, 2004.


Paul R. Cleary, Director
Water Resources Department

Recorded in State Record of Water Right Certificates Number 80586.