

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MURRAY WINSTEAD

of Rt. 1, Box 292, 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 Abiqua Creek

a tributary of Pudding River for the purpose of irrigation of 33.9 acres

under Permit No. 12647 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 19, 1937 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 0.43 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 NE $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Jerome B. Post DLC 49, Section 29, T. 6 S., R. 1 E., 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 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,

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:

3.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
1.6 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Both as projected within Andrew J. Shepard DLC 38
Section 28

2.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
6.7 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
14.4 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
0.3 acre SE $\frac{1}{4}$ SE $\frac{1}{4}$
All as projected within Jerome B. Post DLC 49
4.8 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
0.9 acre SE $\frac{1}{4}$ SE $\frac{1}{4}$
Both as projected within Andrew J. Shepard DLC 38
Section 29
T. 6 S., R. 1 E., W. M.

Land on which water is to be used is a part of that more explicitly described by appropriator as follows:

Commencing on the South boundary of the Donation Land Claim of George Woolen and wife at the most Easterly intersection with the middle of the Abiqua Creek; thence west on aforesaid South boundary six chains and fourteen links to the North and South line extended from between the lands of Amelie and John Woolen, continuing on said South boundary a total distance of thirteen chains and sixty four links to a point in the middle of Abiqua Creek and five chains and fifty one links from the Northwest corner of the Donation Land Claim of Jerome B. Post; thence up the middle of the Abiqua Creek to the beginning and containing eight acres, more or less, in Township 6 South, Range 1 East, in Marion County, Oregon.

Also the following, to-wit: Commencing at the most Northerly North East corner of the Donation Land Claim of J. B. Post and wife in Township Six South, Range 1 East of the Willamette Meridian, in Marion County, Oregon; thence West on said Donation Land Claim line, eighteen and twenty hundredths chains to the middle of said line, thence South fifty eight and sixty four hundredths chains to a point on the South boundary of a tract of two hundred eighty two and ninety four hundredths acres of land deeded by the said J. B. Post to Ai Coolidge on the 30th of May, 1857, as shown by deed recorded in Book 2, Page 56, Marion County Records of Deeds, thence East seventeen and ninety seven hundredths chains to the South East corner of land described in said Deed to Ai Coolidge; thence North fifty eight and sixty four hundredths chains to the place of beginning, and containing 106 acres, more or less except from the above lands, all those certain premises lying North of Abiqua Creek. Also commencing in the middle of Abiqua Creek, seventeen rods West of the Section line between Sections 28 and 29, in Township 6 South, Range 1 East, Willamette Meridian; thence up the Abiqua Creek to the center of the mill dam; thence North eight rods, thence East twenty one rods to a maple tree fourteen inches in diameter and blazed; thence South eight rods to the middle of the Abiqua Creek; thence South easterly along said creek to the line dividing Andrew Shepard's and John O. Putnam's land claims; thence South to the section line between sections twenty eight and thirty three; thence West to the line between the land claims of Andrew Shepard and J. B. Post; thence North on said line to the place of beginning, and containing 65 acres of land, be the same more or less.

Except from the above described premises the lands as shown in Marion County Deed Records;-Lands described in Volume 91, Page 26; Volume 95; Page 60; Volume 96, Page 263; Volume 6, Page 6; Volume 162, Page 93; Volume 198, Page 388, and Volume 207, Page 77; the amount of land conveyed hereby being 119.00 acres more or less. All being situated in Marion County, State of Oregon.

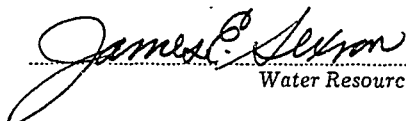
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 19432, Volume 14, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on June 19, 1978, approving transfer application No. 3909.

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. August 10, 1978


Water Resources Director