STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* H. L. WAGNER and SONS, INC. et al

of P. O. Box 167, Imbler *, 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* a well

a tributary of Willow Creek *for the purpose of* irrigation of 497.3 acres

under Permit No. U-309 *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* November 4, 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 2.78 cubic feet 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 SW¼ SE¼, Section 24, T. 1 S., R. 38 E., W. M. Diversion point located: 0.1 chain North and 19.8 chains East from S¼ Corner, Section 24.

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 3 acre feet per acre for each acre irrigated during the irrigation season of each year;

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:

40.0 acres SE¼ SE¼
Section 23

20.0 acres S½ NE¼ SW¼
40.0 acres NW¼ SW¼
40.0 acres SW¼ SW¼
40.0 acres SE¼ SW¼
40.0 acres SW¼ SE¼
39.1 acres SE¼ SE¼
Section 24

T. 1 S., R. 38 E., W. M.

39.1 acres NE¼ NE¼
40.0 acres NW¼ NE¼
39.1 acres SE¼ NE¼
40.0 acres NE¼ NW¼
40.0 acres NW¼ NW¼
Section 25

40.0 acres NE¼ NE¼
Section 26

T. 1 S., R. 38 E., W. M.

Certificate of water right issued to H. L. Wagner and Sons, Inc. et al and recorded at page 36467, Volume 28, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 516.5 acres. Subsequently, the right to the use of water appurtenant to 19.2 acres was canceled by order of the State Engineer entered March 23, 1970. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to H. L. Wagner and Sons, Inc. et al.

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. March 27, 1970

CHRIS L. WHEELER
State Engineer

Recorded in State Record of Water Right Certificates, Volume 28 *, page* 36614