

STATE OF OREGON
COUNTY OF MARION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **HENRY WILMES**

of **Route 1, Woodburn**, 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 **Case Creek, unnamed gulch & reservoir constructed under App. No. R-24044, Per. No. R-1032** a tributary of **Champoeg Creek** for the purpose of **irrigation and fish culture** under Permit No. **1940** 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 23, 1949**

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 **0.30 cubic foot per second, being 0.28 cfs from Case Creek for irrigation and 0.02 cfs from gulch for fish culture,**

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 $\frac{1}{4}$ & SW $\frac{1}{4}$ SW $\frac{1}{4}$** , as projected within **Kennedy DLC #48, Section 24, Township 4 South, Range 2 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 its equivalent for each acre irrigated from direct flow 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, from direct flow and storage from reservoir constructed under Permit No. **R-1032,**

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 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$** , as projected within **Kennedy DLC #48 fish culture** and **3.2 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$** , as projected within **Kennedy DLC #48**

Section 23
5.6 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within **Kennedy DLC #48**
fish culture and **8.4 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$** , as projected within **Kennedy DLC #48**

Section 24
Township 4 South, Range 2 West, W. M.

Land on which water is to be used is part of that described as follows:
That portion of the following described tract which lies E. of the center line of the **Champoeg-St. Louis Cty. Rd. #416**. Beginning at the **SW corner of the DLC of Barney Kennedy & wife in T 4 S., R 2 W., W.M., Marion County, Oregon;** thence **N. 23° 17' E. 26.45 chains** along the **W. line of the B. Kennedy Claim** to a point **8.75 chains S. 23° 17' W.** from the **NW corner of the S $\frac{1}{2}$ of said claim;** thence **S. 70° 50' E. 90.21 chains** to the **E. line of the Barney Kennedy Claim & 8.75 chains S. 15° 31' W.** from the **NE corner of the S $\frac{1}{2}$ of said claim;** thence **S. 15° 31' W. 24.80 chains** to the **SE corner of the B. Kennedy Claim;** thence **N. 71° 50' W. 93.70 chains** along the **S. line of the B. Kennedy Claim** to the place of beginning, being situated in **Marion County, 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 12th day of June, 1954

LEWIS A. STANLEY

State Engineer