

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE NO. 45805

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ELDON R. FRINK

of Route 2, Box 128, Dallas, 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 Little Luckiamute River a tributary of Luckiamute River for the purpose of irrigation

under Permit No. 18813 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 May 2, 1949, for 0.38 c.f.s., July 12, 1949, for 0.50 c.f.s. and September 15, 1949, for 0.08 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 0.96 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 SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ S $\frac{1}{4}$, as projected within Smith D.L.C. No. 43, Section 26, Township 8 South, Range 6 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; 0.13 c.f.s. to be diverted from Teal Creek when available and any deficiency in the available supply in Teal Creek is to be made up by diversion from Little Luckiamute River, providing that the total quantity diverted from both streams shall not exceed 1/80th c.f.s. for each acre irrigated

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:

2.2 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
 2.2 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
 28.4 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
 20.6 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
 4.2 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
 7.0 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
 6.8 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
 5.0 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$

All as projected within Smith D.L.C. No. 43
 Section 26

Township 8 South, Range 6 West, W. M.

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

Beginning at the NW corner of the Isaac Smith, Cl. No. 43 in T. 8 S., R. 6 W., W. M. in Polk County, Oregon; running thence S. 89° 55' East 1424.28 feet thence S. 3° 55' E. 1036.2 feet thence N. 88° 15' E. 1368.64 ft. thence S. 560.34 feet thence S. 14° 15' W. 260.68 ft., thence W. 2816.2 ft., thence N. 0° 33' E. 1806.9 ft. to the place of beginning and containing 85.532 ac. 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 18th day of May, 1956.

LEWIS A. STANLEY
 State Engineer

Recorded in State Record of Water Right Certificates, Volume 15, page 21278.