

42682  
SUPERSEDED by 50326

## STATE OF OREGON

COUNTY OF

CLACKAMAS

part

Cancelled - sp. or Rec. Vol.

35 P. 47

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That **ELMER H. SCHNEIDER**

of Rt. 2 Box 171, Woodburn, State of Oregon, 97071, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Schneider Reservoir constructed under Application No. R-43681, Permit No. R-5016

a tributary of Rock Creek for the purpose of supplemental irrigation of 11.2 acres and fish culture

under Permit No. 32650 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 June 1, 1967

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 7.0 acre feet stored water only, being 5.3 acre feet for irrigation and 1.7 acre feet for fish culture

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 18, T. 5 S., R. 1 E., W. M., 130 feet South and 2440 feet East from the W $\frac{1}{2}$  Corner of Section 18.

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 ~~of one cubic foot per second per acre~~, a diversion of 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year and shall be further limited to a total diversion of not to exceed 5.3 acre feet per 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:

Fish Culture and 8.7 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
2.5 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 18  
T. 5 S., R. 1 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 38415, Volume 30, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the State Engineer entered on June 30, 1975.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. October 18, 1976

James E. Saxon

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35, page 43741

CANCELED