

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That John Clell Kerber and Neva M. Kerber

of 910 S. Galley Ave., Lincoln City, State of Oregon, has a right to the use of the waters of a spring for Tract 1 and two springs for Tract 2

a tributary of Ritner Creek (Luckiamute River) for the purpose of domestic use of one family (Tract 1) and stock drinking directly from the sources* 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 217; that the priority of the right thereby confirmed dates from 1898

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 0,005 cubic foot per second for domestic and shall be further limited to the provisions of Finding No. 61 of said Decree.

The point of diversion is located in the Lot 7 (SE $\frac{1}{4}$ SW $\frac{1}{4}$) Section 5, T. 10 S., R. 6 W., W.M. Spring located: 900 feet North and 1060 feet West from S $\frac{1}{2}$ corner Section 5.

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

Tract 1

NE $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within S. Ritner DLC 59
Section 5
Township 10 South, Range 6 West, W. M.

Tract 2

Lot 7 (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
SE $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within S. Ritner DLC 59
Section 5
Township 10 South, Range 6 West, W. M.

Being within the tract of land described as follows: Beginning at a point in the centerline of the County Road on the $\frac{1}{4}$ Section Line running North and South through Section 5, Township 10 South, Range 6 West of the Willamette Meridian in Polk County, Oregon, said point being 22.865 chains N, 0° 51' W. of the $\frac{1}{4}$ corner on the South line of said section 5; and running thence S 0° 51' E 10.630 chains; thence N 89° 30' W 10.818 chains; thence N 13° 30' E 3.335 chains; N 12° 15' E 3.673 chains; N 6° 00' E 3.498 chains; thence N 16° 30' E 3.144 chains to center of the said County Road; thence S 68° 25' E 7.615 chains; thence East 0.767 chains to the place of beginning.

*and is limited not to exceed 5 head (Tract 2)

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