

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Franz Neff
17769 Mt. Angel-Scotts Mills Rd. NE
Silverton, Oregon 97381

confirms the right to use the waters of Butte Creek, a tributary of Pudding River, for IRRIGATION of 35.2 acres.

This right was perfected under Permit S-27454. The date of priority is June 29, 1961. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.44 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within M. Whitlock DLC 39, Section 16, T6S, R1E, W.M.; 925 feet South and 650 feet West from the N $\frac{1}{4}$ corner of Section 16.

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, and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ 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:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 14.0 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 14.2 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.5 acre
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 6.5 acres

SECTION 16

TOWNSHIP 6 SOUTH, RANGE 1 EAST, W.M.

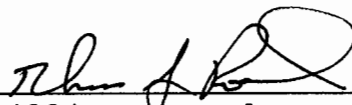
This certificate describes that portion of the water right confirmed by Certificate 33326 , State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 21 2004 , approving Transfer Application 7211.

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.

WITNESS the signature of the Water Resources Director,

affixed July 21, 2004 .


For _____
Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80762.