

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DANIEL AND BERNADETTE HAMMELMAN
14477 DOMINIC RD NE
MT. ANGEL, OREGON 97362

confirms the right to use the waters of BUTTE CREEK, a tributary of
PUDDING RIVER, for IRRIGATION OF 15.0 ACRES.

This right was perfected under Permit 33116. The date of priority is
DECEMBER 28, 1967. The amount of water to which this right is
entitled is limited to an amount actually beneficially used and shall
not exceed 0.19 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 EASTHAM DLC 63, SECTION 36,
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.; 3930 FEET NORTH AND 20 FEET
WEST FROM THE SE CORNER OF SECTION 36.

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:

NE 1/4 SW 1/4 5.7 ACRES
SE 1/4 SW 1/4 9.3 ACRES
1859
BOTH AS PROJECTED WITHIN EASTHAM DLC 63
SECTION 36
TOWNSHIP 5 SOUTH, RANGE 1 WEST, W.M.

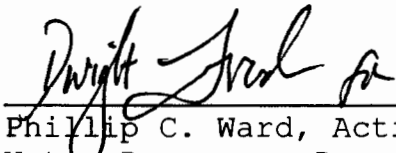
This is a final order in other than contested case. This order is
subject to judicial review under ORS 183.484. Any petition for
judicial review of the order must be filed within the 60 days of
the date of service.

THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE NUMBER OF ACRES AND SUPERSEDES CERTIFICATE 40031.

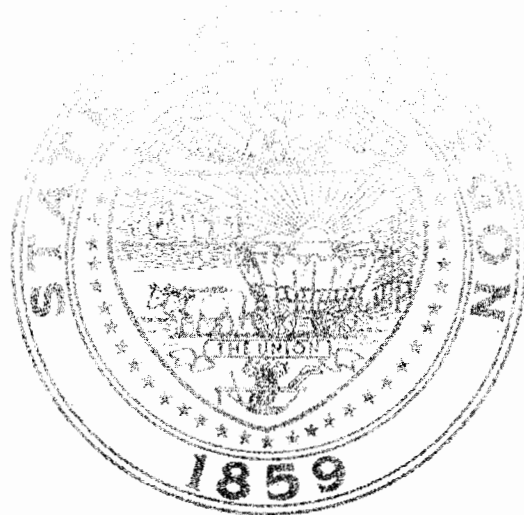
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 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 July 22, 2004.



Phillip C. Ward, Acting Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80787.

44355.SB