

STATE OF OREGON  
COUNTY OF LINN  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify,** That F. E. PESHECK

of Route 1, Tangent, 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 Calapooia River a tributary of Willamette River for the purpose of irrigation under Permit No. 13291 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 September 15, 1938

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 0.48 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 $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 19, Township 12 South, Range 3 West, W. M.

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-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion at the stream of not to exceed one acre foot per acre for each acre irrigated during any 30-day period and shall be limited still further to a diversion at the stream 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:

1.2 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected on D.L.C. 45  
1.6 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected on D.L.C. 45  
4.8 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected on D.L.C. 45  
2.0 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected on D.L.C. 46  
9.6 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , as projected on D.L.C. 45  
Section 19,  
T. 12 S., R. 3 W., W. M.

Land on which water is to be used is a part of the property more explicitly described by appropriator as follows: Beginning in the center of the Oregon and California Railroad tract at a point 43.33 chains south of the point where the north boundary line of the D.L.C. of James B. Morgan, Not. No. 2114 in T. 12 S., R. 3 and 4 W., of the W. M., crosses said R. R. tract; thence east 30.80 chains in the center of the county road from Tangent to Shedd at an iron Journal 1 $\frac{1}{2}$ x13 inches; thence south 28° 45' east 80 links to an iron bolt 3/4 x 30 inches; thence east 7.30 chains to the east line of said Morgan claim; thence south 19.85 chains to the southeast corner thereof; thence west 22.56 chains to the southwest corner of the ell of said claim, thence north 4.33 chains to an interior corner of said Morgan Claim; thence west 15.40 chains to the center of said Railroad tract; thence north 16.54 chains to the place of beginning, EXCEPT the right of way of said R. R. of 30 feet off west side of same. ALSO Beginning at the northeast corner of Not. No. 2026, Claim No. 46 T. 12 S., R. 3 W., of the W. M., running from thence south on the east boundary of Claim No. 46, 13.70 chains to the center of the Calapooia Creek; thence north 87 $\frac{1}{2}$  west 4.50 chains; thence north 15 $\frac{1}{2}$ ° east 5.00 chains; thence north 53°40' west 4.50 chains; thence north 75° west 4.00 chains; thence south 49 $\frac{1}{2}$ ° west 3.00 chains;

thence south 30° west 3 chains; thence south 9½° west 2.80 chains; thence north 63¾° west 6.50 chains; thence north 24 ¾° east 4.50 chains; thence north 14¼° west 4.90 chains to the center of Galapoola Creek; thence east 20.35 chains to the place of beginning. EXCEPTING therefrom the right of way of the Southern Pacific Railroad Company and fifty feet additional in width, on each side of and parallel with said right of way through said premises.

*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 15th day of July, 1948.

CHAS. E. STRICKLIN

State Engineer