

SUPERSEDED 48210
CERTIFICATE NO. 48211Superseded by
Cert. No. 43623

STATE OF OREGON

COUNTY OF YAMHILL

Sp. Or. V. 26, p. 220
(7-3316)

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN MAGEE

of Route 2, McMinnville, 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 Baker Creek a tributary of Yamhill River for the purpose of irrigation under Permit No. 17115 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 25, 1946

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 0.75 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 $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Wm. Dawson D.L.C. No. 43, Section 13, Township 4 South, Range 5 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-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:

- 2.3 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Wm. Dawson D.L.C. No. 43
- 2.8 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Wm. Dawson D.L.C. No. 43
- 14.3 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Wm. Dawson D.L.C. No. 43
- 31.7 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Wm. Dawson D.L.C. No. 43
- 4.3 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Wm. Dawson D.L.C. No. 43
- Section 13
- 4.6 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Wm. Dawson D.L.C. No. 43
- Section 14

T. 4 S., R. 5 W., W. M.

Land on which water is to be used is a part of the property more explicitly described by the appropriator as follows: A part of the Donation Land Claim of William Dawson and wife, Claim No. 43, Notification No. 2222, in Township 4 South of Range 5 West of the Willamette Meridian, in said Yamhill County, Oregon, said part being bounded as follows: Beginning at a point in the county road 4.60 chains North 85 $\frac{1}{4}$ ° West of the corner of Sections 11, 12, 13 and 14 in said Township and Range in said county, at a stone 8x10x20 inches, marked C.S. 73 C for corner of "Campbell" this tract and "J. G. Wisecarver" this tract of land; thence South (Var. 20° 30' East) 57 chains to stone on south line of said D. L. C., and southeast corner of "William Campbell" land; thence East on South line of said D. L. C. 27.80 chains to stake marked C. S. 73 C.B.T.; thence North 58.66 chains to county road, set three stones 5 by 6 by 9 inches in center of road for corner; thence North 88-3/4° West 10.57 chains to a stone in center of road; thence South 89° West 14.25 chains to stone at old gate post; thence South 83° West 3 chains to place of beginning, containing 160 acres, more or less, and being the premises sold and conveyed to Charles S. Magee and Ella B. Magee, husband and wife, by deed dated September 28, 1907, said deed being recorded in Book 52, page 84, deed records, Yamhill County, Oregon, and being the premises owned by said Charles S. Magee at the date of his death.

Excepting 31/100 acres deeded to Yamhill County by C. S. Magee on May 16, 1929, said deed being recorded in Vol. 101, page 132, deed records, Yamhill County, 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 30th day of January, 19 50.*

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 14, page 16819