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STATE OF OREGON  
~~WATER~~-DIVISION-~~No.~~-1, COUNTY OF LAKE

C E R T I F I C A T E O F W A T E R R I G H T

THIS IS TO CERTIFY that FRED T. ELSEY, whose post office address is 1016 Ashmont Avenue, Oakland, California, has a right to the use of the waters of the Chewaucan River and its tributaries (a tributary of Lake Abert) and to divert the same through Jones Slough, for the purposes of irrigation, watering livestock and domestic use; that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of Oregon, in Volume 4, at Page 1; that the priority of the right hereby confirmed dates from 1878;

That the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid is, by the terms of said decree, limited so that it shall not exceed

- (a) as respects water for irrigation, a quantity of water in each irrigation season (being the period in each year commencing April 1st and ending September 15th, both dates included) equivalent in the aggregate to 4.6 acre feet per acre for each acre included in the lands below described, such water to be diverted at a rate not exceeding that which will represent a flow of  $1/25$  of one cubic foot per second of time per acre for the number of acres contained in the lands below described; and
- (b) as respects water for livestock and domestic purposes, such quantity of water (to be additional to that specified in the preceding subdivision (1) hereof, and to be used by said Fred T. Elsey and other owners of lands entitled to divert water of said river through Jones Slough) as shall be sufficient for such purposes and to prevent complete freezing; not, however, to exceed in the aggregate a flow of 8 cubic feet per second of time through said Jones Slough during the period between the 15th day of October in each year and the first day of March of the succeeding year, and not to exceed a flow of 4 cubic feet per second of time through said Jones Slough between September 15th and October 15th of each year.

A description of the lands irrigated under such rights, and to which the

water hereby confirmed is appurtenant (or, if for other purposes, the place where such water is put to beneficial use) is as follows:

30 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$   
Section 18  
39 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$   
14 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$   
Section 19  
9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$   
Section 20  
Tp. 33 S. R. 19 E. W. M.  
Total - - - - 92 acres.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

As between the following named persons and their respective successors in interest (namely: Chewacan Land and Cattle Company, a corporation. Fred T. Elsey, Wm. H. Hotchkiss, Christina Schmidt and William Schmidt, E. S. McDonald and J. B. Elder, A. C. Hotchkiss, Frances J. Snider and Anna F. Jones, as executrices of the last will and testament of George M. Jones, deceased, W. Y. Miller, Brattain Bros, a corporation, John O'Callaghan and Dennis O'Callaghan, copartners doing business under the name of O'Callaghan Bros., C. E. Campbell, H. A. Brattain, P. J. Brattain and Mrs. C.N.Brattain-Small, H. A. Brattain, Fred Weidey, Anton Egli, Florence Jones, Cynthia I. McCall, W. B. Parker, W. M. Dobkins, Harriet L. Random, M. C. Currier, M. H. Lauritzen, E. S. McDonald and J. B. Elder, copartners doing business under the name of McDonald & Elder, and Annie Moss), the rights of said persons respectively to divert and use waters of the Chewacan River for domestic and stock purposes have equal priority and a priority as of the year 1878. For a more particular specification of the provisions of said Decree and of the rights of said Fred T. Elsey to and in respect of the use of the waters of said Chewacan River and its tributaries upon the lands hereinabove described, reference is hereby made to said Decree and to the Order of Determination of the State Water Board, as modified by said Decree, heretofore entered in that certain proceeding before said Water Board and before said Circuit Court, entitled "In the Matter of the Determination of the Relative Rights to the use of the Waters of the Chewacan River and its tributaries, a tributary of Lake Abert." And the right herein described shall be subject to all other conditions and limitations contained in said decree.

WITNESS the seal and signature of the STATE WATER BOARD affixed this 26th day of October, 1920.

S T A T E W A T E R B O A R D

By PERCY A. CUPPER,  
State Engineer, President.

(SEAL OF STATE WATER BOARD)

Attest:  
R. W. POTTER, Secretary.