

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HERMAN KUENZI, PAUL STAEDELI, &
BEN KAUFMAN

of Rt. 3, Box 149, Silverton, State of Oregon, 97381, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Beaver Creek and reservoir constructed under Application No. R-25533, Permit No. R-1144 a tributary of Pudding River for the purpose of irrigation of 35.0 acres and supplemental irrigation of 23.3 acres

under Permit No. 20222 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 December 28, 1950 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 0.19 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within McAllister DLC 49, Section 17, T. 7 S., R. 1 W., W. M.

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-1144 and shall be still further limited to a diversion of not to exceed 5.4 acre feet on lands described as supplemental.

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:

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| <u>Supplemental</u> | <u>Primary</u> | |
|---------------------|----------------|---|
| 5.6 | 10.4 | acres NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within McAllister DLC 49 |
| 0.4 | 8.8 | acres NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within McAllister DLC 49 |
| | 4.7 | acres SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within McAllister DLC 49 |
| 15.8 | 3.8 | acres Lot 4 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) |
| | 5.2 | acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within McAllister DLC 49 |
| 1.5 | 2.1 | acres Lot 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) |
| | | Section 17 |
| | | T. 7 S., R. 1 W., W. M. |

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 22598, Volume 16, State Record of Water Right Certificates, modified but not canceled by the provisions of an order entered on September 30, 1977.

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. November 28, 1977

James E. Sexson

Water Resources Director