

STATE OF OREGON

DEPARTMENT OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **CHESTER YORK, Estate of,** by **Wilma Messinger,**

of Applegate, State of Oregon, has a right to the use of the waters of O'Brien and Sturgis Forks of Carberry Fork of Applegate River

a tributary of Applegate River for the purpose of domestic, stock and irrigation of 33.4 acres and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 16, at page 523; that the priority of the right thereby confirmed dates from 1857 for 0.09 c.f.s.; 1906 for 0.22 c.f.s.;

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 0.31 cubic foot per second.

The point of diversion is located in the Sturgis Fork: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T. 40 S., R. 5 W., W.M.; O'Brien Fork: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 40 S., R. 5 W., W.M.
A description of the place of use under the right, and to which such right is appurtenant, is as follows:

25.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
8.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 36,
T. 39 S., R. 5 W., W.M.

(Note. To the extent of 10 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, the foregoing right is supplemental to a vested right allowed claimant's predecessor to the use of water from Thompson Creek which is set out in the Rogue River Decree on Page 34, Column 2, under Proof 1044.

The supplemental right allowed herein is limited to use on the land to which it is appurtenant in an amount not exceeding 0.0094 cubic foot per second of water for each acre irrigated during the irrigation season, and the quantity used from all sources shall not exceed 0.017 cubic foot per second of water for each acre irrigated during the irrigation season.)

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 date January 5, 1966.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 25, page 32993