

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EDER BROTHERS INC.
11690 HOOK RD NE
MOUNT ANGEL OR 97362

confirms the right to use the waters of ABIQUA CREEK, tributary to PUDDING RIVER for IRRIGATION of 4.4 ACRES.

This right was perfected under Permit 28621. The date of priority is FEBRUARY 14, 1963. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.04 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:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	1 W	WM	20	SW NE	55	3100 FEET NORTH & 3900 FEET EAST FROM SW CORNER, SECTION 20

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 2.5 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:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	1 W	WM	20	SW NE	55	0.3
6 S	1 W	WM	20	SE NE		4.1

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	1 W	WM	24	SW NW	50	WALKER DITCH - 1780 FEET SOUTH & 4630 FEET WEST FROM NE CORNER, SECTION 24

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This water right shall be regulated with other rights to the use of water from Abiqua Creek.

This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered August 11, 1995, at Special Order Volume 49, Page 269, approving Transfer Application 6598, and supersedes a portion of Certificate 36097, State record of Water Right Certificates.

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.

Issued JUL 13 2012


Dwight W. French
Water Right Services Administrator, for
Phillip C. Ward, Director