

STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This Is to Certify, That N. C. LODGE

of Box 102, Caldwell, Idaho, has a right to the use of

the waters of Schnabel Creek for Tract #1; Cove Creek for Tract #2; Cow Creek and Two Springs in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, T. 28 S., R. 44 E., W.M. for Tract #3 for the purpose of irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Malheur County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 9, at page 1271; that the priority of the right thereby confirmed dates from April, 1886 for Tract #1; 1872 for Tracts #2 & #3

that the amount of water to which such right is entitled; for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 2 acre feet per acre prior to June 1st, and $\frac{1}{2}$ acre foot per acre during any calendar month after June 1st, of each irrigation season from April 1st to October 15th.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tract #1:

3.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 17.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.3 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 15

13.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 21.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 22

T. 28 S., R. 44 E., W.M.

Tract #2:

25.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 15.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 35.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 14

T. 28 S., R. 44 E., W.M.

Tract #3

3.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 17.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.3 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 15

13.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 21.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 22

21.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 11.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 22.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 36.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 32.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23

T. 28 S., R. 44 E., W.M.

STATE OF OREGON

COUNTY OF CLATSOP

Tract #3, (continued)

9.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$

32.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$

2.1 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 24

14.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$

40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$

40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$

20.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$

11.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 25

40.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$

23.7 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$

25.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$

40.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$

19.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$

14.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26

T. 28 S., R. 44 E., W.M.

(Lands in Sections 15 and 22 also irrigated by water from Schnabel Creek, through Schnabel Ditch)

Then certificate, issued to N. C. Lodge, and recorded at page 28526, Volume 20, State Record of Water Right Certificates, was issued to confirm a change in place of use of water approved by an order of the State Engineer entered August 24, 1951 pursuant to the provisions of ORS 540.510 to 540.530, and supersedes certificate of water right heretofore issued to John Kiernan and recorded at page 8385, Volume 8, State Record of Water Right Certificates.

Note:

This certificate supersedes certificate issued to N. C. Lodge on April 25, 1961 and recorded at page 28526, Volume 20, State Record of Water Right Certificates, so as to eliminate the use of water from Upper Cow Creek Lake, pursuant to Decree on Mandate from the Supreme Court entered February 26, 1951 in re: Mina M. Oliver, substituted for John A. Oliver, deceased; plaintiff, vs: N. C. Lodge, defendant.

And said right shall be subject to all other conditions and limitations contained in said decree. 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 5th day of May, 1961.

Lewis A. Stanley

State Engineer