

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That FRANK PICKENS

of Route 1, Brooks, 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 Howell Prairie Creek and Reservoir constructed under Permit No. R-765 a tributary of Pudding River for the purpose of irrigation under Permit No. 15829 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 June 17, 1944

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 0.34 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 SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7 and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, Township 6 South, Range 1 West, W. M., as projected on David T. Sewell D.L.C. 48

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 from direct flow 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 from direct flow and storage from reservoir constructed under Permit No. R-765,

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:

0.4 acre in Lot 6 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
 2.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected on David T. Sewell D.L.C. 48
 6.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected on David T. Sewell D.L.C. 48
 Section 7,
 3.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on David T. Sewell D.L.C. 48
 7.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on David T. Sewell D.L.C. 48
 8.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on David T. Sewell D.L.C. 48
 Section 18,
 Township 6 South, Range 1 West, W. M.

Land on which water is to be used is a part of that more explicitly described by appropriator as follows:

Situated and being in the County of Marion and State of Oregon, to-wit: Beginning at the South East (S.E.) Corner of Section Seven (7) in Township Six (6) South of Range One (1) West of the Willamette Meridian; thence North 16.50 chains to the center of Howell Prairie Creek; thence up the center of said Creek to its intersection with the line of the South boundary of said Section Seven (7); thence West on said Section line 18.62 chains; thence South 8.00 chains to the line dividing the north half of said claim, from the South half thereof; thence East 51.54 chains to the East boundary of Section Eighteen (18) in said Township Six (6) thence North 8.00 chains to the place of beginning and containing Seventy (70) acres more or less, said premises being a part of the Donation Land Claim of Daniel T. Sewell and wife. Said above described premises is hereby conveyed subject to a certain Mortgage of \$600 executed to Mr. Daws of Silverton, Oregon.

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 1st day of March, 19 49.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 15636