

Superseded by
Cert. No. 37648

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

This Is to Certify, That WILLARD BROS.

of Route 1, Dayton, 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 Yamhill River a tributary of Willamette River for the purpose of irrigation under Permit No. 15945 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 August 25, 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 1.46 cubic feet 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 NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Louis LaBunte D.L.C. No. 76, Section 10, Township 4 South, Range 3 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:

8.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected on Louis LaBunte D.L.C. No. 76
38.1 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Louis LaBunte D.L.C. No. 76
9.2 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Louis LaBunte D.L.C. No. 76
15.7 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Louis LaBunte D.L.C. No. 76
31.4 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected on Louis LaBunte D.L.C. No. 76
13.9 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected on Louis LaBunte D.L.C. No. 76
0.7 acre in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected on Louis LaBunte D.L.C. No. 76
Section 10

T. 4 S., R. 3 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 on the division line of Louis Labonte D.L.C. Not. 796, Claim No. 76, Twp. 4 S. R. 3 W. of Willamette Meridian in Yamhill Co., Ore. and N. 30° E. 22.67 chains and S 73° 44' E. 11.93 chains from the S. W. corner of said claim; said beginning point also being the S. W. Corner of the 140 acre tract deeded by Wm. F. Leckband and wife to Hugh Montgomery on Nov. 24, 1911, as recorded on page 195 Vol. 62 Records of Deeds for Yamhill Co., Ore. thence N. 16° 16' E. 25.84 chains to low water bank of Yamhill River; thence following up the low water bank of the Yamhill river as follows: S. 77° 05' W. 4.30 chains; S. 52° 00' W. 2.47 chains; S. 42° 30' W. 2.15 chains; S. 34° 25' W. 1.66 chains; S. 47° 45' W. 3.90 chains; S. 33° 15' W. 4.66 chains S. 46° 30' W. 5.86 chains; S. 24° 15' W. 5.46 chains to the intersection of the division line of the claim with the low water bank of Yamhill River; thence S. 73° 44' E. along the division line of Claim 13.77 chains to place of beginning and containing 25.83 acres more or less.

2nd. Beginning at S. W. corner of Louis Labonte D. L. C. thence S. 73° 30' E. along S. line of Claim 23.86 $\frac{1}{2}$ chains set iron pipe for S. E. corner of lot #1; thence N. 16° 30' E. 22.12 chains set iron pipe on division line of Claim for N.E. corner; thence N. 73° 40' W. along division line of Claim 20.40 to N. W. corner of S half of claim; thence with W. line of Claim S. 31° 30' W. 11.92 chains to angle;

thence S. 3° 45' W. 2.14 chains to angle; thence S. 22° 15' W. 8.50 chains to beginning; containing 50 acres. The above tract being Lot #1 of the Willard tract of 175.50 acres and being a part of the Louis Labonte D. L. C. Notification #796 Claim 76 in Tp. 4 S. R. 3 W. of the Willamette Meridian, in Yamhill Co. Oreg.

Lot 2 - Beginning on S. line of the Louis Labonte D. L. C. at a point S. 73° 30' E. 23.86½ chains from the S. W. corner of said Claim thence S. 73° 30' E. along S. line of Claim 8.81½ chains to set iron pipe for S. E. corner of Lot 2 and S. W. corner lot 3, thence N. 15° 45' E. 12.88 chains to set iron pipe angle corner and N. W. corner of Lot 3, thence S. 73° 30' E. Parallel to S. line of Claim 19.50 chains to set iron pipe on W. line of 16 foot lane and N.W. corner of Lot 3, thence N. 16° 33' E. along W. line of said lane 9.31 chains to set iron pipe on division line of Claim at N. W. corner of land, thence N. 73° 40' W. along division line of Claim 28.168 chains to iron pipe at N. E. corner of Lot 1, thence S. 16° 30' W. between Lot 1 and 2 22.12 chains to beginning containing 37.33 acres.

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