

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

This Is to Certify, That HAROLD S. FAIRBROTHER

of Willamina, 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 Agency Creek and an unnamed stream a tributary of S. Yamhill River for the purpose of irrigation under Permit No. 14171 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 January 16, 1940

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 0.37 cubic foot per second, being 0.36 cubic foot per second from Agency Creek and 0.01 cubic foot per second from an unnamed stream,

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 $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$. Section 36, Township 5 South, Range 8 West, and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, Township 6 South, Range 8 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:

1.2 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
24.6 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 36
T. 5 S., R. 8 W., W. M.

3.6 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 1
T. 6 S., R. 8 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: The West Half of the Southeast Quarter of the Southeast Quarter of Section 36, in Township 5 South, Range 8 West of the Willamette Meridian, in Yamhill County, Oregon, and containing 20 acres. ALSO the following: The Southwest Quarter of the Southeast Quarter and the East Half of the Southeast Quarter of the Southwest Quarter of Section 36, Township 5 South, Range 8 West of the Willamette Meridian, in Yamhill County, Oregon. ALSO Tracts 2 and 8 of Section 1, Township 6 South, Range 8 West of the Willamette Meridian in Yamhill County, Oregon. Excepting therefrom tract conveyed to School District #91 by Deed recorded in Book 66, Page 56, Records of Yamhill County, Oregon, and Tract conveyed to Arch-Diocese of Oregon City by Deed recorded in Book 96, Page 27, Records of Yamhill County, Oregon. Also Excepting therefrom that part conveyed by John L. Fairbrother and wife to Ernest Gaston and wife by deed recorded November 9, 1944, in Book 125, Page 628, Deed Records. Also Excepting the tract conveyed by John L. Fairbrother and wife to George Bohn and wife by Deed recorded December 5, 1940, in Book 117, Page 280, Deed Records.

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, 1950.

.....CHAS. E. STRICKLIN.....
State Engineer

Recorded in State Record of Water Right Certificates, Volume 14, page 16851