

## STATE OF OREGON

COUNTY OF POLK

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** Eugene D. and Claire MacCarthy

of Route 1, Box 47-B, Monmouth, State of Oregon, has a right to the use of the waters of Samuel's Spring

a tributary of unnamed stream (Middle Fork Ash Creek) for the purpose of domestic use of one family, stock use, and irrigation of 0.9 acre 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 216; that the priority of the right thereby confirmed dates from 1900.

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 0.021 cubic foot per second being 0.005 cubic foot per second for domestic use, 0.005 cubic foot per second for stock use, and 0.011 cubic foot per second for irrigation.

The point of diversion is located in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  as projected within Barrows DLC 49, Section 9, T. 8 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:

Domestic, Stock, and 0.9 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
as projected within Barrows DLC 49  
Section 9  
T. 8 S., R. 5 W., W.M.

Being within the tract of land described as follows: Beginning on the West line of the John Barrows Donation Land Claim No. 49 in Township 8 South, Range 5 West of the Willamette Meridian in Polk County, Oregon, at a point which is 2213.68 feet North from the Southwest corner thereof; thence North along the West line of said Barrows Donation Land Claim 1376.27 feet to a point which is 1733.16 feet South from the Northwest corner of said Claim, said point being the Southwest corner of a tract of land conveyed by deed recorded in Volume 153, Page 681, of the Polk County Deed Records; thence East along the South line of the said tract of land 926.66 feet to the center of a County Road; thence South 24° 49' East along the center of the said County Road 499.04 feet; thence South 49° 59' East along the center of the said County Road 683.37 feet; thence South 50° 0' West 759.89 feet; thence West 1075.21 feet 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 May 17, 1974.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 32, page 40229