

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **Albert W. Kroeger**

of **Route 1, Box 178, Rickreall**, State of **Oregon**, has a right to the use of the waters of **McNary Branch**

a tributary of **Mud Slough (Rickreall Creek)** for the purpose of irrigation of **2.0 acres for Tract 1; domestic use of one family for Tract 2;*** and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for **Polk** County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume **17**, at page **90**; that the priority of the right thereby confirmed dates from **1859**

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 **0.035 cubic foot per second, being 0.025 cubic foot per second for irrigation (Tract 1); 0.005 cubic foot per second for domestic (Tract 2); 0.005 cubic foot per second for stock (Tract 3); and shall be further limited to the provisions of Finding No. 34 of said Decree for Tract 4.**

The point of diversion is located in the **NE $\frac{1}{2}$ NW $\frac{1}{2}$** , as projected within **J. Allen D.L.C. 42, Section 22, Township 7 South, Range 4 West, W.M.** Diversion point is located **520 feet south and 900 feet west from the N $\frac{1}{2}$ corner Section 22.**

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

Tract 10.3 acre **NE $\frac{1}{2}$ NW $\frac{1}{2}$** 0.4 acre **NW $\frac{1}{2}$ NW $\frac{1}{2}$** 1.3 acres **SE $\frac{1}{2}$ NW $\frac{1}{2}$** all as projected within **J. Allen D.L.C. 42**Section **22**Township **7 South, Range 4 West, W.M.**Tract 2**SE $\frac{1}{2}$ NW $\frac{1}{2}$** as projected within **J. Allen D.L.C. 42**Section **22**Township **7 South, Range 4 West, W.M.**Tract 3**SE $\frac{1}{2}$ NW $\frac{1}{2}$** as projected within **J. Allen D.L.C. 42**Section **22**Township **7 South, Range 4 West, W.M.**

*stock for Tract 3; and stock drinking directly from the source and is limited not to exceed **130 head for Tract 4**

Tract 4

SE $\frac{1}{4}$ NE $\frac{1}{4}$
as projected within J. Allen D.L.C. 42

Section 21

NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$
all as projected within J. Allen D.L.C. 42

Section 22

Township 7 South, Range 4 West, W.M.

Being within the tract of land described as follows: Beginning at a point 20.00 chains west of the northeast corner of Section 21, T. 7 S., R. 4 W., W.M., running thence south 31.50 chains; thence east 49.98 chains; thence north 11.75 chains; thence east 10.15 chains; thence north 20.00 chains; thence S. 89° 50' W. 40.07 chains; thence north 40.00 chains; thence west 20.04 chains; thence south 40.00 chains to the place of beginning; ALSO, beginning at the southwest corner of the north one-half of the Northeast quarter of Section 22, T. 7 S., R. 4 W., W.M., running thence north along this half section line 24.75 feet; thence east parallel with the north line of said Section 22, 160 rods, more or less to the center of the public road; thence south along the section line 24.75 feet; thence west along the south line of the north half of the northeast quarter of Section 22, above mentioned, 160 rods more or less, to the place of beginning.

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 October 20 , 19 72

CHRIS L. WHEELER

State Engineer