

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FESSLER FAMILY LLC
13009 MCKEE SCHOOL RD
WOODBURN OR 97071

confirms the right to use the waters of SIX WELLS within the UNNAMED TRIBUTARY (LABISH DITCH) BASIN for IRRIGATION of 135.1 ACRES.

This right was perfected under Permit G-2020. The date of priority is DECEMBER 20, 1961.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.69 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO NO MORE THAN 1.06 CFS FROM WELL 3 (MARI 3890), 1.69 CFS FROM WELL 2 (MARI 3898) AND 1.69 CFS FROM WELL 4 (MARI 3905), OR IN ANY COMBINATION NOT TO TOTAL MORE THAN 1.69 CFS, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
6 S	2 W	WM	10	SE NW	97	WELL 5 - MARI 3908 (ADDITIONAL) - 3150 FEET NORTH AND 4730 FEET EAST FROM SW CORNER, DLC 60
6 S	2 W	WM	9	SE NE	60	WELL 2 - MARI 3898 (ADDITIONAL) - 3475 FEET NORTH AND 1545 FEET EAST FROM SW CORNER, DLC 60
6 S	2 W	WM	9	NW SE	60	WELL 3 - MARI 3890 (ADDITIONAL) - 2025 FEET NORTH AND 205 FEET EAST FROM SW CORNER, DLC 60
6 S	2 W	WM	9	SE SE	60	WELL 4 - MARI 3905 (ORIGINAL) - 760 FEET NORTH AND 2470 FEET EAST FROM SW CORNER, DLC 60
6 S	2 W	WM	10	SW SE		WELL 1 - MARI 3926 (ADDITIONAL) - 1020 FEET NORTH AND 6170 FEET EAST FROM SW CORNER, DLC 60
6 S	2 W	WM	10	SE SW	60	WELL 6 - MARI 66706 (ADDITIONAL) - 640 FEET NORTH AND 4880 FEET EAST FROM SW CORNER, DLC 60

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.

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.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
6 S	2 W	WM	9	SW NE	60	0.2
6 S	2 W	WM	9	SE NE	60	6.6
6 S	2 W	WM	9	NE SE	60	39.9
6 S	2 W	WM	9	NW SE	60	9.4
6 S	2 W	WM	9	SW SE	60	1.5
6 S	2 W	WM	9	SE SE	60	13.7
6 S	2 W	WM	10	SW NW	60	0.2
6 S	2 W	WM	10	NW SW	60	1.0
6 S	2 W	WM	10	SW SW	60	35.1
6 S	2 W	WM	10	SE SW	60	27.5

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of appropriation (new and existing).
- B. The water user shall allow the Watermaster access to the meter(s) or measuring device(s); provided however, where the meter(s) or measuring device(s) are located within a private structure, the Watermaster shall request access upon reasonable notice.

The quantity of water diverted at the additional points of appropriation (wells), together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

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.

This certificate is issued to confirm ADDITIONAL POINTS OF APPROPRIATION approved by an order of the Water Resources Director entered APRIL 26, 2016, at Special Order Volume 100, Page 319, approving Transfer Application T-12078, supersedes Certificate 89431, State Record of Water Right Certificates.

Issued MAR 27 2026.



Katherine Ratcliffe
 Water Right Services Division Administrator, for
 Ivan Gall, Director
 Oregon Water Resources Department