

STATE OF OREGON
COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **ELMER BICE**

of Route 1, Box 36, Rickreall, 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 Rickreall Creek a tributary of Willamette River for the purpose of irrigation under Permit No. 16165 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 31, 1945

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 0.267 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 NE 1/4 NW 1/4, as projected on Elisha McDaniel D.L.C. No. 48, Section 33, Township 7 South, Range 4 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 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:

- 1.4 acres in the SE 1/4 SW 1/4, as projected on Elisha McDaniel D.L.C. No. 48 Section 28
- 19.8 acres in the NE 1/4 NW 1/4, as projected on Elisha McDaniel D.L.C. No. 48 Section 33 T. 7 S., R. 4 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 point in the Salem-Dallas road, which is West 19.88 chains and North 1.15 chains from the Northeast corner of the Elisha McDaniels Donation Land Claim; thence running North 80° 24' West 13.31 chains; thence running South 1° East 6.00 chains; thence South 16° 15' East 3.41 chains thence North 86° East 2.40 chains; thence North 2° East 3.60 chains; thence North 47° 30' East 4.00 chains; thence North 86° East 1.96 chains, thence South 1° East 6.06 chains; thence South 4° West 3.03 chains; thence South 38° East 2.06 chains; thence North 86° East 3.03 chains; thence North 78° 15' East 1.37 chains; thence North 7° West 4.17 chains; thence North 72° East 1.96 chains; thence South 51° 45' East 4.51 chains; thence South 54° 30' East 1.00 chains thence North 30° 30' East 250 chains; thence North 28° West 1.96 chains; thence North 44° West 4.10 chains; thence North 9° West 1.26 chains; thence North 66° West 1.90 chains; thence North 50° West 4.00 chains; thence South 80° 30' West 1.80 chains to the place of beginning, situate in Polk County, State of Oregon, and containing 17.18 acres of land, more or less; and also that portion of Section 28, 33 Township 7 South, Range 4 West of the Willamette Meridian and being portions of the Elisha McDaniel and wife Donation Land Claim #38 and the Marcellus M. Dodson and wife Donation Land Claim Notification #3631, more particularly described as follows: Commencing at the quarter section corner between Sections 32 and 33 in the above Township and Range; thence North 15.10 chains; thence East 20.04 chains and the point of beginning, which said point of beginning is in the North line of the Right-of-way of the S. F. C. & W. R. R. Co. as now located; thence along said North line North 81° 57'

East 12.69 chains; thence North 34.18 chains; thence North 79° 45' West 4.17 chains; thence North 85° 15' West 4.52 chains; thence South 8.50 chains; thence South 9° East 2 chains; thence South 15° 45' West 3.75 chains; thence West 3.22 chains; thence South to the place of beginning and containing 45.62 acres, more or less.

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 28th day of February, 19 50.

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