

STATE OF OREGON

COUNTY OF

YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That**FRED W. HARSHMAN**

of Rt. 2, Box 293, McMinnville, State of Oregon, 97128, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of an unnamed stream and reservoir constructed under Application No. R-47983, Permit No. R-5708 a tributary of Berry Creek for the purpose of fish culture, recreation, & irrigation of 1.6 acres

under Permit No. 35498 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 February 24, 1971 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 0.03 cubic foot per second, being 0.01 c.f.s. from unnamed stream and reservoir for fish culture and recreation with any deficiency in the available supply from the unnamed stream to be made up by appropriation from Berry Creek provided that * or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 4 (SW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 2, T. 4 S., R. 5 W., W. M., unnamed stream-20 feet North and 2250 feet West; Berry Creek-150 feet North and 1700 feet West, both from the SE Corner, Section 2.

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 from direct flow and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit No. R-5708;

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, Recreation, & 1.6 acres Lot 4 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 2
T. 4 S., R. 5 W., W. M.

* the total quantity diverted from both sources shall not exceed 0.01 c.f.s. and 0.02 c.f.s. from Berry Creek for irrigation.

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. June 17, 1977

James E. Sexson

Water Resources Director