

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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

confirms the right to use the waters of PUDDING RIVER, a tributary of MOLALLA RIVER, for IRRIGATION OF 125.0 ACRES.

This right was perfected under Permit 50736. The date of priority is APRIL 16, 1986. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.56 CUBIC FEET 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 NW 1/4, AS PROJECTED WITHIN E COX DLC 43, SECTION 29,  
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.; 200 FEET NORTH AND 830 FEET  
EAST FROM THE SW CORNER OF DLC 43.

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.

The use 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 18.3 ACRES  
NE 1/4 SW 1/4 0.2 ACRE  
NW 1/4 SW 1/4 3.0 ACRES  
ALL AS PROJECTED WITHIN D. SMITH DLC 42  
SECTION 29  
TOWNSHIP 6 SOUTH, RANGE 1 WEST, W.M.

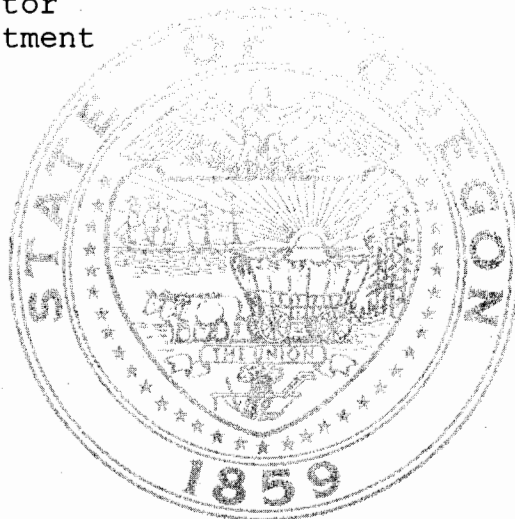
This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

SE 1/4 NE 1/4 22.3 ACRES  
NE 1/4 SE 1/4 19.4 ACRES  
BOTH AS PROJECTED WITHIN D. SMITH DLC 42  
SE 1/4 NE 1/4 6.9 ACRES  
SW 1/4 NE 1/4 27.8 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 W. RUSSELL DLC 41  
SECTION 30  
TOWNSHIP 6 SOUTH, RANGE 1 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 use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued FEBRUARY 19, 2004.

  
Paul G. Cleary, Director  
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80591.