

STATE OF OREGON

COUNTY OF

POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ELDON R. FRINK

of Rt. 2, Box 128, Dallas, State of Oregon, 97338, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Little Luckiamute River and Teal Creek

a tributary of Luckiamute River for the purpose of irrigation of 50.4 acres

under Permit No. 18813 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 May 2, 1949 for 0.25 c.f.s., July 12, 1949 for 0.33 c.f.s. and September 15, * 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 0.63 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 SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Smith DLC 43, Section 26, T. 8 S., R. 6 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-eighth of one cubic foot per second per acre, or its equivalent for each acre irrigated 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; 0.13 c.f.s. to be diverted from Teal Creek when available and any deficiency in the available supply in Teal Creek is to be made up by diversion from Little Luckiamute River, providing that the total quantity diverted from both streams shall not exceed 1/80th c.f.s. for each acre irrigated

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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* 1949 for 0.05 c.f.s.

- 2.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
- 2.2 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
- 20.9 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
- 9.6 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
- 0.4 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$
- 3.3 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
- 6.8 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
- 5.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

All as projected within Smith DLC 43
 Section 26
 T. 8 S., R. 6 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 21278, Volume 15, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on April 28, 1978, approving transfer application No. 3577.

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. June 9, 1978.


 DEPUTY
 Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 38 , page 45805.