

J3

RESOLUTION NO. 2234

WHEREAS, the City of Albany owns a 6.8 acre parcel of undeveloped property which is part of Bryant Park, more specifically designated as Tax Lot 500 County Assessor Map 114W12; and

WHEREAS, the City of Albany owns a water right for a well on the aforementioned property described as follows:

Acreage: 6.8 acres
Volume: 26
Page: 34578

WHEREAS, the City of Albany and private citizen farming the land desire to apply for a primary water right to pump water from the Willamette River to irrigate the property; and

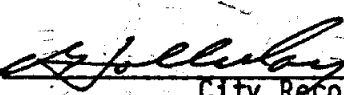
WHEREAS, the State of Oregon requires the City to formally abandon the existing water right before a new water right can be issued.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Albany, Oregon, that it does hereby agree to abandon the existing water right for the well on the aforementioned property subject to the approval of a new water right to pump water from the Willamette River and to authorize the City Manager to execute this application for a new water right on behalf of the City.

DATED THIS 28TH DAY OF JANUARY, 1981.



Mayor

ATTEST:


City Recorder

J3

STATE OF OREGON
 COUNTY OF LINN
 CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOEL D. or DOROTHY B. FOSDICK

of 1227 South Lafayette Street, Albany, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Fosdick's Sump

a tributary of Willamette River (Columbia River) for the purpose of irrigation of 6.8 acres

under Permit No. G-2482 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 15, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.09 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Montieth DLC 55, Section 1, T. 11 S., R. 4 W., W. M. Well located 2850 feet North and 1230 feet East from the SE Corner, Gordon DLC 54.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be 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 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

6.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
 as projected within Montieth DLC 55
 Section 1
 T. 11 S., R. 4 W., W. M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. January 31, 1968

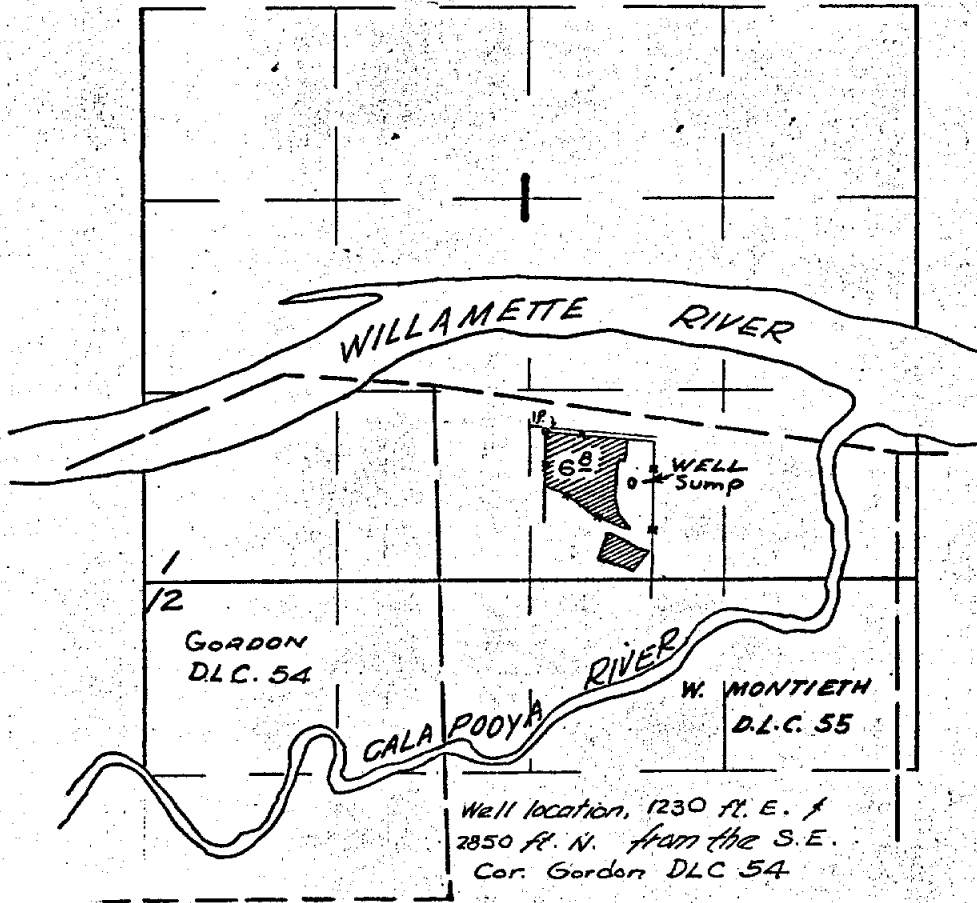
CURYS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 26, page 34578

41

T.11S. R.4W. W.M.



FINAL PROOF SURVEY
UNDER

Application No. G-2616 Permit No. G-2482
IN NAME OF

JOEL D. or DOROTHY B. FOSDICK

Surveyed July 6, 1966, by V. GARNER