

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS R. FESSLER; FESSLER FAMILY LLC  
 12096 MONITOR MCKEE RD  
 WOODBURN OR 97071

confirms the right to use the waters of FOUR WELLS, within the PUDDING RIVER BASIN, for IRRIGATION of 35.3 ACRES.

This right was perfected under Permit G-5214. The date of priority is JANUARY 12, 1973. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.45 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 S	1 W	WM	21	SE SE	FESSLER WELL 1 - 630 FEET NORTH AND 1000 FEET WEST FROM SW CORNER, SECTION 22
5 S	1 W	WM	22	SW SW	FESSLER WELL 2 - 550 FEET NORTH AND 1290 FEET EAST FROM SW CORNER, SECTION 22
5 S	1 W	WM	22	SW SW	FESSLER WELL 3 - 20 FEET NORTH AND 460 FEET EAST FROM SW CORNER, SECTION 22
5 S	1 W	WM	22	SW SW	LICHTE WELL 1 - 1040 FEET NORTH AND 20 FEET EAST FROM SW CORNER, SECTION 22

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	1 W	WM	21	SE SE	19.0
5 S	1 W	WM	22	SW SW	16.3

Water shall be acquired from the same aquifer as the original point of appropriation.

The quantity of water diverted at the new points of appropriation (wells), together with that diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available from the original point of appropriation; being Lichte Well 1.

**NOTICE OF RIGHT TO PETITION FOR 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 an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

This certificate is issued to confirm changes in PLACE OF USE AND ADDITIONAL POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered JUNE 6, 2005, at Special Order Volume 64, Page 582, approving Transfer Application 6992, together with Certificate 81457, supercedes Certificate 44869, State record of Water Right Certificates.

Issued           MAY 09 2014          .

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