

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That . ALBERT DIEHL

of Route 1, Mt. Angel, 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 Abiqua Creek a tributary of Pudding River for the purpose of irrigation under Permit No. 15866 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 July 20, 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 0.60 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 $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Thos. B. Allen D.L.C., Section 23, and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 6 South, Range 1 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:

2.0 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on Thos. B. Allen D.L.C. Section 22

6.2 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Thos. B. Allen D.L.C.

27.8 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Thos. B. Allen D.L.C.

8.4 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Thos. B. Allen D.L.C.

3.4 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Thos. B. Allen D.L.C. Section 23

T. 6 S., R. 1 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: Beginning at a stone in the North East corner of a tract of land conveyed to Anton Gilles by L. J. Adams on the 2nd day of August 1909 which deed is recorded on Page 499 in Vol. 107 of the Marion County, Oregon records; thence S. 40' West 21.142 chains to a stone; thence West 9.46 chains to an iron pipe; thence N. 40' East 21.142 chains to an iron pipe; thence East along the North line of Sections 22 and 23, 9.46 chains to the point of beginning, containing 20.00 acres of land, more or less, in Sections 22 and 23 in Township 6 South of Range 1 West of the Willamette Meridian, in Marion County, Oregon. The West seventy acres of the following described tract, to wit: Beginning at the Northeast corner of the T. B. Allen D. L. C. in T. 6 S., R. 1 W., of the W.M., Marion County, Ore. thence South 4° and 38' West along the W. line of the Samuel Allen D.L.C. 35.361 chains to an iron bar in the Abiqua Creek; thence S. 89° and 11' W. 37.323 chains to an iron rod; thence North 11' West 1.50 chains to an iron rod; thence S. 89° and 11' West 7.00 chains to an iron bar; thence N. 11' west 34.13 chains to a stone in the North line of the T. B. Allen D.L.C. thence N. 89° and 56' E. along said N. line 34.965 chains to the quarter section corner between Section 14 and 23; thence North 88° and 58' E. 12.31 chains to a stone in the point of beginning, containing 160.83 acre of land, part of the T. B. Allen D.L.C. in the N. half of Section 23 in T. 6 S.,

R. I W., of the W.M., Marion County, Oregon. The above land and premises described by metes and bounds is the same land and premises as that intended to be conveyed in the deed from Oliver Grace and Esther A. Grace, his wife to William Brodie, recorded in the records of Marion County, Oregon, Book of Deeds 52 at page 282 thereof, and also in the deed from William Brodie and wife to Jacob Reidhaar, recorded in records of Marion County, Oregon, Book of Deeds 79 at page 278 and also in the deed from Jacob Reidhaar and wife to Engelbert Gier, recorded in Records of Marion County, Oregon in Book of Deeds, 98 at page 235, and in the deed of Engelbert Gier, a widower, to Andrew Schaffer and Kati Schaffer, husband and wife recorded in the records of Marion County, Oregon, in book of deed 106, at page 211.

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 11, page 16890