

## STATE OF OREGON

COUNTY OF YAMHILL

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That CHESTER L. MULKEY

of 621 E. Second St., McMinnville, State of Oregon, 97128, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of

South Fork, Yamhill River, a tributary of Yamhill River, a tributary of Willamette River for the purpose of

irrigation under Permit No. 18197 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 February 6, 1948 for 0.34 c.f.s.

April 22, 1948 for 0.20 c.f.s.; 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 0.54 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 $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Alexis Miller D.L.C. #64 and SE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on John Monroe D.L.C. #74, Section 12, Township 5 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:

- 5.4 acres in Lot 5 (NE $\frac{1}{4}$  NW $\frac{1}{4}$ )
  - 5.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on John Monroe D.L.C. #74
  - 0.8 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Alexis Miller D.L.C. #64
  - 12.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Alexis Miller D.L.C. #64
  - 3.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Alexis Miller D.L.C. #64
  - 0.5 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on Alexis Miller D.L.C. #64
  - 2.7 acres in Lot 4 (SE $\frac{1}{4}$  NW $\frac{1}{4}$ )
  - 13.6 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , as projected on John Monroe D.L.C. #74
- Section 12  
Township 5 South, Range 5 West, W.M.

Land on which water is to be used is a part of that more explicitly described by appropriator as follows:

Lot Six (6) in Section Twelve (12) Township Five (5) South Range Five (5) West of the Willamette Meridian, Yamhill County, State of Oregon. Part of the John Monroe Donation Land Claim, Notification No. 1322, Claim No. 65 in Township 5 South, Range 4 West and Claim No. 74 in Township 5 South, Range 5 West of the Willamette Meridian, Yamhill County, Oregon, described as: Beginning at the Northwest corner of said John Monroe Donation Land Claim; thence East 12.397 chains to a stake; thence South 22.073 chains to a stake; thence West 12.688 chains to an iron pin on the West line of said Claim; thence North 22.075 chains to the place of beginning, together with a right of way in common with others described as follows:

A strip of land 30 feet wide extending across the South end of Lots 2, 3, 4 and 5 as described in County Survey #2476, and a strip of land 40 feet wide across East

SUPERSEDED BY  
CERT. NO. 88660

SPV 55p 562  
T-8563

end of Lot 1 of said county Survey #2476 for road purposes and for the use and benefit of each and all of said lots for Road Purposes only. Vol. 122 Page 513 M. E. Toliver et ux to Julius J. & Helen J. Frahm — Being Lot No. 4 as set off to Charles McPhillips by decree of the Circuit Court of the State of Oregon, for Yamhill County, duly made and entered in said court in that certain suit wherein Rose McPhillips, et al, were plaintiffs and Charles McPhillips et al, were defendants, which said lot is more particularly bounded and described as follows, to-wit: Beginning at the Northeast corner of the Alex Miller Donation Land Claim in Section 1 Township 5 South, Range 5 West of the Willamette Meridian, running thence South 0° 11' East along the East line of said Alex Miller Donation Land Claim; 3696 feet; thence East 528 feet, more or less, to the West line of the John Monroe Donation Land Claim; thence North 330 feet to the Northwest corner of the John Monroe Donation Land Claim; thence East along the North line of said Claim 831.6 feet, more or less, to the West line of Government Lot 6 of Section 12 of said Township and Range; thence North along the West line of said Lot 6, a distance of 441 feet to the South line of the J. A. Cornwall Donation Land Claim; thence South 57° East along the South line of the Cornwall Donation Land Claim 809.7 feet to angle corner; thence East along South line of Cornwall Claim 858 feet to angle corner; thence North 49° 45' East along South line of Cornwall Claim 1235.3 feet to the division line of claim as described in Deed Book 1 at page 282, Deed Records of Yamhill County; thence North 24° West along said division line 1692.9 feet; thence North 80° West 2541 feet; thence North 694.32 feet to an iron pin set in center of the County road leading from McMinnville, to Sheridan; thence South 44° West 441.54 feet to the place of beginning; situated in the County of Yamhill and State of 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 31st day of January, 1951.

CHAS. E. STEICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 14, page 19485